

## PUBLIC PARTICIPATION MEETING COMMENTS

### 16. Property located at 2946 Bateman Trail (Z-8537)

- Corri Marr, Stantec, on behalf of the applicant – expressing support for the staff recommendation; thanking Ms. Wise, Planner II, for the presentation; clarifying that it is the intent of the applicant to have the pedestrian access along the front of the building; and, indicating that this will be addressed as part of site plan approval.
- Alan R. Patton, Patton Cormier Ferreira, on behalf of E.R. Kelly Limited – indicating that E.R. Kelly operates two businesses on the other side of Wharncliffe Road at 3280 and 3300 White Oak Road; noting that the first one is Kelcoating and the other company is Oakside Chemicals; asking the Committee to turn to page 208 of the Planning and Environment Committee Agenda, showing a map as well as a description between the two photographs of the uses carried on by E.R. Kelly Limited; pointing out that they are quite accurate; indicating that these are, as indicated, Class 3 Industrial uses which require substantial distance separations; advising that both companies are of a long standing duration; noting that they have been in existence for forty-nine years and they started out in what was then the Township of Westminster before it became a town but was annexed into the city; advising that what goes on at Kelcoating and Oakside Chemicals is very important to the manufacturing and industrial businesses in London and Southwestern Ontario; indicating that they specialize in preparing specialized coatings and paintings for industrial and commercial products; pointing out that they have a National and North American and even a world-wide reputation; pointing out that the proposed use is within the initial 1,000 metre setback and it is within the 300 metre setback; indicating that you can see that on Figure 2 of the staff report; advising that he is not here to contest the AOL Feasibility Study; outlining that what they think is most important is the recommendation for a holding provision to avoid or mitigate land use conflicts is essential; expressing concerns, both his and his clients', is the bundling up of the holding provision into what appears to be one holding provision; recommending that there should be two separate holding provisions for clarity; advising that the first holding provision would be for a certified ventilation system regarding the release of airborne contaminants and odours; indicating that E.R. Kelly is complying with the legislation but the onus now rests upon the applicant and developer to show that its uses will have air systems or controls that filter out any odours or emissions that might escape; noting that there have not been any; however, it is not foolproof; indicating that they are within the hazard area; reiterating that there is one holding provision in the staff report and it bundles up the holding provision for air quality with urban design and rather than bundling them up into one holding provision, the applicant might come forward with an outstanding urban design but it has not met the test for air quality and emission controls; requesting that the second holding provision be added; advising that, in any development on the proposed development site, the Municipality should be asking for warning clauses on title to warn tenants and subsequent owners of the industrial use across the street; and, indicating that this is quite standard, the City requires it in their subdivision agreements of warning clauses.