



January 12, 2018

The Corporation of the City of London
300 Dufferin Avenue,
P.O. Box 5035,
London, Ontario.
N6A 4L9

Attention: Chair Turner and Members of Planning and Environment Committee

**RE: Applewood Hills Draft Plan of Subdivision and Zoning Bylaw Amendment
Issues of Concern to Be Addressed at the January 22nd Public Meeting
660 Sunningdale Road East
File 39T-09501/Z-8818**

Dear: Chair Turner and Members of Planning and Environment Committee

Extra Realty Limited would like to thank City Development Services staff for their time and effort in discussing the proposed conditions of Draft Plan Approval as well as the proposed Zoning Bylaw Amendment which is contained within the Planning Report being presented to your committee on January 22nd. Although a number of changes have been made subsequent to dialogue with city staff, our client continues to object to specific conditions and zoning provisions. We are providing this correspondence to you at this time in advance of the public meeting so that our concerns can be clearly expressed.

Draft Plan Conditions:

Condition 16. Ferreira Law has provided correspondence under separate cover with respect to this condition. (Attached). Please note the letter makes reference to Condition 19 however the conditions were recently renumbered.

Request: delete this condition in its entirety.

Reasoning: The condition as worded does not uphold our client's rights under the Ontario Heritage Act to request demolition of the proposed structures (barns) on the property at some point in the future, should circumstances dictate.

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Zoning: Our client objects to the added Special Provisions that staff is recommending be added to the existing zoning bylaw provisions for the BDC2 zoned blocks.

25.4) c) BDC2 Zone Variations

8)BDC2 (8)

a) Prohibited Uses:

- i) Dwelling Units on the ground floor**

8)BDC2 (9)

a) Prohibited Uses:

- i) Dwelling Units on the ground floor**

8)BDC2 (10)

a) Prohibited Uses:

- i) Dwelling Units on the ground floor**

REQUEST: Delete the prohibition of dwelling units on the ground floor (*Section 25.4 c) BDC2 Zone Variations for BDC2(8), BDC2(9) and BDC2(10) a) Prohibited Uses i) Dwelling Units on the ground floor* in order to maintain the current zoning provision of Bylaw Z-1- 142328, as passed by Council on July 29,2014.

REASONING:

- The Business District Commercial blocks are sufficiently large enough in depth to possibly plan some form of residential dwelling units to the REAR of commercial or office uses fronting the secondary collector (Blackwater Drive);
- The vision of a “Main Street Commercial Corridor” will be achieved by prohibiting dwelling units from fronting the secondary collector, if located on the ground floor of the building;
- Dwelling units could be oriented towards Sunningdale Road and Kleinberg Drive, opposite planned or existing residential uses providing outstanding views of the City and countryside;
- Dwelling units on the ground floor to the REAR of commercial or office uses fronting the secondary collector would allow for a possible “L” shaped building to be constructed.
- For example, on block 48 zoned BDC2 (8), the maximum gross leasable floor area of 250 m² will restrict the building footprint to what for all intent and purposes would be a “stick tower”;
- The bylaw as approved by Council July 29, 2014 did not impose such restrictions;



- The prohibition of dwelling units on the ground floor is contrary to the general standards of the BDC2 zone;
- An Urban Design Report and Tertiary Plan has been prepared by our client and received approval from staff. Both planning documents envisioned dwelling units to the REAR of commercial and office uses fronting the secondary collector and provided for creative opportunities for “live/work” mixed use buildings;

We thank you in advance for considering our concerns as expressed. We will be please to discuss these issues with you in advance of the January 22nd public meeting.

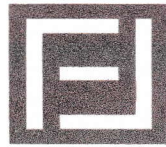
Sincerely:

TANFIELD CONSULTING

Paul V. Hinde, B.E.S
Principal

Cc:

- P. Sergautis - Extra Reality Limited
- D. Stanlake - D.N Stanlake Consultants and Mgmt. Services
- N. Pasato - City of London
- L. Pompilii – City of London



FERREIRA
LAW

January 3, 2018

VIA Email: pec@london.ca

Planning and Environment Committee
The Corporation of the City of London
300 Dufferin Avenue
London, ON

Re: Applewood Hills – 660 Sunningdale Road East
City File No. 39T-09501 / Z-8818
Meeting January 22, 2018

I am Counsel for Peter Sergautis. I am writing to comment on condition #19 of the Draft Plan conditions, which will be considered by PEC at its meeting on January 22, 2018. Condition #19 should be deleted in its entirety.

The City has already taken steps under the *Ontario Heritage Act* to designate this property. The proposed designation is currently under appeal to the Conservation Review Board. Even if the property is ultimately designated, my Client has rights under the *Ontario Heritage Act* to request demolition of the structures on the property at some point in the future, should circumstances dictate.

It is neither legal nor reasonable for a condition to be included which could limit or remove my Client's statutory rights.

Yours Truly,
FERREIRA LAW

Analee J.M. Ferreira

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