

PUBLIC PARTICIPATION MEETING COMMENTS

11. Properties located at 276 Highbury Avenue North, 281 and 285 Short Avenue and 1325 Trafalgar Street (OZ-8579)
 - Laverne Kirkness, Kirkness Consulting, on behalf of the applicant – expressing support for the revised staff recommendation and by-law; indicating that the development team feels that this is an old, derelict site that has been around for at least three decades; believing that this location was an Econo gas bar in 1975; pointing out that it has been sitting vacant, ready for development; thinking that this is a very interesting area of the city, which could certainly use some new investment, which is exactly what is planned for here; hoping that the Planning and Environment Committee recommends to Council that this neighbourhood commercial node can be slightly expanded to accommodate the proposal that is before the Committee; noting that a lot of attention has been paid to the urban design standards and guidelines that the City wants to see happen with respect to the frontal placement of the building, the addressing of the building to the public realm, the transit friendly aspect of the building being close to the public roads with the parking in the back; outlining that their noise study indicated that they would be building a noise wall along the southerly boundary of the Highbury Avenue property; thinking that some of these things should be part of guidelines instead of zoning by-laws, such as the two-metre wide landscape strips as it means that they have to act very quickly as the recommendation is coming before the Committee to ensure that the zoning amendment is correct because, as they understand it, they cannot have a minor variance to this zoning by-law for two years unless they come back and ask the Committee if they can do that; reiterating that it is important to get the zoning right and, at the same time, the Zoning by-law should probably not have some of these detailed things in it like landscaped strips; indicating that eighty-four letters were sent out and only three responses were received; *(Note: Councillor Turner requests clarification about the distance between the speaker box and the property line, thinking that it is 26.2 feet or 8 metres. Pointing out that in Section 4.35 {Drive-Through Facilities} of the Zoning By-law states “a minimum separation distance between a residential facility and institutional use lot line or zone line shall be 30 metres and it may be reduced to 15 metres with 2.4 metre high attenuation barriers installed”. Indicating that this is even half of that and asking for the rationale. E. Lalande, Planner II, responds that the provision continues to read that if there is additional mitigation that is identified through the noise study that they provide, you can look at further reductions to that provision. Councillor Turner responds that a further 3 metre wide landscaped strip is required consisting of new and addition immediately adjacent to that noise barrier. Councillor Turner comments that the 3 metres is provided for as he thought that it was 1.2 metres in all of them. E. Lalande, Planner II, responds that that will still need to be maintained; that is not sought to being reduced and Staff is not supporting a reduction to that standard.)*
 - Stanislav Rajic, 275 Short Avenue – indicating that his property is adjacent to the proposed site for development; advising that he is deeply concerned and opposed to the zoning and development of this particular area of Trafalgar Street and Highbury Avenue for several reasons; pointing out that the corner of Highbury Avenue and Trafalgar Street is not well designed to accommodate a good flow of traffic and would become even more congested and unmanageable with the addition of a high traffic facility; questioning the necessity and ethics of creating additional space around already vacant leasable space including the amount of derelict and unkempt properties surrounding the area; advising that, within a one kilometer radius there are a number of small to medium restaurants, drive-through restaurants, along the business corridor on Hamilton Road and they do not interfere with and cause unnecessary damage and pollution to residents; indicating that, as the co-owner of the property, directly beside the proposed site, he has considerable concerns related to excess car pollution caused by a restaurant drive-through; indicating that the detrimental health consequences of air pollution caused by car idling is well documented in the research literature; advising that he does not believe that business is intended to increase the amount of pollution to such a degree in an expressly residential positively

contributes to a well-designed and thought out neighbourhood plan; pointing out that drive through's embedded in residential neighbourhoods are not consistent with neighbourhoods as a great place to live, raise children and play as the London Strengthening Neighbourhood Plan would suggest; noting that this would also relate to the London Plan; advising that he has two small children and many of his neighbours have small children and their health and safety is paramount to this discussion; advising that Short Avenue has been a residential street for decades and this street does not contain any sidewalks and the road is indeed short; pointing out that excess use of Short Avenue as a main cut-through, shortcut, to an already congested corner of Highbury Avenue and Trafalgar Street significantly increases safety for all of the children, elderly and adults; advising that all of these concerns are not even include the real possibility of a decrease in the desirability of the Short Avenue/Fairhaven neighbourhood, the drive through restaurant would bring or the real possibility of damage of pipes, etc. caused by the redevelopment of that magnitude in an older part of the city; pointing out that light and noise pollution, despite the studies that were conducted, the terrible smells and excess garbage are all considerable concerns.

- Tosha Densky and daughter, 275 Short Avenue – (Daughter) expressing concern with the amount of noise because when you are sleeping at night you would hear all of the noise that is being made and in the morning you would not have any good sleep so you would be late for school or work; expressing concern with respect to safety because if you wanted to go on a scooter around the neighbourhood or walking, you could not because there would not be any sidewalk and it would be very dangerous and a busy road. (See attached communications from T. Densky).