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File No. SP12-007186
S. Bellaire

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. CHIEF BUILDING OFFICIAL & DIRECTOR, DEVELOPMENT & COMPLIANCE DIVISION
SUBJECT:	APPLICATION BY: KAP HOLDINGS INC. 186-188 HURON STREET, 2 AUDREY AVENUE MEETING ON, AUGUST 20, 2012

RECOMMENDATION

That on the recommendation of the Manager, Development Planning the following report with respect to the site plan approval application of KAP HOLDINGS INC relating to the property located at 186-188 Huron Street, 2 Audrey Avenue **BE RECEIVED** for information purposes.

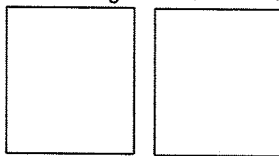
PREVIOUS REPORTS PERTINENT TO THIS MATTER
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SP12-007186; Report to the Planning and Environment Committee to conduct a public meeting and report to the Approval Authority the public responses on the proposed site plan, elevations and conditions for site plan approval in order to fulfil a condition of the London Consent Authority. The application was not supported. May 28, 2012.

B.60/11; Report to the Planning and Environment Committee to direct the City Solicitor's Office, the Development Approvals Business Unit and the City's Planning Division to provide legal and planning representation at the Ontario Municipal Board Hearing to support the position of the Provisional Decision conditions imposed by the Consent Authority. February 6, 2012.

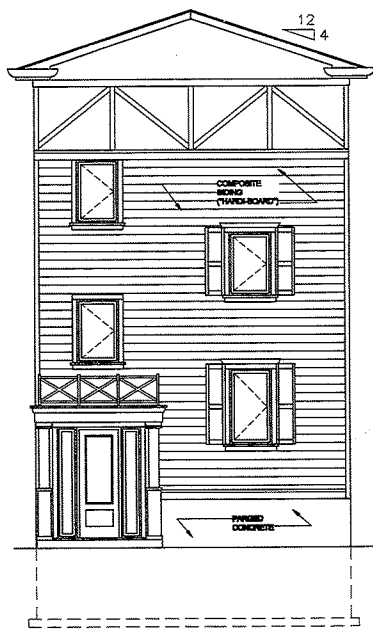
BACKGROUND

The Planning and Environment Committee reviewed the site plan application for the subject property and Council advised that issues were raised with respect to the proposed building, and established buildings, being out of character in relation to the other properties on the street. Issues were also raised about a lack of landscaping on the subject properties. After the public meeting, the applicant proposed two different options to Development Services for moving forward with the application.

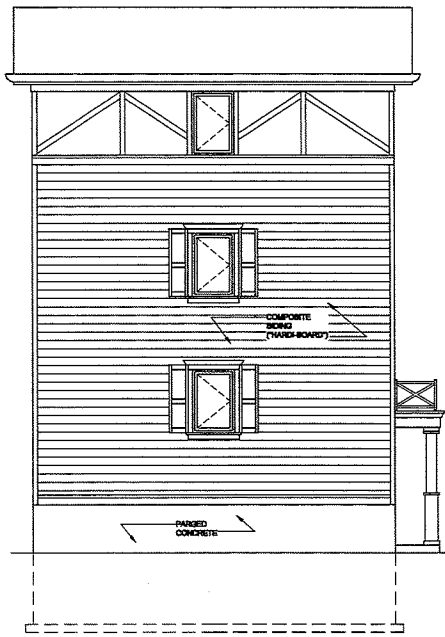


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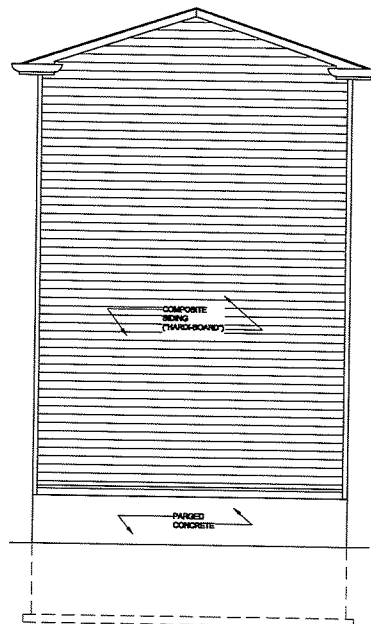
Option 1 Proposed Site Plan and Elevations



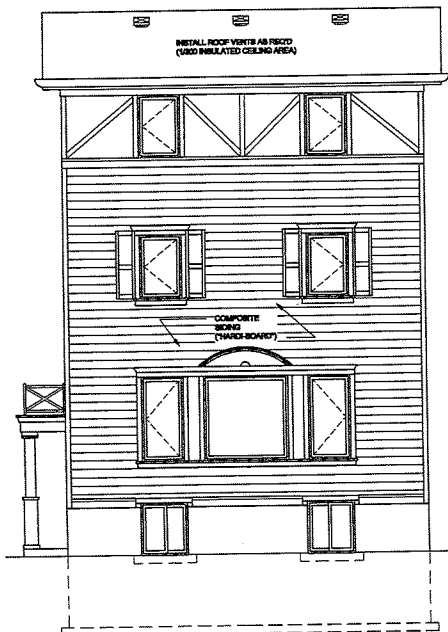
WEST ELEVATION
SCALE - 1 : 50 metric



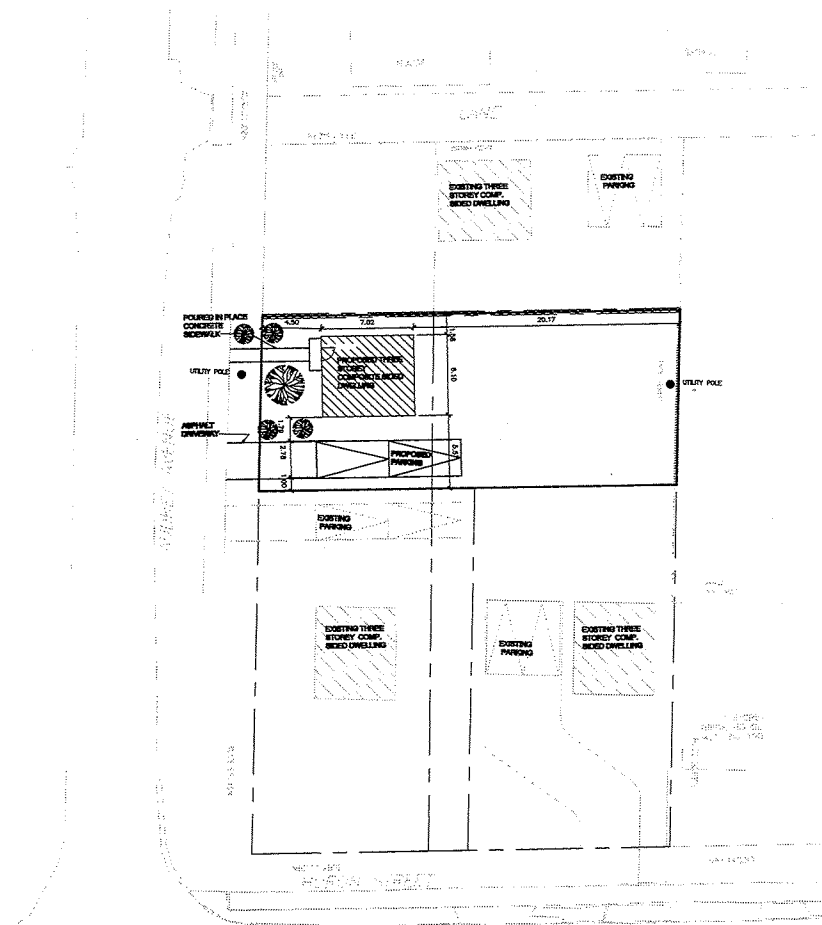
NORTH ELEVATION
SCALE - 1 : 50 metric



EAST ELEVATION
SCALE - 1 : 50 metric



SOUTH ELEVATION
SCALE - 1 : 50 metric

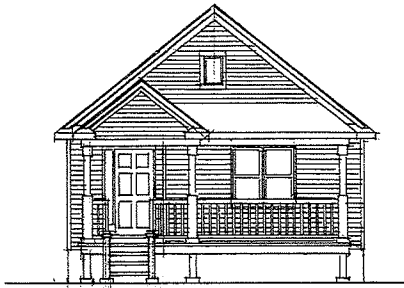


PROPOSED SITE PLAN
SCALE - 1 : 200 metric

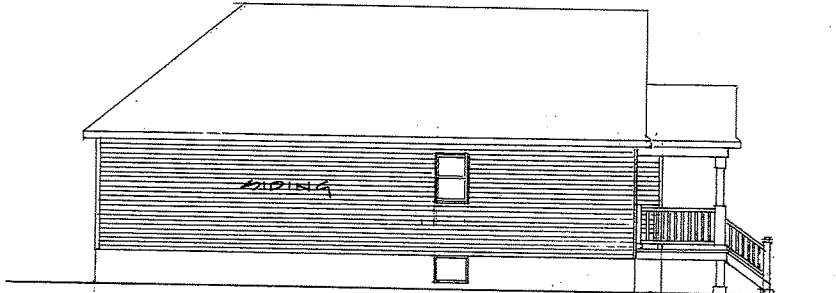
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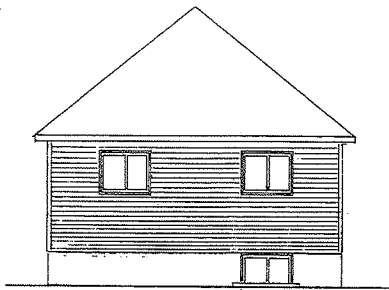
Option 2 Proposed Site Plan and Elevations



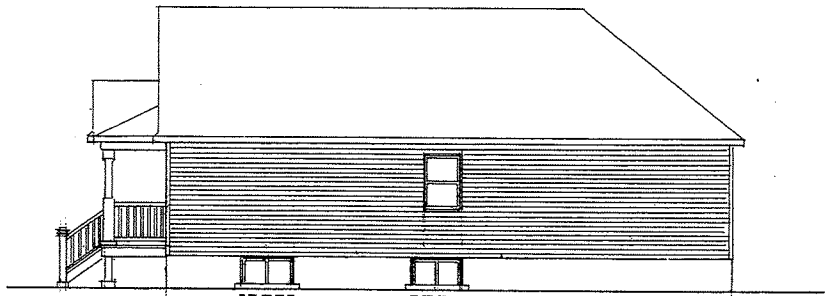
WEST ELEVATION



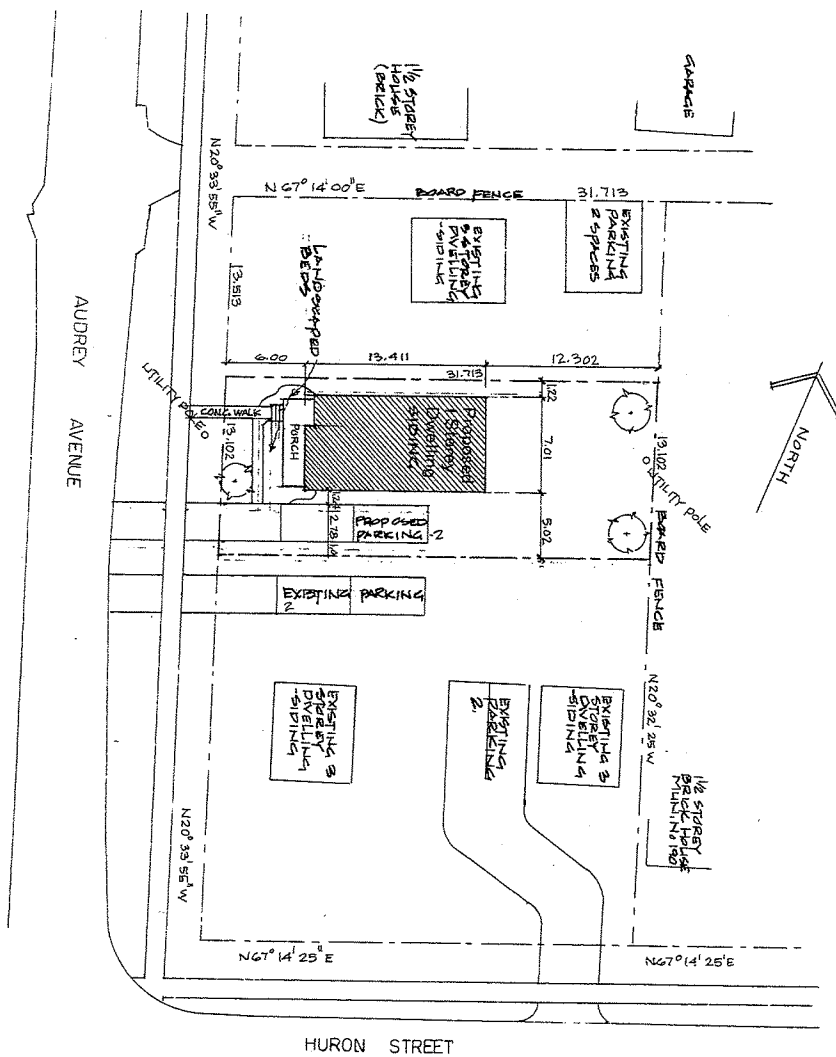
NORTH ELEVATION



EAST



SOUTH



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Option 1 was indicated to be the preferred option by the applicant (see Appendix A and B). Development Services in conjunction with Urban Design reviewed both options against the criteria provided by Urban Design to determine compliance with our City guidelines and policies and compatibility with the character of the existing neighbourhood. Both applications are in compliance with the Zoning By-law. Prior comments from the original proposal from the Urban Design section included:

1. Move the building to the east to line up with the Audrey Avenue frontage.
2. Indicate the location of the front door and show a pedestrian connection from the sidewalk to the front entrance.
3. Provide a porch for the front entrance.
4. Provide an articulated base for the building.
5. Provide a sharper pitch to the roof.

Upon review of the proposed site plan and elevations for Option 1, it is staff's opinion that only Items 2 and 3 have been fully addressed and the architecture of this building with these modifications, while in keeping with the abutting buildings, is still not in keeping with the character of the neighbourhood.

Option 2 was provided at the same time as Option 1 for consideration. It is noted that upon review of this Option, staff's opinion is that Items 1, 2, 3, and 5 have been fulfilled and that the character of this building is more in keeping with the majority of properties in the neighbourhood in respect of architectural style and height and as a result, is the concept recommended to move forward with. The only Item not addressed is Item 4 as an articulated base has not yet been provided.

STAFF APPROACH

At this time, staff's approach is to proceed with Option 2 that also respects the items noted in the Council Resolution shown below.


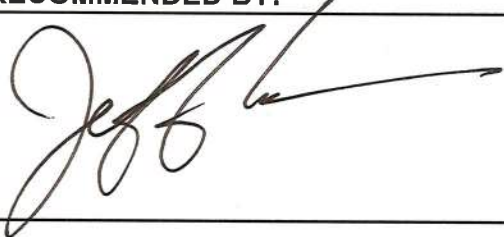


- a) *the Approval Authority **BE ADVISED** that at the public meeting of the Planning and Environment Committee held with respect to this matter, issues were raised with respect to the proposed building, and established buildings, being out of character in relation to the other properties on the street;*
- b) *the Civic Administration **BE REQUESTED** to look at significant landscape enhancements; and,*
- c) *the Civic Administration **BE REQUESTED** to show creativity in the urban design in keeping with the neighbourhood;*

Significant landscape enhancements have not been shown on the most recent site plan for Option 2. We note that the foundation walls of the building and front porch are visible above grade. Significant landscape enhancements as noted in Point b from the Council Resolution could be implemented to work in conjunction with the architecture of the building to provide an articulated base (landscape hedge) for the building to demonstrate compliance with Item 4.

Staff have advised the applicant to resubmit complete drawings for Option 2 that address comments from Development Services and Urban Design showing significant landscape enhancements to the site plan which also provides an articulated base for consideration. The applicant will also have to provide servicing/grading drawings and address outstanding comments by Transportation, Parks Planning, and Urban Forestry in order to achieve site plan approval.

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PREPARED:	RECOMMENDED BY:
	
SARA BELLAIRE, OALA CSLA LANDSCAPE PLANNER	JEFF LEUNISSEN, MCIP, RPP MANAGER, DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
	
JENNIE A. RAMSAY, P.ENG. MANAGER, DEVELOPMENT SERVICES DEVELOPMENT & COMPLIANCE DIVISION	GEORGE KOTSIFAS, P.ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL DEVELOPMENT & COMPLIANCE DIVISION

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Bibliography of Information and Materials

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

City of London, Notice of Application, March 20, 2012.

City of London, Living in the City – Saturday, March 24, 2012.

City of London, Notice of Site Plan Public Meeting, May 2, 2012.

City of London, Living in the City – Saturday, May 12, 2012.

City of London, Site Plan By-law C.P.-1455-451

Provincial Policy Statement, March 1, 2005

City of London, Notice of Provisional Consent Decision – File No. B.060/11

City of London, Site Plan Application, SP12-007186

City of London, Report to the Built and Natural Environment Committee – File No. OZ-7912,
September 26, 2011

City of London, Report to the Planning and Environment Committee – File No. SP12-007186,
May 28, 2012

City of London, Council Resolution – File No. SP12-007186, June 13, 2012

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Appendix A

Bellaire, Sara

From: Richard Zelinka [richard.z@zpplan.com]
Sent: Friday, July 27, 2012 8:13 PM
To: Bellaire, Sara; Leunissen, Jeffery; Yanchula, Jim
Cc: arnonkap@hotmail.com
Subject: KAP, Huron / Audrey SP 12-007 186

Sara, Jeff, Jim

I have received the memo of July 24th, setting out the Planning and Design Staff position with respect to the direction this application should take moving forward.

Mr. Kaplansky has told you he will build whatever single detached dwelling you choose – he has to, since he needs Site Plan Approval in order to complete his conditions of Consent.

However, he has made it clear on several occasions, as I have, that he does not wish to build the “McIver house” (Option 2), but rather that he wants to complete the grouping of dwellings in a consistent style, that is with Option 1, as submitted or slightly modified. When we were asked to provide details on both Options, we made it clear that we would respond to your request, but that we were not asking for Option 2.

While I sincerely respect each of you, I believe that the “Department” position on this application is a terrible mistake, and not in the community interest.

The rationale for the position as set out in the memo must be examined. It is unreasonable to rate two buildings against the 5 points from the previous circulation to Urban Design. The 5 points were related to improving the design of the specific building proposed. They were not set out as general criteria for comparative options. The consideration of an articulated base, for example, does not even relate to neighbourhood character (since articulated bases are not the norm in this neighbourhood). At any rate, the base of Option 1 was in fact changed to provide a clear and substantial base. Notwithstanding the neighbourhood character, if more articulation would be desirable, I am sure we could work with you.

Also, it was considered that Item 1 was completed, or addressed, by Option 2, yet because of the substantial nature of its front porch as part of the massing of the building, the McIver house actually projects further forward than the applicant’s Option 1.

Rating the Options against the Council Resolution: clause (a) is simply reporting; clause (b) says to look at significant landscape enhancements (which does not favour either option), and clause (c) appears to be a mis-recording of the Mayor’s request to look for a bigger picture solution to this area (which may involve policy and ZB considerations). Nevertheless, even taking the resolution at face value, there is nothing innovative about re-using the McIver model on this site.

I am concerned that in your deliberations on this matter, the words in the Addendum Report were not considered to have merit:

“This proposal continues to be a good fit with the character of the immediately surrounding dwellings, but incorporates features which will help to offset some of the more austere characteristics of those dwellings. Moreover, the proposal incorporates many of the features common within the broader neighbourhood. ”

There is no indication that this point was considered.

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Appendix A continued

As I have told you, I believe this is an important opportunity to do something that will enhance the entire area, by putting a "front door" and a face on the development (i.e. the grouping of "towers" as they are called), something it is currently missing. Placing the fourth building forward on the lot gives prominence to this face, and thereby diminishes the effect of the blank walls on the existing structures, at least as viewed from the north, west and southwest.

By not taking this opportunity, you will be condemning this area to being a perpetual mismatch, rather than a positive and interesting urban development.

By looking at the McIver house in isolation, and preferring it because it better reflects the characteristics of the broader neighbourhood is to deny the immediate built context of the development. In that context, the McIver house is as much of a mismatch as the original tower was in the neighbourhood. It will ensure that this area will forever be seen as a mistake. On the other hand, using Option 1 will provide order and cohesion, and will move this corner to a better level of acceptability within this neighbourhood. The corner of Huron and Audrey will never look the same as the rest of the neighbourhood, but that is not a bad thing if it is allowed to take on an interesting character of its own.

Hopefully the Planning position was not based on an assumption that this would somehow prevent Mr. Kaplansky from ever fulfilling his long term vision for the corner. He has been very candid and forthright with staff about his vision. Whether Council ever permits him to do any more on the site is irrelevant. Or perhaps it is more important, if you believe it will not be allowed, that the current development be allowed to put the best possible face on what will be there for a long time.

I am not making these points on behalf of my client. I am making them because I professionally believe that the City will not be well served by a decision to choose the McIver house over Option 1. My client will build what he is allowed to build; however, I implore you to see that Option 1, or a minor variation of it, is the best fit for its full context, and will actually enhance what is there now in a manner that is certainly in the public interest, regardless of whether Council in future allows Mr. Kaplansky to complete his vision for the lands or not.

I write this because I will be at the Olympics when you meet, and I will not have the opportunity to speak directly to you.

Thank you for your consideration.

Richard Zelinka
 Zelinka Priamo Ltd.

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Appendix B

Bellaire, Sara

From: Arnon Kaplansky [arnonkap@hotmail.com]
Sent: Wednesday, August 01, 2012 12:43 PM
To: Bellaire, Sara; Richard Zelinka; Barry R. Card
Subject: Fwd: scan
Attachments: TEMP001.PDF; ATT00001.htm

Here is the final (hopefully) plans for the site at Audry st and Huron st. The city design team have pick their best choice which is unbelievable to me , I think they are doing it out of spite. I did Everything the City ask for regardless of all the obstacles they put in front of KAP holdings . I trust that the city will approve the site plan and kap will get it right to obtain the consent to sever that lot . Thank you Arnon Kaplansky