

## PUBLIC PARTICIPATION MEETING COMMENTS

### 11. PUBLIC PARTICIPATION MEETING – Properties located at 200 Albert Street, 192 to 196 Central Avenue and 193 to 197 Central Avenue (TZ-8802)

- *(Councillor S. Turner stating that we have been through this a couple of times; wondering if, with the three year extensions, it seems like they end up being short windows so if we were to give somebody notice that that use was no longer to be permitted, it would be in the moment, so right now, for example, we could say that no longer will we grant that three year temporary parking use of that site and as of today you can no longer use it for that purpose and now you have to scramble and figure out what you are going to do with it; in three years' time from now, we will be in the same position where maybe today we say alright this is one more time, we will let that happen and then we are on that day again and we say tomorrow you can no longer use the parking lot for that purpose; enquiring if there is a way to sunset this, recognizing rapid transit corridors, recognizing the desire to make use of underutilized sites, is there anything in our tool belt that could say in six years' time there will be no more extensions or in three years' time there will be no more extensions, somehow to give the property owner notice that there should be a transition away from surface parking uses.); Mr. J.M. Fleming, Managing Director, Planning and City Planner, responding that the typical type of zoning does not have a sunset, temporary zoning does have a sunset so by its very nature you are only saying that you are only allowing for this for up to three years, you cannot go beyond three years but you also cannot tie the hands of future Councils by saying that when this runs out there will not be any future extensions as that is something that somebody could always apply for and the Council of the day would have to have that opportunity to review the application and make the decision accordingly but if you were to be approving this, you would essentially be saying we are allowing this for up to three years and there is no assurance of any future approvals; certainly Council can make a comment around the expectations and beyond that, other than a policy which does not allow for the extension of temporary uses as long as your term or discourages those within a certain area there really is not anything that Council could do to prevent a future Council from approving a further extension; (Councillor S. Turner indicating that that is exactly the question at hand; is there a policy consideration, at which point, is that within their realm as a Municipal Council to say that there is a total number of renewals that would be allowed at maximum or a specific amount of time so if we just have three year temporary renewals that continue every three years just as a matter of right, then they really are not temporary, it is just normalizing the use; if we were to say that you can do three years, three years, three years, but at the twelve year mark, that is the limit of the number of extensions that you can have; wondering if that is something within the Municipal Council's powers or is that provincially determined.); Mr. J.M. Fleming, Managing Director, Planning and City Planner responding that the Official Plan currently does include policies that provide criteria for the evaluation of Temporary Zones so Council could include criteria that relate to the long-term intention of the lands, for example, of part of what you are evaluating or if there is a certain geographic area that you would like to discourage the extension of Temporary Zones, something along those lines is possible; expressing the opinion that a policy that indicates that you cannot have more than two extensions or three extensions probably is not a defensible Planning policy; thinking that if Council wants to go in a certain direction, it should be characterized in a different way, one that is more directly related to the goals of the Council and something that is geographically based and aligned with some other goals, for example, regeneration of Downtown areas or trying to prevent, as already is in The London Plan, the frustration of the redevelopment of the lands; he does not think that there is a formulaic way of saying no more than two or no more than three extensions; he thinks that you need to have policies in place that allow you to evaluate future extensions.*
- *(Mayor M. Brown indicating that this is a really frustrating situation for all of them; they hear on a regular basis that there is not enough land available and ready to go to build the kind of high rise apartment buildings that they want to see in their Downtown, that they have envisioned for our Downtown and that they know is the key ingredient to success for a more vibrant Downtown and for many years they could hear Judy Bryant speak about it, about feet on the street; that is the ingredient to make it a vibrant Downtown and the way that you get feet on the street after five o'clock is to have people living in the Downtown area; for him this is a very difficult situation because it is balancing out the short-term recommendation, which is to provide another three year exemption which then does provide parking that is required for businesses that are functioning in the area; part of the frustration is that three years from now it is difficult to predict what that next Council will do and whether we just see this happening time and time again; listen to the debate today but he would like to be on record to say that it is frustrating, that they know that they need adequate parking in the Downtown, they have been waiting some time for the Parking*

Strategy, he is looking forward to finally seeing that document so that they can make more informed and educated decisions on these matters but the only way that they are going to see the kind of growth that they want to see in the Downtown is if they get the best use and most appropriate use out of lands and these lands are not, for the long term, appropriately used as parking lots; reiterating that he will continue to listen to the debate and make a decision as they go.)

- (Councillor M. van Holst enquiring if we know how often these parking lots are full; wondering if we can get a sense of how well they are used.); (Councillor Park advising that these questions may be answered once the applicant has a chance to speak after the technical questions; perhaps that it more appropriate for the applicant to answer.)
- (Councillor A. Hopkins enquiring if we have a parking authority for the City of London; wondering who regulates the parking lots and what is going on.); Mr. G. Kotsifas, Managing Director, Development and Compliance Services and Chief Building Official responding that we do not have a parking authority, we have a property services structure that report to him and they control City owned lots and City right-of-ways; (Councillor A. Hopkins confirming that this is not on private property.); Mr. G. Kotsifas, Managing Director, Development and Compliance Services and Chief Building Official responding that we do also regulate on private property with agreements with property owners; noting that they have multiple agreements to regulate parking on private property as well; (Councillor A. Hopkins wondering if these properties are regulated at all.); Mr. G. Kotsifas, Managing Director, Development and Compliance Services and Chief Building Official responding that these ones are controlled through ImPark, a private company but the City also works with ImPark as well on many of the lots; (Councillor A. Park expressing frustration as there are between fourteen and twenty-five years of parking on these properties so to her they are not temporary uses and what, if any, conditions do we apply when we grant these extensions or do we; conditions in maintaining the parking lot, putting up a bench or a tree or are there any conditions that are applied when we give extensions.); Mr. M. Tomazincic, Manager, Current Planning, responding that depending on the situation sometimes they do require them to go through site plan, if site plan had previously been done under a previous extension then they would not necessarily compel them to go through site plan again but that is generally the biggest condition that they put on applicants for temporary surface parking lots; (Councillor Hopkins responding that there is no regulation when it comes to maintaining that parking lot and making it safe and maintained, the surface, lighting and the lot itself, it is really up to the owner.); Mr. J.M. Fleming, Managing Director, Planning and City Planner responding that if there is a site plan in place there are certain elements that could be controlled, things like lighting; however, there is not currently in effect conditional zoning, the regulations are not in place in the *Planning Act* to allow for conditions to go along with zoning so something like safety and those other things that are not included in the site plan process would not be covered through the zoning; relating to the question of utilization, he would like to point out that the parking study will deal with parking lot utilization but in the Downtown area and this is just outside the Downtown but the Committee will have some information in front of them in the future as that comes forward; (Councillor A. Hopkins enquiring when that will be.); Mr. M. Elmadhoon Traffic Planning Engineer responding that they are targeting early December to bring the Parking Strategy to the Planning and Environment Committee; (Councillor A. Hopkins read in the staff report that we have to gradually transition and she is not exactly sure how we do that; wondering where the information is that gives them the tools on when they make these decisions here at Committee by giving extensions, she is also thinking how do they gradually transition these lots and she does not see those tools that are available to them; not sure if staff can answer that question but she would like to see something.); Mr. J.M. Fleming, Managing Director, Planning and City Planner, thinking that is going to be a big part of the discussion coming forward with the Parking Strategy; however, understanding the utilization rates is part of that; seeing what the impact of Rapid Transit is is another part of that; if the City was to construct a parking structure of some sort, that is another factor; all of these things relate to how important these temporary surface parking lots are to servicing existing businesses in the Downtown and thus the ability to pull them away and certainly another one is if they are able to work with the developer, for example, through a privately initiated project in order for them to provide some publicly accessible parking which meets their parking standards, that could also allow some capacity so that they could then, in that gradual way, not be approving the extension of temporary zones in certain areas.
- (Councillor M. Cassidy thinking that what this Committee and Council have been doing for the last three years is rather than granting three year extensions, she believes they have been granting, for the most part, one year extensions; wondering if that is correct and have they granted, since December 1, 2014, have they granted only one year extensions or have they done some three year as well.); Mr. M. Tomazincic, Manager, Current Planning responding that this is certainly a topic that this Council has discussed thoroughly, probably more so than in the past that this Council is really having a good look at these;

however, there has been a mix of approvals; the last one that staff brought to Committee was on Queens Avenue and that was a three year extension; (*Councillor M. Cassidy enquiring if they have granted any one year extensions.*); Mr. M. Tomazincic, Manager, Current Planning responding that he would rather have a look rather than guessing; (*Councillor M. Cassidy thinking that they went that route at Committee and it was changed at Council.*).

- Michelle Doornbosch, Zelinka Priamo, on behalf of the applicant – expressing support for the staff recommendations; responding to the technical questions asked by the Councillors, providing additional information; when we are dealing with these sorts of applications, it is in everyone's best interest, including their clients, for the lands to develop, that is the intent of purchasing these lands, they are vacant lands approximate to the Downtown and that is the long term and overall intent for the parcels; unfortunately, with parcels like this in an area approximate to the Downtown, it is essentially market that dictates when these lands develop and they have recently been seeing that; the difficulty that they are looking at with the development of these lands in particular is that, as you have heard from staff, they are just outside of the Downtown area; these lands are not afforded the same incentives that lands within the Downtown area are, so that as those lands in the Downtown continue to develop they will see that there will be more of a demand outside of that primary area; advising that the new London Plan does define these lands as being within the Downtown area but currently it is just north of that; the reality is that these are conditions that they cannot change; noting that it will help with the changes in the Official Plan and maybe they will look at this; indicating that she is not sure if there will be a review of the incentives moving forward if they relate to the new Downtown Area limits defined by The London Plan but these are things that they have to take into consideration and essentially it is slow progression as lands inside the Downtown and, as they see those happen, then that will eventually come out and we are continuing to see that happen; there have been several recent high rise development applications, several of them have been on existing commercial parking lots in the Downtown area and that will continue to happen; advising that these lands, as they currently sit today, they do provide the necessary parking for existing commercial uses on the Richmond Row corridor; advising that they also serve a number of office uses; stating that if we are to lose this parking and, again, because they are outside of the Downtown area there is not the same amount of parking that is currently available, it is a little bit farther from those in the Downtown area so these lots are essential to the long term viability of the existing uses in the Richmond Row corridor; stating that until they can come up with a development plan that makes sense for these lands, that implements the intent of the Official Plan and Zoning By-law but also is able to incorporate additional parking for those existing uses, the reality is we have to maintain those or they are going to have hardships for those existing uses on Richmond Row that do not have access to other parking areas; finding that, during the day, the lots are fairly full because of the office uses and the retail uses and on weekends when there are activities in Victoria Park; noting that there are a number of them in the summer, these lots are absolutely full for those coming into the Downtown; advising that they will continue to monitor the Downtown Parking Report that is coming forward as it is critical to the long term intent for these lands and the overall Downtown area but until that happens it is a bit premature to restrict an extension to one year given the fact that any development approvals, those alone take a year and they are still waiting on the report from the Civic Administration which is not set to come until December; advising that they are still more than a year away from any development plans happening here just in terms of the time frames for future development; asking the Committee to support the staff recommendation; continuing to work with their client with respect to development plans on a regular basis and as the market dictates and as changes continue to happen in the Downtown area, they will continue to monitor this and over the long term, these lands will develop, they just do not have a definitive plan at this time.
- Sandra Miller, 32 Upper Avenue – advising that in the Planning and Environment Committee Agenda, the Committee will have read a letter from the Architectural Conservancy Ontario, the London Region branch; advising that they submitted a letter encouraging the continued development of Downtown as opposed to the continued parking lot sustaining program; indicating that here we are again talking about another three year extension of a "temporary" parking lot; hearing the numbers twelve to twenty-five years which, she thinks we all would agree, is not really becoming temporary anymore; stating that she does not believe that anyone in this room is talking about eliminating parking; noting that she is not and the Architectural Conservancy Ontario, the London Region branch is not; advising that they are talking about a higher and better use of that land; knowing that as our Downtown becomes more and more commercially viable, as well as the residential infill that has been happening, there has been a real boom especially in high rises; indicating that every one of those new high rises has built or will be building incorporated parking within its building structure for its own residents but also extra parking for the surrounding neighbourhood, commercial, retail, Downtown visitors, etc., so there

is extra parking built into these new buildings that are coming into the Downtown; realizing that surface parking lots are an incredibly inefficient use of those lots as are empty lots; nobody wants to see these sitting empty, we want to see development, everyone wants to see growth and prosperity in our city and infill on surface parking lots and empty lots is obviously the preferred option for the Architectural Conservancy Ontario, the London Region branch; noting that they have seen tremendous pressure on existing heritage buildings as well as non-heritage buildings; any building that you have to demolish to build a high rise, you want it to be really worthwhile and unfortunately, we have seen a lot of very unfortunate demolitions and neglect going on that have resulted in long term parking lots in past years and in recent years; indicating that this Council and the Councillors sitting around the horseshoe in the Planning and Environment Committee meeting have repeatedly talked about your frustration and the Committee has expressed that tonight and have said that they will not be encouraging or allowing continued parking lot renewals so here is a really golden opportunity to take that step to send a strong message to landowners, to parking lot developers and land speculators in our city that temporary parking lots is not how we want to see our city develop, we want to see sustainable infill development and we want it done on shovel ready lots such as surface parking lots and empty lots; advising that before next year's election, here is a great opportunity to stand up to the promises that you have made to all of the citizens of London and we look forward to seeing no further continued ongoing renewal of these endless parking lots.

- Mohamed Moussa, 155 Thornton Avenue – indicating that he has heard the word “frustrating” used a few times this afternoon; advising that what is frustrating to him is that nobody has seen that these lots actually serve a purpose; people drive; advising that you have got to understand that people drive; indicating that if you want them to come Downtown they need places to park, whether it be business owners, whether it be employees or whether it be shoppers; expressing that what is frustrating to him is that all you have to do is go to the City website and see that the City owns no less than twelve surface parking lots; recommending that the City put out an RFP and sell them to developers because the City is trying to say to this property owner that that is what it needs to do; reiterating that the City owns surface parking lots and you want to eliminate them, put out RFP's in order to sell them; respectfully disagreeing with the Architectural Conservancy Ontario, the London Region branch in terms of the letter that was in the Planning and Environment Committee Agenda; respectfully disagreeing in the sense that there are a lot of developers that have come forward wanting to develop land; wondering how many of those are on the books right now and how many have pulled permits; do not blame the property owners that are trying to get useful extensions to things that support the Downtown; do not blame them for older buildings that are being torn down and sites sitting undeveloped; advising that, at last count, there are eleven applications; wondering how many have actually pulled permits to build; indicating that recently this Committee and Council had approved a Downtown building with absolutely no parking; reiterating that people drive, people need their vehicles at times, not everybody but many people do.