

PUBLIC PARTICIPATION MEETING COMMENTS

9. PUBLIC PARTICIPATION MEETING – Property located at 660 Sunningdale Road East - Applewood Subdivision (39T-09501/Z-8818)
 - Paul Hinde, Principle, Tanfield Consulting, on behalf of Mr. P. Sergautis, Extra Realty – indicating that this application has a long history attached to it, going back in excess of fifteen years; thanking Ms. N. Pasato and the Development Services staff as they have been able to resolve a number of issues or concerns that they had; advising that there are two issues that they would like to the Planning and Environment Committee's attention tonight; stating that the first issue deals with the barn and part of the draft plan conditions, they do have a letter from Ferreira Law, which is included on the Planning and Environment Committee Agenda; noting that it has been requested that Condition 16 be deleted in its entirety; pointing out that their concern with that Condition as it is written is basically establishing a conclusion in advance of some other matters being considered ie. tomorrow's appeal; expressing that the concern that they have is that the two heritage designated barns will be incorporated into any future development on Block 48 and in essence, as the submission that is on the Planning and Environment Committee Agenda details, is that it is completely eliminating their clients rights under the *Ontario Heritage Act* to request any demolition of this structure on the property at some point in the future; stating that the Condition would ultimately be impossible to fulfill; advising that their concern is supported by a structural analysis that has been undertaken by SBM Consultants and the conclusions and recommendations, in the two paragraphs, basically reiterate and emphasize that it is their opinion that the cost to reinforce the existing structure and to update it to meet current building and life safety standards would far exceed the value of the finished product, that moving the structure would unforeseeably be almost impossible due to the poor structural shape and any reassembly of the structure would likely require it to be undertaken with the proper safe building materials; outlining that the problem that they have is that the building is in a state of disrepair; advising that they will try to retain them, they will try to improve them, but the condition as it is right now, unequivocally saying that they will be incorporated into any redevelopment is a little bit premature and whether that Condition could be softened to say that in all effects or subject to going through the due course they would like to either, as their request is, through the Ferreira Law letter, to have that removed and they will deal through the *Ontario Heritage Act* and the appropriate process to determine the appropriateness of that; indicating that there is a number of pictures that he will not go through but, in essence, the red brick is such that it is an interior brick, it was never intended to be an exterior brick and the big grey area shown in the picture is actually the ledger and the concrete base where the exterior brick was supposed to be put on the building and it never did get put on and you can see that literally the brick has completely fallen apart as it is not of a structure that was supposed to be exposed to outside elements over a period of time; asking that Condition 16 be removed in its entirety; indicating that the second Condition that they take issue to is in essence the suggestion that on all of the Business District Commercial zones, the residential units be prohibited on the ground floor; noting that the concern that they have with that first of all is that it is going to significantly eliminate or constrict any opportunities for coming in with future site plans, they do and they are going to continue to promote the commercial and office type uses along Blackwater Road to create the corridor vision as outlined in The London Plan and in the City of London's Official Plan; however, by only allowing the residential units on the second floor is going to completely prohibit and restrict the development of the entire parcel; bringing to the Planning and Environment Committee's attention that Adelaide Street North and Sunningdale Road are classified in The London Plan as Civic Boulevards and Civic Boulevards provide a wide range of residential uses and are encouraged to be fronting those streets; pointing out that if they can only have residential uses on the second floor, their concern is that quite possibly there is going to be nothing more than a parking lot fronting on to Sunningdale Road overlooking the City of London to the south on both the west and the east side of Blackwater Road; indicating that there was no rationalization or justification given as to why, all of a sudden, it should be prohibited now; pointing out that, in 2014, when the Zoning By-law was brought into effect for the entire parcel, because this is only an amendment to some of those portions of the Zoning By-law; ground floor residential dwellings are permitted to the rear of the commercial and office buildings, it is an as of right in the parent by-law Business District Commercial Zone and it was a right that was carried forward in 2014 that residential uses could be to the rear and that is to ensure that the commercial and the office uses are going to be front and foremost along the corridor of Blackwater Road and they will continue to have that but they would also like to have the flexibility, when they consider future site plans, which goes through an entire separate process of site plan approval, urban design guidelines, for the consideration of at least

possibly considering some rear units on the ground floor so that they could maximize the development of each of the blocks; some of the building restrictions of 250 square metres or three thousand square metres, the size of those buildings, having residential only on the second floor or higher, he does not want to suggest another tower of spite but it is going to be restricting residential development on the blocks; they may promote or advance something but they would like that flexibility and there was no rhyme or reason as to why, in the eleventh hour, all of a sudden it is being taken away from what was already granted in 2014 by the Council of the day and they would like that reinstated, just for the flexibility; asking that it be on record that there is a reference to a variety of the features on the property, the Provincially significant wetland, the Environmentally Significant woodlot and the single dwelling which is on the property; pointing out that that single dwelling right now is being utilized as an office and business for Extra Realty as well; recognizing that it is not just strictly a single family house, it is there right now in case the issue comes in the future as to a legal non-conforming status; identifying that they are not opposed to the temporary use that is being suggested but he just wants to recognize that there is more than just a single family dwelling being carried on in that dwelling right now. (See attached presentation.)