

PUBLIC PARTICIPATION MEETING COMMENTS

10. Properties located at 1234-1246 Richmond Street (OZ-8552)

- Tracy Annett, Manager, Environmental Planning and Regulations, Upper Thames River Conservation Authority – *(Councillor Hubert enquires about Mrs. Annett's presentation, bullet point two, "the information submitted by the applicant does not demonstrate that the area of the subject property can be considered flood fringe; enquiring as to who defines flood fringe because it looks like the Upper Thames River Conservation Authority (UTRCA) is looking for the applicant to demonstrate that it is flood fringe; thinking that it is the UTRCA that tells the Committee where the flood fringe is); Mrs. Annett responds that it is the UTRCA that defines it, in this area they had advised the applicant that they are undertaking the two dimensional modelling exercise to understand that area as it was not an area that they had detailed mapping for; advising that for most of those situations throughout London they do not have that detailed level of precision and mapping at a site specific level so it is up to the applicant to produce that information for the UTRCA to approve the flood fringe components, meeting those Technical Guidelines as mentioned in the flooding hazard limits; (Councillor Hubert references Mr. M. Tomazincic's (Manager, Current Planning) presentation, he referred to the 1937 flood but it was kind of one of those comments that was just sort of on a slide and hanging out there, asking for an explanation of the significance of that); Mrs. Annett responds that the 1937 flood is the historical observed flood standard that is used by the UTRCA as their regulatory flood standard; advising that it was approved by the Province in 1989 to use that flood standard; noting that other municipalities throughout Southwestern Ontario use Hurricane Hazel as their event standard; pointing out that in their case the 1937 flood is more reflective of our area and approval was given to use that standard; reiterating that it was approved in 1989 and that it represents a one in two hundred-fifty year chance of flooding; (Councillor Turner pointing out that during the presentation there was mention of mitigative measures that dykes and berms that are not really meant to be included as part of the mitigative measures that would allow for development in the flood fringe but the presentation briefly touched on dams and the comment was made that "unlike dams which would be allowed to be considered in that" the Fanshawe Dam, which is a regulatory control structure, was built in response to the 1937 flood and is used to mitigate those; enquiring if the flood fringe that still exists today still considered to be a peril despite the presence of that structure.); Mrs. Annett responds that the Technical Guide separates dams separate from dykes and flood walls because, depending on the type of dam, there would be a small dam that a farmer uses for irrigation purposes but the structures that you are talking about are regularly maintained, they are owned by the UTRCA and they are regularly monitored and they have a different emphasis; advising that in their flood models, they call them regulated flows because the peaks are protecting the downstream development and they can be operated to achieve those net gains to improve flooding conditions in those events; (Councillor Turner enquires as to what impact does the dam have in terms of developable area downstream); Mrs. Annett responds that she does not believe that they have looked at those two things and requests that Mr. M. Shifflett, Senior Water Resources Engineer, answer the question; Mr. Shifflett responds that the existing flood mapping that the UTRCA reflects a reduction in the flood hazard due to Fanshawe Dam; pointing out that the exact magnitude of that is going to depend on where you are and that is certainly reflected in this area; advising that without the impact of Fanshawe Dam, the flooding in this Broughdale area would be significantly worse as predicted by these models; (Councillor Turner indicates that that is helpful, that it is considered in the mapping and it is considered in the developable area). (See attached presentation.)*
- Harry Froussios, Zelinka Priamo Ltd., on behalf of the applicant - *(Councillor Turner asks for a point of order with respect to receiving last minute communications.); Mr. Froussios apologises for the late submission, indicating that it is as a result of reading the staff report and getting together as a group as they thought it would be important to provide this information; pointing out that the intent is not for the Committee to read the information verbatim, it is to reference it as part of a presentation that will be made by their Engineering*

Consultant shortly; asking the Committee to stick with them on this, they are going to make their presentation very brief and get to the point, they are just going to use the material as reference material to point to in certain parts of their presentation; expressing appreciation to staff in their efforts in getting the applicant to this stage in the process, there has been a lot of work over the past several months on this proposal, back and forth meetings to come up with a positive plan that they can bring before the Committee especially in terms of the building design and they feel that they are in a position now to be able to move forward with the next stages of development subject to getting the necessary approvals from this Committee and Council; however, as has already been brought up at this public meeting, there is a negative staff report in front of the Committee that is based on is that they have been determined to be in the flood way and not the flood fringe; stating that, from a planning point of view, there are no issues; noting that he is going to be very brief because he would like to bring the experts to speak to the issue at hand and that being the floodway issue; touching upon the planning importance of this proposal, this development is a great example of what Council has approved in its London Plan, especially for the lands along the Richmond Street corridor north of Huron Street which envisions high density mixed use development with accessibility to transit and is transit supportive; showing a map of the subject lands where you can see present a unique opportunity for intensification in this area because of the fact that they are adjacent to open space (Ross Park) it allows them to address compatibility issues head on that may exist further down south of the corridor; indicating that those compatibility issues such as shadowing have already been dealt with to the satisfaction of the staff; believing that, in this case, this site presents a great example for what the City is looking for along this corridor; advising that it is also a positive statement on the Near Campus policies where it also looks to have large apartment buildings that are professionally managed along arterial roads and that are transit supportive; noting that before he hands the presentation to the next speaker, who is going to speak to the floodway issue, he wants to point out to the Committee that the UTRCA's position on this matter has far reaching implications beyond just this property, it has implications on the London Plan and how that is going to evolve in the future; advising that intensification is at risk, if we accept what the UTRCA is telling them right now and that is something that he would like to leave the Committee with right now before he hands it over to Mr. Khademi to speak to the floodway issue. (See attached presentation and communication.)

- Abe Khademi, Director of Water Resources, WSP Canada and MMM Engineering, on behalf of the applicant – advising that they were hired to explore the flood implications on this property to give the applicant recommendations on how to flood proof their property and what else they needed to do in order to satisfy the prevailing criteria; outlining that as Mrs. Annett noted in her presentation, the site is in the regulated area which is the first exhibit that the Committee has been provided; noting that this was also included in Mrs. Annett's presentation; pointing out that the slide shows that the whole area is inundated under a regulatory event, which is the two hundred fifty year event; indicating that one of the points of dispute is the notion of floodway versus flood fringe; advising that when they first submitted materials to the UTRCA they were asked to demonstrate whether or not this site was flood way or flood fringe; pointing out that they suggested that that was not really their place; nevertheless, they explored the definition of what floodway and flood fringe are and how it would be applicable to this location; reiterating that he is showing the same graphics that Mrs. Annett provided, but his graphic includes a statement that where you have a dyke in place that is functioning, the area behind the dyke can be considered as flood fringe which is the basis for all of the development in this neighbourhood; advising that to undertake their analysis they obtained a number of materials, they reviewed all of the criteria documents and they obtained modelling from the UTRCA to explore what would happen when you redeveloped this property; advising that through their analysis they came up with several recommendations for the proponent and they revised their concept from what was shown in the 2015 concept to the 2016 concept to ensure that safe access could be maintained; pointing out that they took all of the analysis that they did, which is essentially hydraulic modelling, one dehydraulic modelling, using the UTRCA model to demonstrate how water would flow through the property under the proposed conditions and they provided that to the UTRCA: noting that, as Mrs. Annett mentioned, they did receive some feedback including that they are in the floodway rather than the

flood fringe; however, the language surrounding that referenced work that is presently underway that they have not had the liberty of looking at; indicating that there is a study underway to explore this whole area from a hydraulic modelling perspective; thinking that material is still in draft as were the materials that were shown earlier; reiterating that this is one point of contention; pointing out that the second point that the UTRCA made was that notwithstanding flood fringe or floodway, if the dyke fails, if the dyke is over topped, you have to be able to demonstrate safe access which they did; pointing out that they looked at what is the worst case scenario, the dyke gets over topped and water is flowing through this area, how deep is it, how fast is it moving and they analyzed it based on current criteria to the best of their ability and made recommendations to the concept, modified the concept such that it would be safe under a regional flood event; outlining that the graphic previously shown by Mrs. Annett is similar to the one that he is showing, but all of the dots show different conditions that the property would be subject to; pointing out that the red curved line at the top is essentially the three by three rule; advising that when they presented this to the UTRCA, they reminded them of the two by two rule; however, another point of dispute, he has been working for approximately twenty years in Southern Ontario and he has never been asked to have anything satisfy the two by two rule before, it has always been the three by three rule; noting that he has worked for a Conservation Authority in the past as well; indicating that this is new information and perhaps it is a new standard but they are not familiar with it; nevertheless, if they were to apply the three by three rule, the development as it is proposed today would satisfy that criteria and it is interesting to note that there is an outlier dot on the page that does not satisfy it and that is the existing condition; indicating that the proposed development would constitute an improvement over the existing condition; pointing out that one of the other points that was raised was questioning the stability of the dyke, that there was a report referenced from 2013 and there is a small excerpt in the package that the Committee was given from that 2013 report that UTRCA's correspondence to them suggested that due to the report on the dyke stability issues, that cast into doubt development in this entire area; however, when they review the report themselves, they notice that the area that this site is impacted by, the Ross Park/Broughdale dyke area actually has the highest rating of all of the dyke sections that were studied; pointing out that they are not one hundred percent in agreement on the implications of that study on this development proposal either; advising that they took a lot of their work from adjacent development as well, they looked at what developments had been approved in the area and what they had to satisfy in order to obtain approval; pointing to the property directly across the street, and the image shows the Luxe property which is directly across Richmond Street from the subject site was approved and followed a methodology and technical analysis that was virtually identical to what they have done and passed the test; reiterating that it is right across the street. (Note: Mr. Khademi's presentation is included with Mr. Froussios's presentation.)

- Alan R. Patton, Patton Cormier Ferreira – indicating it is clear from the evidence that the Committee heard from Mrs. Annett, UTRCA, that the Luxe building, which is across the street, was determined to be in the flood fringe and not in the flood way; advising that the Luxe was approved, it was recommended by the City's planning staff and it was approved by Council; pointing out that we are dealing with apples to apples here; advising that this site is in the flood fringe and this site is the same as the Luxe; outlining that what has changed over a period of time, from some of the correspondence that you have received is that now the UTRCA says that the dyke is not in the best of conditions and needs to be improved; stating that if the dyke needs to be improved to protect large areas of North London, and you see that in your planning staff report, the area protected by the dykes, if that needs to be improved, either stabilized or improved by a higher level; noting that it would not be a higher level because we are still using the standard of flood levels; but needs to be, because of slumping or other matters, then the UTRCA, combined with the City, would have an obligation to fix those dykes then do so; indicating that if there is a flood event because of the failure of the dyke, any competent civil litigation lawyer looking for liability would look directly at the City and the UTRCA for not taking steps to repair what they understood was a poor condition and a worsening condition; advising that the real test here is that the Luxe was permitted under the very same policies and provisions as Textbook is seeking, identical; pointing out that even without the dyke, the weakness in the dyke, the Luxe and the Textbook are in the same position; reiterating that it is apples

to apples here and all his client wants is to be treated on this issue is fairly and consistently with the Luxe and developments in the area; acknowledging that there are flood concerns in that area, it is historic; pointing out that there are structural abilities that you can incorporate, which Textbook is prepared to do for flow through of water; advising that there is no indication from the UTRCA that emergency vehicles cannot leave that site in the event of a major flood event or that emergency vehicles cannot service the property or people cannot leave safely; identifying that it is interesting that the UTRCA has not studied the flood fringe using the two zone approach, they have just gone to the one zone approach and that is an interesting change; stating that the position taken by the UTRCA in this matter is going to have severe consequences for the London Plan in other parts of the city, on the north branch, on the south branch and in the area of the Forks of the Thames; advising that this has not been pointed out but the new position taken by the UTRCA is one that the Committee should be very cautious of; pointing out that the recommendation of the staff was what he would call a reluctant one; indicating that this is a good development for this area that can be protected during flood events; *(Councillor Hubert indicates that Mr. A.R. Patton makes the assertion that the Luxe is exactly the same; enquiring about the chart that the Committee was provided with at the meeting in terms of depths and velocities is identical so if he was to overlay with the Luxe chart, it would overlay as a mirror image on top of this.);* Mr. A.R. Patton responds that he does not believe that is correct, the difference between the Luxe and Textbook were in similar locations in terms of the floodway or the flood fringe, the Luxe was built up to get itself above for access purposes; advising that if you drive by, if you walk by, you will see that the entrances and exits are at a higher level; pointing out that this building is designed so that it is lifted up so that the water can flow under the building; pointing out that the Committee has not seen the building designs but they are on an elevated flow under or flow through and the access for emergency vehicles, first responders would meet the standards of the Province and the City; *(Councillor Helmer indicates that Mr. Van Heren discussed Section 4.1.2 and this is a question for Mrs. Annett, UTRCA, it looks like the policy says that it can be considered flood fringe if there is a dyke that is protecting but that is different than shall be and so there is some discretion there in terms of how it is interpreted and asking for a sense of how the UTRCA interprets that policy under the Technical Guide);* Mrs. Annett, UTRCA, responds that there are a couple of instances in the Technical Guide that relate back to dykes and that is one area where they speak to can be; trying to find the most appropriate reference; reading from the Technical Guide “areas behind a dyke can be considered flood fringe if dykes are high enough to provide protection against the flood standard for the area and the development in this area that is subject to flood proofing requirements to a flood standard unless designated as a special policy area where dykes have been constructed in the flood plain for protective purposes if the dykes are too low or be overtopped by the flood standard for the flood plain definition the lands behind the dykes would be in the flood plain and therefore within the flood risk area” and “this would not apply in the areas where the dykes are structurally inadequate and would fail under large floods” but the quotes from the Technical Guide speak to “dykes and flood walls are not regarded as permanent flood control structures and the land behind the dykes and the flood walls should be continued to require protection to the revised and increased flood standard. As such new development would be required to be flood proofed to the flood standard.”; “the establishment of no development or limited development zones behind a dyke will be dependent on the local conditions, the flood depths and velocities and local approaches to flood plain management, dykes and flood walls protecting existing areas behind but do not provide additional flood benefits.”; *(Councillor Helmer responds that that did not really answer the question that he was asking which was really specifically about there is a specific verb in here saying that it can be considered, it is not requiring us to consider it to be flood fringe so it seems to be a pretty important distinction between yes, there is a dyke, you can consider it to be flood fringe but it is not requiring you to and he would like Mrs. Annett, UTRCA, to speak to how they interpret that particular provision; he has a follow-up question about the very next paragraph in that same section.);* Mrs. Annett, UTRCA, believes that the word “can” is subjective, meaning depending on those depth and velocities criteria; *(Councillor Helmer indicates that the fellow from WSP/MMM has very helpfully quoted this one paragraph from 4.1.2. and then the very next paragraph says “as a precaution certain areas*

immediately behind the dyke may be considered too hazardous for any use or certain types of uses if failure of the dyke was ever to occur, also the area immediately behind the dyke may be required for maintenance purposes” and he is asking for clarification as to how close this area is to the dyke and how they are interpreting it to be immediately behind the dyke if that paragraph is applied.); Mr. M. Shifflett, Senior Water Resources Engineer, UTRCA, responds that if he understands the question it is if this area is considered to be immediately behind the dyke in that context and he would say that no, it is not immediately behind the dyke in that context; (Councillor Turner enquires about the authorities under the Conservation Authority Act given to the UTRCA in terms of determining the flood fringe, flood plain, flood way, all of those, with respect to their ability to either approve or deny development within those, does that authority rest with the municipality or does that authority rest with the UTRCA or is that shared.); N. Hall, Solicitor II, responds that there is a Conservation Authorities Act and it is by virtue of the Act and the regulations thereunder that the jurisdiction sits with the UTRCA; that jurisdiction then is carried through and codified into Official Plan policies some of which the Committee has heard tonight, which in no uncertain terms states that the precise delineation of the flood way and the flood fringe is the responsibility of the UTRCA and that is as a result of the Conservation Act; the chain of statutes down through to Official Plan policy; mentioning that if the Committee does wish to receive legal advice as to the significance and impacts of that she is happy to provide that advice in camera; giving the Committee the statutes and the framework from the Official Plan policy; (Councillor Squire clarifies that the UTRCA has made a decision and it seems to him that someone is coming here today to say adjudicate between us and the UTRCA as to who is right and he thought that Mr. Tomazincic, Manager, Current Planning, very early on said that they cannot do that and he just wants to make sure that they are not engaging on a planning process that will have them making a decision or adjudicating between the UTRCA and the applicant when they have no such authority; expressing concern about that and he is not clear on that; stating that it seems to him that if they are going to hear a lot more evidence on the planning merits or they are later going to talk about the planning merits and it is meaningless because they are not allowed to adjudicate on the other issue, he would need to know that; realizing that that may require in camera advice.); Ms. Hall, Solicitor II, responds that some of what he is asking is more properly in camera advice, what she can tell the Committee is that, as she has indicated, there is a section in the Conservation Authorities Act which provides that the jurisdiction for determining these things is with the UTRCA and not with Municipal Council; Mr. A.R. Patton producing a UTRCA document for the Committee’s purview in response to some of the questions that had been asked by the Committee; pointing out that what the document shows (Councillor Turner requests a point of order as the representative for the applicant had finished speaking and is now rebutting points of questions that were asked to specific members of the delegations and not necessarily Mr. A.R. Patton, not sure if it is appropriate to entertain a rebuttal at this time. Councillor Squire indicates that he will give Mr. A.R. Patton a short opportunity out of fairness but he does not want to get into this practice of him speaking to everything that the UTRCA has spoken to.); Mr. A.R. Patton indicating that he went back to his seat because what is on the overhead was part of his presentation, he had said that the Luxe and this site were on the same footing; showing a document that was produced by the UTRCA showing the Textbook site and the Luxe site in exactly the same location and criteria for the regulation limits, wetland hazards, flooding hazards and it is exactly the same; Mrs. Annett points out that for the Luxe building it had historical designation in place and zoning for an R-9 use; noting that there were some changes to the R-9 use to allow for bonusing so the policies and principle of development had been established already for that site; indicating that the zoning and regulations do apply here. (See attached document.)

- John Davies, Co-President, Textbook Suites and owner of the property – speaking for the purpose of providing some clarification to a comment about introducing new information that they have presented this evening; indicating that the Committee has in front of them information that he asked their representatives to put in front of the Committee, a letter dated August 9, 2016, authored by Mr. Khademi from MMM Group; wanting to be very clear that when they purchased this property, they had the Luxe application and the UTRCA says in their correspondence dealing with the Luxe application that the site is in

the flood fringe; advising that they had their engineers do a comparative analysis of the two properties and they assured him without any qualifications whatsoever that the Luxe site and their site are identical in every respect opposite flooding; indicating that they went to the UTRCA on numerous occasions and the UTRCA came back to them several times, every time they said that they do not know if it is flood way or flood fringe, you have to tell us; responding that it was flood fringe across the street ergo it is flood fringe; stating that the UTRCA indicated that the applicant would have to do the calculations; directing the Committee to the correspondence from Mr. Khademi on August 9, 2016, wherein he says the site is in the flood fringe and the site could be accessed based on MMM Group's calculations, could be accessed without hazard to life or limb or first responder vehicles; advising that they asked them to site where that was the case and they have hired the gold standard of engineers and they have said that yes, in fact, it is in the flood fringe and yes, you can access the site; and furthermore MMM provided their architect with some guidelines of how they would like the changes to the building to permit flood waters to flow out of the building; advising that they have made every request asked of them, they have studied it at the highest level; thinking that it is very important and the only reason that they wanted to introduce new information today was that they were quite surprised that the letter from MMM dated August 9, 2016, which gives them a clean bill of health was not included in the submission by the Planning Department; believing it is extremely important information that this Committee know that they have fulfilled the City and the UTRCA as expressed to them in full; advising that underway right now is a study going on for the last two years, the Chairman will recall a meeting that the Chair and he attended with his Worship where they said that they would really like to make their application for their new student housing building on this site, they know that it has been reasonably well received, they are working with the Planning Department and they would really like to make an application but they cannot get the UTRCA to provide them with any comments and they said, at that time, they are of the understanding, the belief, because they have been told by the UTRCA that a brand new City-wide flooding model using two-dimensional criteria is now underway and the UTRCA had said to them on a number of occasions that it is inappropriate and premature for you to even submit and they said that they are of the belief that, based on law, that they are entitled to have their application reviewed under the criteria which exists at the time that they make the application; finishing with the point that the UTRCA is presenting imagery and information to this Committee tonight that are excerpts out of this new two-dimensional modelling study that nobody has seen, that nobody has had an opportunity to comment on, may or may not ever become policy and they are entitled to be judged on the criteria that exists at the time of their application which are the criteria that were applied to the Luxe; he cannot see how they would go this far down the road in the last two years to meet the criteria in every respect, the gold standard of engineers are telling them that there is absolutely no issue with building this project, safety or otherwise, and he thinks that it is unfair that the UTRCA is trying to apply a standard which does not even exist and may never exist to a development application that has been before the City for now, he has been working on this for almost two years.

- Alex Rostas, 18 Mayfair Drive – indicating that he has lived in Broughdale for over three decades; clarifying a few points using terminology that has not been used previously, apples and oranges; pointing out that the west side of Richmond is apples; stating that it consists of six apartment buildings, which have been there for over four decades, between three and fifteen storeys in height, varying between those heights; advising that, recently an eighteen storey building was added; pointing out that behind these apartment buildings is woodland, the River and on the other side of the River is the University; outlining that behind the houses on the east side of Richmond is Broughdale, an historic, small community, surrounded by the River on three sides and quite vulnerable to any intensification; advising that, as stated in Section 3.5.9 of the Official Plan, the low-rise, low-density nature of Broughdale on the east side of Richmond, and the residential streets east of it are to be protected; quoting “Specific guidelines are required, which will direct future residential development suitable locations to protect the character of the existing low-rise, repeat low-rise, low-density residential community. Section 3.5.9 of section 1, height, repeat height, bulk and placement of buildings will be in keeping with that of the existing development in the surrounding area”; quoting Subsection 3 “Development will be sensitive to the orientation of adjacent dwellings and to the continuity of the existence of

residential landscape.”; indicating that Raymond Street is approximately 220 metres in length, and this development will take up mainly twenty percent of the length of that street, if you rotated this development on its axis, it would take up nearly half of the length of Raymond; advising that there is no house on Raymond that is over one storey tall; indicating that the Official Plan, Section 3.4.2, Subsection 1, which deals with compatibility, states that development for residential, high-density use shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area. Subsection 4, entitled buffering, quoting “the site of the area is of suitable shape and size to accommodate the high-density housing and provide for adequate buffering measures, to protect any adjacent low-density residential uses.” Section 3.4.3, Subsection 1A, quoting “A transition of scale shall be encouraged to avoid extremes in building height and bulk between the new development and the existing built fabric of the adjacent properties.”; stating that he cannot see how this proposed development comes near any of these criteria; providing an example of intensification on the east side of Richmond that took place in 2003, where KAP Developments requested permission to build stacked townhouses, very low height stacked townhouses, three storeys high, approximately, and this was denied; advising that they put in four, fourplexes, three storeys and that is the only intensification history he has going back thirteen years; pointing out that, at that time, the Ontario Municipal Board (OMB), the KAP president, Mr. Kaplansky, challenged this ruling and in 2002 he went to the OMB and requested that he be allowed to build this row of low-rise apartments or stacked townhouses, whatever terminology you wish, and in that ruling of the OMB, which was in October 21st of 2002, the OMB stated that infill housing should be sensitive to the height, and again emphasizing the word height, scale and architectural design of buildings in the surrounding neighbourhood; stating that these policies are given even more credence why the gateway nature of the location and by gateway location, you all know is by the gates of the University, also the history of the community and the architectural nature of existing buildings; concluding that, simply put, that what Mr. Kaplansky wanted, that very modest, three storey height, low-rise apartment building or stacked townhouses, whatever you want to call them, was not in keeping with the surrounding neighbourhood; outlining that if the OMB said that, he can see how a fifteen plus storey building can even come close to meeting those criteria; outlining that the OMB decision, thirteen years ago about basic planning principles stay the same, even if conditions of the city change; realizing that Richmond is a gateway street and it is busier than it was thirteen years ago, but the principles of planning stay and the surrounding small, vulnerable, historic area of Broughdale has to be protected; thinking that whether it be rapid transit or not or whether there is going to be even further intensification with the city stretching north, that does not change the basic planning principles.

- Karen Walkey, 14 Mayfair Drive – expressing concern with the traffic on Richmond Street; stating that in front of the Luxe there are taxicabs stopping constantly there and if you are coming around the curve from the bridge and you come across the taxicabs and other people swerving to get out, she is not sure how she we are going to deal with another high intensity building directly across the street.
- Ken Somerville, 315 Huron Street – indicating that he has lived in the Broughdale area all of his life; commenting in relation to the flood issue that we have been talking about, which he was not planning on mentioning, one of the houses that he lived in for five years was 257 Bernard Avenue, which is the last house on the River; noting that Bernard and Raymond join each other in a u shape and he would like to let the Committee know that, at the end of Bernard and Raymond, the dyke is six feet above street level and was four feet above his backyard; indicating that when he lived there, every year the water level went above the level of his backyard so it would be above the street for sure; advising that this is just to provide flavor for what is there as you might be surprised; indicating that he cannot comment on the buildings and there is obviously no way that you are putting parking underground on two or three stories as you might in other areas; discussing the zoning issue and the planning issue; advising that he is against any increase in the density of the current density, the current zoning, the City and its citizens have spent decades creating zoning with everybody’s opinions in mind and he thinks that they should be held to what a majority of people have always wanted and rezoning exceptions should not be made; providing history on Ross Park, when he was a child, in the late 1950’s and early

1960's, Ross Park was a field and either the City received an offer from a high rise developer or they put the land up for sale for high rise development and it was his mother, together with a group of Broughdale citizens who fought it successfully and had it turned into a park because they wanted no high rises, no inconsistent building on the east side of Richmond Street; pointing out that the high rises were already there fifty years ago on the west side but contained from the River to the first main street down there but nobody wanted more high rises because everything is just a single-family, single storey and that is what he would be in favour of; believing that no high rises should be built on the east side of Richmond Street; stating that if the Committee gives approval to this one, why not go down Raymond Avenue, down Bernard, up Richmond Street all the way to Huron Street; stating that it is not consistent with what is already there.

- Marie Blosch, 43 Mayfair Drive – advising that she has been appointed to represent London on the Board of the UTRCA and she is not here in that capacity whatsoever; advising that she does live in Broughdale and she has been before the Committee many times on neighbourhood issues; coming down here specifically wearing that hat; indicating that she has not received any information or had any contact with the Planners at UTRCA to either get information or do any influencing whatsoever so she just wants to make that clear that this is strictly about the planning issues; advising that it has been frustrating sitting through this because there has been so much talk about the flooding issues and not about the building itself and the planning issues; pointing out that it matters a great deal; asking the Committee to send this matter back to staff and say the building is too large; showing the Committee pictures of the area; pointing out that one of the issues for her with this building has to do with the right-of-way or laneway, which is a two block laneway, going from River Road to Raymond Avenue and to Bernard Avenue; indicating that part of the development proposal is to turn that laneway over, the one block of it over to the development and the reason that has to be done is because the building is too large to have its own driveway access; showing a picture of a house with a zero setback; noting that the building itself would have a zero setback; talking about the cars coming through, this is what you are looking at; indicating that it is very small and that by turning this over to the project, you are cutting off access from Broughdale residents and Old North residents to Ross Park because to get to Ross Park on a bicycle you cannot go down Richmond Street; noting that it is impossible, it is dangerous, people have been killed riding bicycles on Richmond Street; further noting that you are not supposed to ride bicycles on the sidewalk; indicating that the laneway is their access but now you are going to turn this over to a private development to use as a driveway; pointing out that they may be saying that they are going to give \$750,000 to improve the park but you are also going to cut off access that the residents use to that park; showing a different angle of the same house; noting that the access is not off of Raymond Avenue, it is off of the laneway; pointing out that there is a two foot access where the chimney is; advising that this is where you are going to be expecting people to be walking with cars going by; commenting that it is ridiculous; showing another view of the laneway; pointing out that it curves toward the house; pointing out that if you were to straighten that laneway it would pull it away from the house and you are cutting down trees and you cannot do it because the building is so big that where those trees are is actually going to be the building; advising that at the end of the laneway there is a little parking lot for Ross Park that holds approximately ten cars; stating that this building is going to have about four hundred residents and forty-nine parking spots, all inside the building; wondering where visitors park; thinking that they are going to take over this parking lot that is a public parking lot; indicating that you have turned over the lane way and now you are going to turn over this parking lot to be used by visitors; noting that you are handing over a lot of public land in order to accommodate a building that is just too big for the site; outlining that she does not have any comments on the flood issues; indicating that she is not saying that she loves the houses that are there and not to demolish them; stating that she is not against increased intensification but this project is just too much intensification; advising that they need something smaller, something with a lower height; referencing the letter from Western University included on the Planning and Environment Committee Added Agenda saying the same thing; reiterating that this is too big, maybe some intensification is warranted, but not at this level; showing the shadow of the building; finding it interesting that all of the pictures that came up of the Luxe showed a nice sunny Richmond Street but this is the shadow that you are talking about; indicating

that because the Luxe is so long and the proposed building would be really long, it would take up the whole block, you are talking about a long, lengthy shadow; showing an aerial view of the site and Mr. Rostas mentioned that Raymond Avenue is quite small, both the street and the neighbourhood and if you were to turn that building onto Raymond Street, it takes up more than half; noting that the second building would be sitting in the River; talking about a building that is so large compared to the size of this neighbourhood; reiterating that it is just too big and it is just too tall; pointing out that intensification is one thing but they do not want it towering over them; advising that you cannot go from one storey to this very tall building. (See attached presentation.)

- Sam Trosow, 43 Mayfair Drive – picking up on the slide show started by Mrs. M. Blosch; pointing out that the circle at the bottom is the subject site and the circle at the top is the property located at the corner of Epworth Avenue and Richmond Street that Dr. Rostas referred to; advising that we have already heard from an applicant representative tonight that if you do something, when you come back down the line, and other applicants are going to say that somebody got this, I want it too; expressing concern about the cumulative effect that this huge project is going to have on the expectation of future developers; noting that he will not repeat what Mrs. Blosch has already stated; advising that he is very disappointed that the staff report did not address that; pointing out that even if this was dry and arid all of the time there are huge problems with this development that have not been addressed in the staff report; referring the Committee to the portion of the staff report that represents the Urban Design Peer Review Panel (UDPRP) and he does not think that the staff report conclusions at all, much less adequately, address the types of issues that UDPRP was addressing; advising of a current listing for the KAP property which is apparently being put on the market; reading from the advertisement that it “may offer potential for redevelopment to a twelve storey high rise”; going from the three or four storeys to twelve storeys; stating that there is an expectation in the development community in this town right now and this is a very precedent setting project; pointing out that this is all looking backwards to the neighbourhood, on the east side of Richmond Street; stating that he has heard a representation that you did it for the Luxe and you have got to apply the same standards here; recalling that the hearings on the Luxe, they were not down here vigorously objecting to it because it was on the other side of Richmond Street; advising that, in retrospect, that was a mistake because the Luxe was too big; advising that the Luxe created serious safety and traffic problems that are only going to be exacerbated by doing something similar across the street.