

PUBLIC PARTICIPATION MEETING COMMENTS

11. Properties located at 360 Crumlin Sideroad and 3301 and 3345 Gore Road (OZ-8188)

- Harry Froussios, Zelinka Priamo Ltd., on behalf of the applicant – expressing support for the staff recommendation; expressing appreciation to the staff for processing this application in a timely manner; providing background to assist the Committee in making a decision with respect to this application; indicating that the family has owned the property for over 100 years; noting that they purchased the property in 1909-1910; advising that a single detached dwelling was constructed in 1925; reiterating that the owners have owned that property since that time; indicating that the property is approximately 16 ½ acres in size and is bisected by the Crumlin Drain; indicating that the lands to the west are the ones that they have applied to for consent to create four new lots consistent with the Official Plan that designates this part of the site Rural Settlement; advising that it has some site specific criteria which they have met in terms of the minimum lot sizes being one hectare, satisfying the Environmental Impact Study, the minimum distance separation and Ministry of the Environment (MOE) guidelines; noting that the MOE guidelines were satisfied through the consent process; indicating that they are here to satisfy the Zoning By-law amendment, which is required to satisfy another condition of consent; advising that the consent application was filed in April, 2013, for the four new lots; indicating that the decision of the consent authority was given in August, 2013; reiterating that they are in the process of completing the conditions; noting that a majority of the conditions have been satisfied except for the water testing; noting that they will be undertaking the water testing in the next month or so to meet all of the conditions assuming that this process moves forward; pointing out that, with the lands being dedicated to the City, they have included some additional lands that were already zoned R1-17 and that is to ensure that they have sufficient setback from the natural feature; advising that they overcompensated, which is something that his client willingly wanted to do; noting that these lands would otherwise be developable; reiterating that his client has agreed to dedicate those lands to the City to ensure that they have sufficient setback from the natural feature; reiterating that they have satisfied any transportation and environmental issues through the consent process; advising that they acknowledge that because of the remnant parcel being located in close proximity to the Gun Club; advising that they are agreeable to having the holding provision on there to allow for further noise assessment to be done before a single detached dwelling is constructed; realizing the Gun Club has existed since 1947, which is over 60 years; noting that, in 2005, when these lands were redesignated to Rural Settlement, they did not appeal, as was stated by their Planning Consultant; advising that he acted on behalf of the appellants for that hearing and the Gun Club was not party to that hearing; expressing appreciation for their concerns; noting that the Gun Club has been there for a long time; advising that there were residential uses in existence prior to the Gun Club locating in this area; indicating that they were locating within residential uses which would be impacted upon their operations for the next 60 years or so; indicating that it is the City's desire to include more residential uses in the area of his clients' lands; noting that it is designated Rural Settlement so they are not legal non-conforming like the Gun Club; advising that they are legal uses permitted on the site; indicating that, with the nature of uses in this area, being industrial, agricultural, residential, recreational, and over the past 60 years, they have co-existed, which is a good thing; advising that this application is not intended to impact on the Gun Club operations, they know what they are all about and his client is comfortable moving forward with this application; indicating that they have spoken to staff and there could be conditions in the consent application on the deeds to ensure that future buyers of the lands being conveyed will know that there are noise impacts associated with this area and that will be put on title; which is something that they can offer up in terms of consent process; advising that they are proposing an Official Plan Amendment and a Zoning By-law Amendment that is consistent with the Municipal Council's direction for these lands; noting that it is in keeping with the Official Plan; indicating that the Planning Consultant

for the Association said that these lots are too large; however, the site specific policies require that the lots be a minimum of one hectare in size and that is exactly what these are; noting that the lots might be a little bit more, but with the road widening taken, they will be around that 1 hectare range.

- Ted Halwa, on behalf of the Crumlin Sportsmen's Association – advising that the Crumlin Sportsmen's Association is an outdoor recreational gun club located at 3384 Gore Road, on approximately 35 acres of land, opposite the easterly end of the subject lands, on the north side of Gore Road; indicating that the lands were annexed by the City in 1993; advising that the Club is a not-for-profit organization, appropriated in 1953 and open to the public, with a current annual membership of approximately 700 members; advising that the Association previously expressed its concern to the City during the processing of Mr. Havaris's development application to create six residential lots, by consent, out of the subject lands; indicating that their primary concern is related to the potential for the adverse impact of noise generated by the Gun Club on future homeowners; advising that, as a result of the submissions made by the Club, the London Consent Granting Authority granted permission to create the building lots imposing the condition that a noise study be undertaken by a qualified acoustical consultant on the impact of noise from both Gore Road and the Gun Club on the proposed development; indicating that the noise study, subsequently undertaken by Golder & Associates, concluded that the predicted sound levels at the location of the new dwellings would exceed Ministry of Environment sound level limits on the subject lands in all cases by at least 20 decibels; advising that the sound level limits are provided in a document entitled MPC-300, which is a guideline issued by the Ministry to assist municipalities in making appropriate land use decisions when noise is an issue; providing noise control measures that can achieve a reduction greater than 20 decibels, according to Golder & Associates, is difficult; advising that Golder & Associates indicated that, to provide some relief to future homeowners, they suggested five noise control measures; advising that two of the measures deal with the internal design of the dwellings and one of the measures deals with situating the dwellings further back from the Gun Club; indicating that the proposed by-law that is before the Committee would actually permit two other dwellings to locate closer to the Club; advising that the last two recommended noise control measures would involve changes on the Club grounds, one being a combination berm and barrier along the property line and the other being the installation of shooting sheds or bunkers; indicating that these measures have been reviewed by the Club and neither are considered practical or feasible; advising that, in addition to the adverse impact of noise, there are other considerations which make the development of the lands for residential purposes inappropriate and difficult to justify; namely, the creation of six building lots on private wells and septic tank and tile filled systems adjacent to the City's Urban Growth Boundary where such development is permitted only on the basis of full municipal services; advising that the size of the lots ranging from 1.5 to 2.7 acres is excessively large for a settlement area and represents an inefficient use of land inconsistent with the Provincial Policy Statement; indicating that the creation of building lot 6, the most easterly one, is in a prime agricultural area and contrary to the Provincial Policy Statement; requesting consideration of the existence of a high voltage overhead transmission corridor along the south side of Gore Road facing the lots proposed to be created, with unscreened industrial uses on the west side of Crumlin Road, opposite proposed lots 1 and 2, fronting onto Crumlin Road; indicating that additional sources of significant noise, including rail traffic and neighbouring industrial facilities identified by Golder & Associates, but not taken into account in the noise study; advising that the Crumlin Sportsmen's Association Gun Club is a legal non-conforming use and, as such, has the protection of the *Planning Act* to continue its use of the lands as it has for the past 40 years; noting that, in addition, it has been granted an exemption by the City to its Discharge of Firearms and Bows By-law; advising that the Association has no intentions to relocate its Gun Club elsewhere and, in any event, would have a considerable challenge finding a suitable and acceptable location this close to the City; indicating that the Association believes the proposed development and the implementing Official Plan and rezoning, which is before the Committee, will create an incompatible land use situation for both new residents and the Association itself, leading to undue and avoidable hardship with respect to the enjoyment of property and the continued and efficient operation of the Gun Club; and, advising that the Association objects to the proposed official plan amendment and rezoning and urges the Committee to reject the same.
- John Fitzgerald, President, Crumlin Sportsmen's Association – advising that the Crumlin Sportsmen's Association has been active on the property since 1947 and predates both major annexations of 1960 and 1993; advising that they are an approved shooting range by the Province of Ontario and meet or exceed all federal guidelines in the range guideline manual; advising that they are regularly inspected by the Province and the

Chief Firearms Office; indicating that they have approximately 700 members that are active 7 days a week, including evenings, on all ranges; advising that they recently had a series of building and fire inspections resulting in a need to do a variety of modifications that were completed as required; indicating that they have regular health inspections for a public hall and have a green dine safe card; advising that they are located immediately north of the subject property; however, the planning report fails to indicate this fact in the surrounding land use tables; indicating that they are a legal non-conforming use; noting that the report identifies the Ukrainian Club down the road, which is not even in the City, they are in the City, and are not mentioned as a legal non-conforming land use; indicating that he thinks that that piece of information may be important for Councillors when considering the application; outlining the applicants noise study indicates issues on all the lots, but the planning report fails to take this into account; noting that this is another significant piece of information that Councillors should have prior to making any decisions; advising that, a few years ago, the area was switched from Industrial and Agricultural to Rural Residential; recalling, at that time, that Councillor Polhill made the point, at this designation, it would only mean face residential, in his words, only one house on each existing property; noting that Councillor Polhill made that point several times at the public meeting; indicating that now there is a severance and the City appears to be moving full steam ahead splitting up these large industrial areas into residential lots, a land use that is incompatible with the area due to traffic noise, industrial activities, high speed elevated railway, an international airport and their use, a multi-discipline shooting range; and, pointing out that if homes are permitted across the street, the City and the Councillors can expect years of noise complaints, just as they have in many other locations where lands were allowed to develop without regard for surrounding land uses.