



ZELINKA PRIAMO LTD

A Professional Planning Practice

February 6th, 2015

Ms. Cathy Saunders – City Clerk
City of London Clerk's Office
City Hall, 3rd Floor
300 Dufferin Avenue
London, ON
N6A 4L9

Dear Ms. Saunders,

Re: Boulevard Parking Application
Mr. Dan Bursic
552 Colborne Street
Our File: BSC/LON/14-01

In response to the Civic Work's Committee's recommendation to deny our appeal of staff's decision to grant only two (2) boulevard parking spaces in lieu of the requested and required three (3) parking spaces, we respectfully request that Council carefully examine the situation and grant the appeal with conditions to ensure sufficient landscaping of the improved parking area.

During the Civic Works Committee meeting, three councillors (Park, Ridley, and Van Holst) indicated they would support the application and grant the appeal, resulting in recognition of the existing three (3) parking spaces, which are also proposed to be improved (Figures 1-2). Councillor Park indicated her desire to ensure that landscape features be implemented to blend the parking area in with the existing neighbourhood, and asked if the landowner would be agreeable to conditions on the appeal requiring landscaping; we agreed that conditions regarding landscaping and tree preservation would be appropriate and acceptable.

We note that there appeared to be some confusion during the debate regarding the correct method of placing conditions on a motion to grant the appeal. Unfortunately, this confusion ultimately undermined the initial support of our appeal and led to a 3-2 vote recommending denial of the appeal.

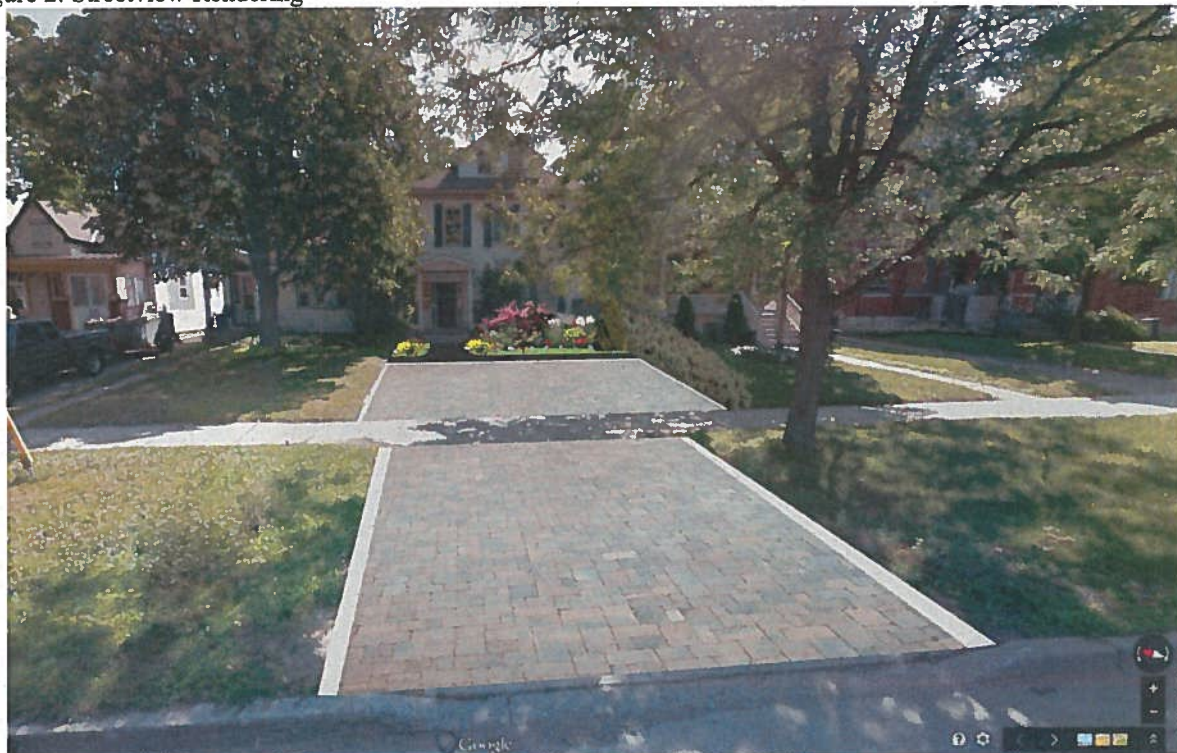
Further correspondence with Councillor Park indicated that her understanding of the situation was that there is no mechanism to ensure landscaping conditions would be met prior to granting an appeal. However, placing conditions on a motion to grant the appeal would have the exact effect that Councillor Park was seeking. As such, Councillor Park's concerns may be adequately addressed through the inclusion of conditions as part of the boulevard parking agreement.

For Council's information, Figures 1 and 2 show a conceptual rendering of how the improved parking area will appear:

Figure 1: Plan view



Figure 2: Streetview Rendering



As noted to the Committee and members of staff, front yard and boulevard parking is a common feature in the Woodfield neighbourhood. Many dwellings were constructed prior to the popularization of the automobile, and therefore did not have driveways leading to the rear yard; the triplex dwelling at 552 Colborne Street is one such dwelling. Due to the proximity of adjacent dwellings, vehicular access to the side or rear yard is not possible. When automobiles became commonplace, front yard space was utilized for a parking area.

The property lies within the West Woodfield Heritage Conservation District and is subject to the policies of the West Woodfield Heritage Conservation Plan. Boulevard and front yard parking is permitted in the plan where no other alternative exists. As evident in Figures 1 and 2, there is no vehicular access to the side or rear yard at 552 Colborne Street, therefore there is no alternative to provide the required three (3) parking spaces for the existing triplex dwelling.

The current 3-space parking area at 552 Colborne Street has existed for over 16 years (confirmed by aerial photography) with no functional issues. No issues were raised by the City when the original single detached dwelling was converted to the current triplex dwelling, whereas conversion should not have been permitted without addressing the parking situation.

In June 2014, vehicles parking in the existing parking area began receiving parking tickets. The tickets stated that the vehicles were parked in an unauthorized area. The landowner subsequently received a letter from the City, dated June 4th, 2014, stating that the existing parking area was in contravention of existing by-laws.

We note that this situation is not unique in the Woodfield neighbourhood. Figure 3 shows locations in proximity to 552 Colborne Street where front yard and/or boulevard parking exists. An inquiry to the City Clerk's Office of forty (40) addresses in Woodfield where boulevard parking is evident revealed that only five (5) addresses have a boulevard parking agreement in place with the City; 87.5% of addresses queried are parking in unauthorized areas, similar to the existing parking situation at 552 Colborne Street.

Figure 3: Front yard and/or boulevard parking in Woodfield (identified in yellow)



Initial conversations with City staff indicated that the most appropriate course of action to permit the front yard parking spaces was through a Minor Variance rather than a Commercial Boulevard Parking Application. An Application for Minor Variance (A118/14) was submitted to the City to request that the three (3) existing front yard parking spaces be recognized. The Committee of Adjustment amended the requested variance to permit only two (2) front yard spaces, resulting in a deficiency of one parking space, as per the minimum parking requirements for a triplex dwelling in the Zoning By-Law.

However, notwithstanding the original direction given by staff, subsequent discussions with staff after the Committee of Adjustment's decision indicated that a Commercial Boulevard Parking Application would be the most appropriate process for approval of the existing and required three (3) parking spaces.

A Commercial Boulevard Parking Application was submitted to the City on September 24th, 2014. A letter prepared by F.R. Berry & Associates (Transportation Planning Consultants) was submitted to the City on October 9th, 2014, in support of the application, detailing that no additional safety concerns exist and that the 3rd parking space should be permitted. Transportation staff maintained their position that only two (2) spaces should be granted.

Our appeal of staff's decision was heard at the February 3rd, 2015, Civic Works Committee meeting and a recommendation to deny the appeal was passed. However, we note that there was originally support by 3 Committee members to grant the appeal, subject to incorporating appropriate conditions regarding landscaping and tree preservation. As noted, some confusion regarding the inclusion of conditions on a recommendation to grant the appeal resulted in a denial of our appeal by a 3-2 vote. As such, we strongly urge Council to examine this situation and grant our appeal of staff's decision, and include a condition to address landscaping and tree preservation within the boulevard parking agreement.

For your consideration, a proposed condition to address landscaping could read as follows:

"Landscape features, including a front garden, pathway, ornamental tree, and shrubbery, be included in the design and construction of the proposed parking area, to the satisfaction of the City of London. Furthermore, the existing boulevard tree immediately south of the existing driveway shall not be removed"

Yours very truly,

ZELINKA PRIAMO LTD.

A handwritten signature in blue ink, appearing to read 'Mathew Campbell', is written over a faint, illegible printed name.

Mathew Campbell, BA, CPT
Planner
cc. Dan Bursic