

PUBLIC PARTICIPATION MEETING COMMENTS

11. Properties located at 1349, 1351, 1357 and 1361 Commissioners Road West (Z-8635)

- *Councillor Park requests Ms. S. Wise, Planner II, go back to the part of her presentation with the eclectic nature of the front setbacks that are existing already because if that is the big bone of contention she thinks that that should be clearly articulated what we have today and what is proposed now and what the difference is between what we have today and what is proposed; asking Ms. S. Wise, Planner II, to once again reiterate what they have today with regard to building setbacks in the right of way and what is proposed here and the difference between them.);* Ms. S. Wise, Planner II, responds that this is a high level look at the north side of Commissioners Road West; however it does highlight that there is a diversity of setbacks and different treatments so where there is a masonry wall, there is also typically a back lotted situation where those units would need additional privacy or noise attenuation for the backyard or amenity area; there are also side lotted and front lotted situations, the smallest front yard setback is currently at 2.5 metres approximately and the largest is at 74 metres so it shows a wide range of existing setbacks and also what the streetscape would look like with the proposed setback; *(Councillor Park responds that with regard to the properties in question, the proposal is basically give or take a few metres away from what is existing in the neighbouring buildings in terms of the setback from the right-of-way; so if it was built today, without the road widening allowance that is coming down the pipe in future years, is it much different than what we see today.);* Ms. S. Wise, Planner II, responds that the actual building position would not change, the ownership of the public right-of-way would go from private to public and that would also transfer into a reduction in terms of the front yard setback; in terms of the neighbouring properties to the west it would be located between the existing masonry wall and the building and to the east it would be located closer to the street than the existing buildings.
- *(Councillor Hubert wants to make sure, because there have been a couple of versions here, and before they get into repeating the same thing over and over again, right now we are looking at a five storey building; noting that that is correct; and they are looking at a 2.09 metre setback);* Ms. S. Wise, Planner II, responds that that is correct, the proposal is for a 2.09 metre setback however, the translation into the Zoning By-law is for a 2 metre setback because it does not have the extra decimal place; *(Councillor Hubert enquires that the other thing that they have recommended is moving the London Transit Commission stop.);* Ms. S. Wise, Planner II, responds that they have communicated that with their contacts at the London Transit Commission but they have not provided any indication of whether they would or would not but they have received several notices of the request; *(Councillor Hubert enquires whether or not they have had any comments from the School Board with respect to the school across the street);* Ms. S. Wise responds that all four School Boards would have been provided notice, revised notice and notice of public meeting for this application, none have commented and they generally take that their silence is the rule not the exception; Mr. J. Fleming, Managing Director, Planning and City Planner, responding to Councillor Parks' question around what they would call "street wall", which is the edge of the buildings, prevailing edge of the buildings and if you walking along the street, that feeling of where the edge of the building edge is, some of the knee high walls or the masonry walls that exist help to create that street edge and he thinks that what Ms. S. Wise, Planner II, has shown on the slide is where that street edge is, where those brick walls are, which are the thinner lines, but what is being proposed is not inconsistent with where that street wall is or where that edge is and particularly as this development is intended to be front oriented onto the street with connecting sidewalks or pathways from the sidewalk that kind of setback, in their opinion, makes sense.
- Michelle Doornbosch, Zelinka Priamo Limited, on behalf of the applicant – expressing support for the staff recommendations; indicating that the final design of the proposed development was the result of extensive discussions and meetings with Planning staff, Parks Planning staff as well an Open House was held with the public so that they could come up with a final design that would be appropriate for the development of these lands and, in particular, given the special circumstances surrounding the fourth, most easterly

building at 1349 Commissioners Road, where that parcel does extend to the Thames River corridor; stating that the other important factor with respect to this lot in particular is that the rear portion of this property is actually already zoned for medium density and apartment uses so it does have the same zoning as the adjacent property in the R8-4 Zone that they are proposing on the front portion of the lands actually already does extend over that back parcel; advising that, prior to the final design, showing the original proposal that they submitted with their application to Planning staff and this was through the applicant's design proposal; noting that it was for the same five storey apartment building, fifty-four units and they were able to accommodate the parking to the rear of the site; pointing out that the entrance was originally proposed on the east side but they were able to accommodate that on the west side based on the comments that they received from Planning staff; in addition, what this has also resulted in is the setback has increased along the east property line whereas they were originally proposing that line be slightly closer; advising that this building, in this location, and the diagram does give the Committee an indication where they were coming from in terms of the front yard setback, they did have 0.6 of a metre in this location and that was, again, with respect to dealing with specific requirements that they do have to comply with in terms of the widths of the drive aisles, the depths of the parking spaces and essentially that defines the building envelope that they can work with; showing the plan that is before the Committee tonight as well as some of the additional discussions that they did receive from City staff where the outdoor patio spaces on the front of the building as well as on the rear of the building so what they have done is they have further shrunk the building in depth so that they can accommodate some additional space within the outdoor patio area; stating that she is thinking that what is most important with respect to this overall design is that although there are portions of the building that are two metres from the property line, it is probably about half and half when you look at the various projections on the front of the building; noting that there are portions that are two metres and there are also portions that are much higher than that in this area, with over three and a half, and in other portions she believes up to four metres; reiterating that there is a variation along the frontage; showing that on the adjacent property this is essentially the location of the noise wall or the brick wall and they are behind that as well; pointing out that what they have tried to do is accommodate an appropriate building location based on those existing walls and, again, based on the criteria that they are working with in terms of the zoning criteria regulations; advising that the other factor with respect to this building location is the existing residential dwellings to the east; by locating this building close to the street frontage what they have been able to do is that they have also, along the back wall of the existing dwellings, lined up the back of the building; essentially what they are doing is that they can allow that space to be separated and there is no overlook, as much as possible, from the building so that they can keep all of the built line all along the same line at the rear; advising that, originally, through the development as well, they did provide a three metre public walkway in keeping with the comments that they received through the pre-consultation meeting before the application was actually submitted and again, through additional discussions, staff had outlined that they were looking for additional parkland dedication; coming out of the Open House meeting was held with the public, there were about fifty residents that did come out to that meeting and they did make it clear to them that they were not in favour of the walkway and the connection to the Thames River corridor; based on those comments that they received from the public, they did go back with staff and they had their own concerns as well; advising that after receiving the feedback from Mr. A. Macpherson, Manager, Environment and Parks Planning, and from Planning staff, they were confident in moving forward that this would be an appropriate solution to the issues for the area and they were able to accommodate that space to the rear of the site; locating the building where they have got it along the street frontage did allow them to maintain that entire rear portion of the property as Open Space without the need to extend parking into a portion of the area that is already zoned for the use; discussing the building height, that is one of the comments that was also outlined with respect to the five stories that is being proposed; pointing out that when they increase the number of stories on a building what that also does allow them to do is to reduce the footprint of the overall building and by doing so they have been able to accommodate a much higher landscaped Open Space than what is typically required under the proposed R8-4 zoning; noting thirty percent landscaped Open Space is required

and they are providing forty-four percent; reiterating that by increasing this building and maintaining it at five stories, again, it does allow them to maintain the rear portion of the property for Open Space as opposed to losing it for parking with the expansion of the building footprint; advising that some of the public had also raised concerns with respect to traffic and just to expand on the information that was provided by Ms. Wise, Planner II, she did speak to Transportation staff today and Commissioners Road, currently, today, sees about 14,000 to 15,000 cars per day along this stretch of Commissioners Road and the long term intent and plans for this is to accommodate 18,000 to 20,000 cars per day; further with the proposal for fifty-four units, it is not anticipated that the traffic from that will have any sort of notable impact on the existing transportation system; in response to feedback from the public, the proposed apartment building does provide and fills a gap in the market place that is currently found within Byron in terms of options for and tenure of residential buildings; stating that they have received significant feedback that, for those looking to downsize in the Byron community, there is not a lot of selection to choose from and it does become difficult for current homeowners to sell their homes and actually stay within the community; feeling that this apartment building does bring forward an option for those that want to stay in the community, want to stay close to the main street and it does provide access and walkability to the commercial node that you do not find with other apartment sites that are further east than this. (See attached presentation.)

- Bonnie Sacuier, 28 – 1385 Commissioners Road West – responding to some of the concerns mentioned, she would really like to see a lower floor, four that are already established in the community is quite sufficient; expressing surprise when one of the speakers said there was no need for looking at transportation as she walks that area every single day, several times a day, and her concern is how on earth are those people going to get out and why the School Boards did not address the needs of those children she is not sure; pointing out that she does not have children at the school but it is not a safe place to cross the street, it is not a safe place now let alone with all those other units going in; stating that she loves the Byron community; advising that she had a house there and she has downsized to a townhouse; expressing concern with the access to the Thames Valley Conservation Area; indicating that they have that problem in their units about people coming through; advising that unless there is a place for people to park, they walk and they come through and she does not see how that is going to be addressed with what is planned already; believing that if five floors go up, it is going to be looming on the streetscape because of how the street moves; indicating that she does not have highlighters or whatever but she can say with walking, a building that close is going to really change the landscape of that street, those little lines do not show it; expressing concern with the number of spaces going in, the availability for parking, as it is when people come to pick up their kids they park in everyone's parking lot; they park in our parking lot at 1385 Commissioners Road West, they park in the church, they park in the community; advising that she does not see this as a good thing and how they are going to cross the street, she does not know because the transportation is just going to be a difficulty.
- Robin Rundle-Drake, 1339 Commissioners Road West – (See attached communication.)
- Douglas German, Board, Byron Woods Condominium Corporation, MCC 424 – (See attached communication.); Mr. S. Galloway, Manager, Urban Design and Geographic Information Systems, responds that the Urban Design Peer Review Panel is an advisory committee and provides advice through the process and staff takes that advice in and looks at it relative to the other areas that get circulated to comment on these processes and the Panel is just providing the particular design advice, kind of in isolation of all of the other pieces that go into a Planning file so it is our job as Urban Designers and Planners to fit those pieces together; reiterating that they have been evaluated relevant to this application.
- Lionel Hurst, 1421 Commissioners Road West – expressing concern with the traffic that they have; advising that he has lived there for forty years and you can imagine how that has changed over that time; indicating that, in the mornings and the late afternoon when school is coming out there are kids all over the place and he is very concerned about their safety because that is right across the road from this application; advising that St. Anne's is right beside them and their hall has stuff going on all week long so there is traffic coming and going from these places and then there is Tim Horton's which causes traffic jams in

the morning; expressing concern that they have a problem where the Committee is bringing in sixty to sixty five more vehicles coming out by the school and, as somebody mentioned, it is tough getting out of there; indicating that he has to come out and at busy times, he has sat there for five minutes trying to get out of his driveway; noting that when the traffic is not there, when it is quietened down, then the speed comes up and you get people going between sixty to seventy kilometers an hour down the street; stating that he would like to see the speed limit knocked down to forty kilometers an hour from Boler Road to Griffith Street or the flashing signs that show the people how fast they are going; hoping the Committee considers all of the applications that have been talked about tonight when the Committee is making their recommendations; Mr. M. Elmadhoon, Traffic Planning Engineer, responds that, from a traffic perspective, Commissioners Road, in the vicinity of this location, carries, as noted by Mrs. Doornbosch, about 14,000 cars and for two lanes this is not considered high, the capacity of a two lane road is 20,000 vehicles per day; advising that there are no plans to widen the road in the current Development Charge; relating to pedestrian crossing, there is a school guard crossing near the school right now so it is controlled by a school guard but this is one of the areas also that will be investigated for a potential pedestrian crossing (PXO), the new crossing; indicating that it is on the list; if a pedestrian crossing (PXO) is installed that means that it will be safer for pedestrians all the time not only during the school hours; pointing out that it is a three lane cross section here so there is a left- turn lane that is existing already and traffic will use it for accessing the subject site.

- Debbie Park, 1288 Halls Mills Place – speaking on behalf of herself and the people who live on Old Bridge Road, Halls Mills Road and Halls Mills Place; drawing the Committee's attention to the plans proposed by the Park's Department, which will be implemented by the developer if the zoning amendment is approved; indicating that this plan has requested that the developer provide an access point from Commissioners Road to the hill and floodplain land behind the proposed development and provide pathways and a lookout along the river and loop the trail onto Old Bridge Road and Halls Mills Road; advising that the Parks Department stated that they want to provide river access to the people of Byron; noting that it is only a three minute stroll to a pathway leading to the park and a five minute walk to the river and Springbank Park from this proposed development access site; advising that the people of Byron have easy access to 300 acres or 140 hectares of parkland along the Thames River and another 19 miles or 30 kilometers of river trails through Greenway Park; pointing out that just to the east of the development on Commissioners Road West is the 29 hectare Warbler Woods which has 3.9 kilometers or hiking and walking trails; stating that the area that the Parks Department is wanting to one up a small naturalized area, the only one on the south side of the river from the Forks to the Oxford Street extension; advising that this area cannot become part of any hiking trails as to the west the terrain becomes extremely steep and the ground is permanently wet and to the east is a small neighbourhood of privately owned homes which cannot support an influx of people; stating that manmade intrusions into this area is environmentally disastrous and it will put the local residents and potential visitors in danger; advising that, environmentally, opening up this area is unacceptable as it is a nesting habitat for the Spiny Softshell Turtle and also for Snapping Turtles; noting that the sandy soil, the lack of human intrusion into the area, the abundance of food and the deep and shallow water provide everything necessary for a positive nesting site; indicating that government research has shown that Spiny Softshell Turtles are most threatened by activity of people; stating that, as of June, 2013, their habitats must be protected and it has been provided that development along shorelines and the intrusion of human recreation areas are the most significant threat to the population of Spiny Softshell Turtles; pointing out that the Upper Thames River Conservation Authority has been contacted on several occasions over the years about both Spiny Softshell Turtles and Snapping Turtles nesting in this area and several people have sent in photos of the turtles found in this area; noting that the phone calls and e-mails have not been returned; opening up this area and destroying a habitat for an endangered species is unconscionable and uncalled for as people on Commissioners Road and in Byron have easy access to the river and miles of pathways and hiking trails; stating that safety is the reason to leave this area alone; noting that the Parks Department will argue and did argue that opening up an area will make it safer for the surrounding residents; indicating that this is untrue for this type of wooded river

environment; advising that for years the local residents were subjected to illegal drinking, partying, drug use and dumping in the area, fires were set and people made bike ramps on the steep hill destroying the flora and fauna as it became a huge area of off road biking; stating that homes were broken into, cars were broken into, outdoor furniture was stolen or dumped into the river; finally, due to the number of complaints and calls made to the Police and Fire Departments, a locked gate was installed with a curved walkway to allow people to walk but not bring bikes or vehicles into the area and the problem was solved; opening up this area and the hill with a formal pathway will definitely cause these illegal activities to start up again and everyone that lives in this area knows it; advising that aside from providing manmade pathways, the Parks Department has contemplated using roadways on Halls Mills Place, Halls Mills Road and Old Bridge Road as part of this trail system; noting that this is a small neighbourhood with roads that vary from twelve feet wide to twenty-one feet wide at the maximum; advising that there are no sidewalks and to use these roads as part of a pathway system is putting the path users and residents at tremendous risk; reiterating that she lives on Halls Mills Place and she has a pathway directly behind her house; indicating that she grew up in the house and then she came back and she is now living there; stating that she has a paved pathway that goes under the bridge into Springbank Park put behind her home and before this time, they never had any problems; however, since that pathway was put in, people have tried to break into her house, they have tried to break into her barn, her car has been broken into three times, she constantly has people trespassing on her property two or three times a week that she has to ask people to please leave; telling them that opening this up and putting pathways around the area will keep people from trespassing is pure malarkey; advising that she has a petition signed by 78 residents in Byron who do not want the proposed pathway to be permitted which she would like to give to the Committee; indicating that someone has made a huge error in believing that this small parcel of land is not important environmentally; questioning why, when the long term residents who have seen the turtles and reported these sightings there is no mention of wildlife in the reports from either the Upper Thames River Conservation Authority or the Parks Department; recommending that the planned pathway not be approved and not be considered as part of the zoning request. (Note: A petition signed by approximately 78 individuals is on file in the City Clerk's Office.)

- Dan Doroshenko, 274 Foyston Road – indicating that each member of the Committee has received his concerns in writing by e-mail; addressing a concern that is in his letter of concern and a lot of attention is being paid on the setback information that is shown on slide; looking straight down it meets everything else that is along that section; advising that if you stand on the road and look at where the apartment will be and picture its height, there is nothing on that street that is that high that close to the road save one building; indicating that there are seven buildings along Commissioners Road West, two directly behind the proposed site and the others are east of Boler Road; stating that the exception is at the northeast corner of Boler Road called Park Place and it is a condominium that was built a number of years ago that is on a very tight, small footprint; looking at that building would give an idea of any person to see what this proposed building would be like visually from the street; pointing out that the other six, two of which are directly behind, they are out of sight; indicating that the remaining are directly in line with setbacks directly from the road, far enough back that you really do not see them; reiterating that none of the apartment buildings, save the one he called Park Place, creates that space so tight to the road and once that building is built, it is there past our lifetime, there is nothing that can be done about it after the fact; reiterating that his other concerns are in his letter but that is the most important one that he wants to present tonight.
- Jeff Santon, 217 Halls Mills Road – speaking about the pathway and something that got glossed over: there are snapping turtles there and although they are not endangered, they are about five turtles away from being endangered and they nest, they come up from the River and they nest right along where the person is talking about; recommending that we not just worry about the Spiny Turtle, which is there as well, but the snappers are there too and they should not be glossed over.