

Points for File OZ-8300 re-zoning of 313 Clarke Rd. Planning Committee - June 3, 2014

May 29, 2014

Corporation of the City of London
300 Dufferin Ave.
London, ON, N6A 4L9

Attn: Joni Baechler, Chair of Planning and Environment Committee
Re: Official Plan and Zoning amendment application: 313 Clarke Road
Via: Email to Michael Davis – Planning Staff

Dear Chair Baechler and Committee:

The Clarke Rd. and Churchill Ave. area residents respectfully request Delegation Status for our spokesperson, Linda Davis, to address the Planning and Environment Committee regarding file OZ-8300 at the June 3, 2014 meeting.

At the Planning and Environment Committee hearing April 8, 2014, the Committee passed a resolution deferring consideration of the application and asked St. Leonard's to change their application to reduce the number of residents, address concerns about parking and the limited amenity space available. Since then Mr. Knutson has met and corresponded via email and telephone with Mr. Davis of the Planning Department regarding these outstanding issues. Their final decision was to resubmit the zoning request without changes.

Mr. Knutson, on behalf of St. Leonard's, has reiterated that the By-Law states that group homes have a limit of eight residents. They further state that St. Leonard's program requires 8 beds for their business contracts and therefore will not consider reducing the number of residents. They contend that although currently the 313 Clarke Road site only has 4 bedrooms and houses 4 residents it is zoned for 8 and therefore will accommodate 8, regardless of the fact that it has never been used for that many residents.

The intent of St. Leonard's is to relocate the women, as well as their visiting children who reside at the home for short stays, from a 5,110 sq. ft. home on Little Grey St. to the proposed 4,000 sq. ft. Clarke Rd. home. When combining the buildings with their lots this would constitute an almost 70 percent reduction in space from Little Grey St. to Clarke Rd.

Mr. Knutson and the City Planning staff also argue that reducing the number of parking spaces to the minimum standards of two spaces should be acceptable since that is all that is required by By-Law Z-1. They blatantly disregard the real issues experienced in this neighbourhood by the current group home. With only four residents and four parking spaces this group home incurs hardships on the neighbourhood which would only worsen with more residents.

Mr. Knutson and the City Planning staff go on to argue that the amenity space offered by this property meets the requirement of the CF-5 Zone regulation. The proposed dedicated amenity space Mr. Knutson notes, would be 30'(9M) x 30'(9M) in the current driveway. It should be noted that the Smoke-Free Ontario Act requires smoking be 9 metres from Public buildings. This indicates that 9 metres (29.5') is the safe distance where non-smokers are not negatively impacted by second-hand smoke when outdoors. This is also the distance used by the City of London's 2012 Smoking By-Law for children's play areas. Since there is only one dedicated private amenity space proposed by St. Leonard's it is apparent that this 30'x30' area is proposed as a smoking, non-smoking and children's play area. We feel this is an unacceptable solution.

Some Additional Facts and Comments:

The current Group Home facility for these women is on Little Grey St. and is much larger than the proposed property

Property	Little Grey St.	Clarke Rd.	Difference
Building size	5,110 sq. ft.	2,637 sq. ft. (St. Leonard's report)	48% less
Lot size	24,000 sq. ft. (120x200)	7,500 sq. ft. (50x150)	69% less
Private yard	5,280 sq. ft. (66x80)	900 sq. ft. (30x30)	83% less
Parking area	8 cars or trucks	3 cars	5 less
Bus access	Less than one block	Less than one block	Same
Business area	Less than one block	Less than one block	Same
Arterial road access	Less than one block	Less than one block	Same

Lack of parking at the facility creates problems for area residents

- people working or visiting the current group home park on the street in addition to the driveway space provided, this street parking leads to an obstruction of neighbours driveways, garbage pick-up and snow removal
- street parking has already been restricted and it has not solved the problem
- it is anticipated that the problem will worsen with the proposed greater activity as the current group home only has a maximum of 4 residents and parking is an issue with an increase to 8 residents this parking issue will intensify exponentially
- increased parking traffic by visitations by friends, families, police, parole officers, counselors and others will exacerbate the already compromising situation

Lack of outdoor privacy at the facility is apparent

- this house is double the size of all other houses
- this lot is the same size as other houses
- this house cannot provide adequate outdoor activity area
- the entire area behind house has been taken for an inadequate parking area
- the side yard has been landscaped in a sloping fashion and is now a visual amenity space only
- the front yard is totally exposed to vehicle and pedestrian traffic and affords no privacy so becomes a visual amenity space only
- there is an increased need for outdoor space due to families visiting and children staying overnight with their mothers
- the volume of traffic on Clarke Rd. is 22,000 vehicles per day posing safety risk for visiting children playing outside in open front or small side amenity area

Lack of adequate smoking area

- the proposed single private amenity space with landscaping features would be less than 81 sq. m. of usable space
- this space would be crowded the majority of the time for 8 months of the year when the weather is nice
- this crowded space is proposed to facilitate non-smokers and children enjoying outdoor recreation as well as smokers
- the proximity of smokers, non-smokers and in particular children creates an unsafe and unhealthy environment
- last year London adopted a proactive attitude by enacting the new outdoor smoking by-law prohibiting smoking within nine metres of park recreational amenities, clearly there is a need to protect children from second-hand smoke
- the Smoke-Free Ontario Act does not allow smoking in cars when a child is present, clearly there is a need to protect children from second-hand smoke
- since this is also a workplace with workers present 24/7, the Smoke-Free Ontario Act does not allow smoking indoors unless it is in a separate room with separate ventilation, an extensive list of other criteria must also be met to enable a safe indoor smoking facility, so it is reasonable to believe that smoking will be relegated to the single outdoor private amenity space
- these smoking regulations both create a precedent which would make this rezoning proposal counterintuitive, this re-zoning would create an unsafe and unhealthy environment for our most vulnerable members of our society, our children

Using exposed amenity area for activities is not in keeping with this neighbourhood

- no other houses in this neighbourhood, even those located directly on Clarke Rd. use their front yard for activities
- more than 85 children on Churchill alone pass this residence daily on the way to school
- this home is highly visible to both vehicle and pedestrian traffic

Women deserve a chance

- the lack of or limited private amenity space potentially exposing these women to public display is unacceptable
- this would be an affront to the human rights and dignity of these women
- the current residents have been denied adequate outdoor amenity space and rezoning this home to allow more people to use this severely limited residence would be unconscionable
- the fact that this home was allowed to be used as a group home at all was in poor judgement and re-zoning it is adding more poor judgement on top of the previous error
- the purpose of this rezoning is clearly for the business of St. Leonard's to get cheap housing at the expense of the reintegration success of these women
- the Clarke Rd. residence currently only has 4 bedrooms but is zoned for 8, residents this would indicate that even the current owners do not believe this space could adequately house 8, non-related individuals
- overcrowding of this home by increasing the non-related residents to 8, would encourage conflict within the residence
- as learned first-hand by some residents, the St. Leonard's procedures to deal with conflict, if all else fails, is to ejecting the resident causing the conflict
- if a resident is ejected from a group home and has no place to live they would be less likely to successfully reintegrate back into society resulting in a parole violation
- this overcrowding situation will strain relationships, tax coping strategies and create a potential for failure, these women deserve better

Zoning By-Law infractions

- St. Leonard's has argued that they are compliant with the CF5 requirements for the amenity and parking space required and should therefore be granted this re-zoning
- St. Leonard's has argued that according to the Official Plan, group homes should be located on arterial roads near business areas and should therefore be granted this re-zoning
- St. Leonard's has chosen to ignore all of the CF5 requirements they do not meet, such as, frontage, area, and setback and should therefore NOT be granted this re-zoning
- St. Leonard's has chosen to ignore that according to the Official Plan, group homes should not be located in low density, single detached dwellings residential areas and should therefore NOT be granted this re-zoning

Justifying the re-zoning of this house because it is on a busy street across from shopping is not good enough. This property is also within a residential area across from a school, which are equally good reasons not to re-zone this as a Type 2 group home. In addition to this argument, seeing the inadequacy of the space for the proposed level of intensity of the use including the health and safety of these women and their children, should be reason enough to deny the rezoning request for 313 Clarke Rd. Here are a few recent photos showing the parking congestion in the driveway, an area that will be lost for amenity space.



Photos taken May 14, 2014





St. Leonard's Current Women's Group Home - 658 Little Grey St. London ON lot size 24,000 sq. ft.

- current building size is 5,110 sq. ft., the lot is 120 X 200 (24,000 sq. ft.), the yard is 66 X 80
- current parking space is parking for 8 cars or trucks



St. Leonard's Proposed Women's Group Home - 313 Clarke Rd. London ON lot size 7,500 sq. ft.

- Clarke Rd. building size is 2,637 sq. ft. lot size is 50 X 150 (7,500 sq. ft.)
- Clarke Rd. parking space is 4 small cars
- this is a reduction of more than 70% of the space