

Planning and Environment Committee Report

16th Meeting of the Planning and Environment Committee
September 23, 2019

PRESENT: Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire, S. Turner
ABSENT: Mayor E. Holder
ALSO PRESENT: I. Abushehada, J. Adema, G. Barrett, M. Elmadhoon, M. Feldberg, J.M. Fleming, P. Kokkoros, G. Kotsifas, H. Lysynski, D. MacRae, H. McNeely, C. Parker, J. Parsons, N. Pasato, M. Pease, L. Pompilii, A. Riley, S. Rowland, C. Saunders, K. Scherr, C. Smith, S. Spring, M. Tomazincic and P. Yeoman

The meeting was called to order at 4:01 PM

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor M. Cassidy disclosed a pecuniary interest in clause 3.3 of this Report, having to do with the property located at 307 Fanshawe Park Road East, by indicating that her family owns property in the area.

2. Consent

Moved by: S. Turner
Seconded by: J. Helmer

That Items 2.1 to 2.4, inclusive, BE APPROVED.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 8th Report of the Advisory Committee on the Environment

Moved by: S. Turner
Seconded by: J. Helmer

That, the following actions be taken with respect to the 8th Report of the Advisory Committee on the Environment, from its meeting held on September 4, 2019:

- a) an expenditure of \$500.00 from the 2019 Advisory Committee on the Environment (ACE) budget BE APPROVED to facilitate a Waste Diversion session at the 2019 Green in the City Event to be held at the London Public Library in the fall of 2019; it being noted that the ACE has sufficient funds in its 2019 budget to cover this expense; and,
- b) clauses 1.1, 3.1, 5.1, 6.1 BE RECEIVED for information.

Motion Passed

2.2 Application - 1912 Linkway Boulevard - Removal of Holding Provisions (H-9085)

Moved by: S. Turner
Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to a portion of the lands located at 1912 Linkway Boulevard, the proposed by-law appended to the staff report dated September 23, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Business District Commercial Special Provision (h•h-206•BDC(31)) Zone TO a Business District Commercial Special Provision (BDC(31)) Zone to remove the h and h-206 holding provisions. (2019-D09)

Motion Passed

2.3 Revised City of London Telecommunication Facilities Location and Public Consultation Council Policy (O-7881)

Moved by: S. Turner
Seconded by: J. Helmer

That, on the recommendation of the Managing Director, Planning and City Planner, the proposed by-law appended to the staff report dated September 23, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend By-law No. CPOL.-126-378, as amended, being "A by-law to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled Telecommunication Facilities Consultation Policy" by renaming the Council Policy "Telecommunication Facilities Location and Public Consultation Policy", to reflect changes in the process that have occurred since the Policy was first developed. (2019-A12)

Motion Passed

2.4 Building Division Monthly Report for July 2019

Moved by: S. Turner
Seconded by: J. Helmer

That the Building Division Monthly Report for the month of July, 2019 BE RECEIVED for information. (2019-A23)

Motion Passed

3. Scheduled Items

3.1 Public Participation Meeting - Application - 585 Third Street (OZ-9028)

Moved by: S. Turner
Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Tricor Contracting Limited, relating to the property located at 585 Third Street:

a) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend the Official Plan by ADDING a policy to section 10.1.3 – Policies for Specific Areas;

b) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "B" BE INTRODUCED at a future Municipal Council meeting, to amend The London Plan by ADDING a policy to Specific Policies for the Neighbourhoods Place Type; by ADDING the subject lands to Map 7 – Specific Policy Areas – of The London Plan AND that three readings of the by-law enacting The London Plan amendments BE WITHHELD until such time as The London Plan is in force and effect; and,

c) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone TO Holding Residential R3/Residential R5/Residential R8/Restricted Office/Light Industrial Special Provision (h-1/R3-2/R5-4/R8-4/RO2/LI7(_));

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendments are consistent with the 2014 Provincial Policy Statement ("PPS") which directs municipalities to maintain suitable sites for employment uses and consider the needs of existing and future businesses. The PPS also promotes appropriate development standards to facilitate compact development in settlement areas;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan which list the necessary condition(s) for approval of Policies for Specific Areas, and would augment the general policies, including but not limited to Multi-family Medium Density Residential ("MFMDR") designation to allow the continued use of the existing non-residential building on the subject lands for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the MFMDR designation;
- the recommended amendment conforms to the in-force policies of The London Plan and would augment the general policies, including but not limited to Neighbourhoods Place Type to allow the continued use of the existing non-residential building on the subject lands for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the Neighbourhoods Place Type;
- the recommended amendment to Zoning By-law Z.-1 will conform to the Official Plan and The London Plan as recommended to be amended. The recommended amendment to the Zoning By-law will permit the existing industrial uses in the existing building and limit the uses to their existing size to maintain an acceptable level of compatibility with the surrounding residential uses. The recommended amendment to the Zoning By-law will regularize and permit existing site conditions which can accommodate the existing uses to continue without serious adverse impacts for surrounding residential land uses; and,

- the recommended amendment will recognize these long-standing, established uses which have achieved a measure of compatibility with the surrounding uses. (2019-D09)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: M. Cassidy

Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: M. Cassidy

Seconded by: J. Helmer

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.2 Public Participation Meeting - Application - 115 Bessemer Road (Z-9084)

Moved by: M. Cassidy

Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, with respect to the application by Barnim Property Holdings Inc., relating to the property located at 115 Bessemer Road, the proposed by-law appended to the staff report dated September 23, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM Light Industrial (LI2/LI7) Zone TO a Light Industrial/Light Industrial Special Provision (LI2/LI7(_)) Zone;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended Zoning By-law amendment is consistent with the Provincial Policy Statement, 2014;
- the recommended amendment to Zoning By-law Z.-1 conforms to the 1989 Official Plan including but not limited to the policies of the Light Industrial designation, and The London Plan including but not limited to the policies of the Light Industrial Place Type, and provides for an appropriate development of the site;

- the recommended amendment will permit an accessory automobile rental establishment in association with a permitted Automobile Repair Garage, along with increased open storage and a reduced parking rate. (2019-D09)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: J. Helmer

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: M. Cassidy

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.3 Public Participation Meeting - Application - 307 Fanshawe Park Road East (Z-9006)

That it BE NOTED that the Planning and Environment Committee was unable to reach a majority decision with respect to the application by Royal Premier Homes, relating to the property located at 307 Fanshawe Park Road East, and pursuant to Section 19.3 of the Council Procedure By-law, the matter is hereby submitted to the Municipal Council for its disposition;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to these matters:

- a communication dated September 12, 2019 from B. Day, 1277 Hastings Drive;
- a communication from M. and D. Semotiuk, 1348 Hastings Drive;
- a communication from M. Lacey, 37 Camden Place;
- a communication from P. and D. Lincoln, 7 Camden Road;
- a communication dated September 19, 2019 from D. Beverley, President, Old Stoneybrook Community Association;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-D09)

Moved by: S. Turner
Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, with respect to the application of Royal Premier Homes, relating to the property located at 307 Fanshawe Park Road East, the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Residential R1/ Bonus (h-5*h-54*h-89*R1-8*B-15) Zone TO a Holding Residential R5 Special Provision (h-5*h-54*h-89*R5-7 (*)) Zone.

Yeas: (2): J. Helmer, and S. Turner

Nays: (2): A. Hopkins, and P. Squire

Absent: (2): M. Cassidy, and E. Holder

Motion Failed (2 to 2)

Additional Votes:

Moved by: S. Turner
Seconded by: P. Squire

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, P. Squire, and S. Turner

Absent: (2): M. Cassidy, and E. Holder

Motion Passed (4 to 0)

Moved by: A. Hopkins
Seconded by: P. Squire

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, P. Squire, and S. Turner

Absent: (2): M. Cassidy, and E. Holder

Motion Passed (4 to 0)

3.4 Public Participation Meeting - Application - 3700 Colonel Talbot Road and 3645 Bostwick Road 39T-17503 (OZ-8838)

Moved by: J. Helmer
Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by W-3 Lambeth Farms Inc., relating to the properties located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

a) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend the (1989) Official Plan to:

i) refine and reconfigure the extent of the Low Density, Multi-Family Medium Density, and Open Space designations, by changing the

designations on Schedule “A” - Land Use FROM “Low Density Residential”, “Multi-Family, Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Multi-Family, Medium Density Residential”, and “Open Space” designation;

ii) change the designation on Schedule “B1” – Natural Heritage Features, FROM “Unevaluated Vegetation Patch” TO “Significant Woodlands” and “Locally Significant Wetlands”;

iii) change the designation on Schedule “C” – Transportation Corridors by amending the east-west secondary collector road to align with Street A, and by amending the north-south secondary collector road to align with Street D; and,

iv) change Section 20.5 (Southwest Area Secondary Plan) by:

A) amending Schedule 2 to the Southwest Area Secondary Plan (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;

B) amending Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, “Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;

C) amending Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, “Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, adding a Park, and to realign a secondary collector road; and,

D) amending Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, and “Medium Density Residential” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

b) the request to amend the 1989 Official Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, BE REFUSED for the following reasons:

i) the Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;

ii) the Southwest Area Secondary Plan supports sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the City are accessible for everyone; and,

iii) the City’s Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more “complete” environment that will feature high-quality pedestrian environments and integrate seamlessly with transit services, cycling networks, and automobile users. London’s streets will be designed for connectivity and support the use of active and sustainable modes of transportation;

c) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, to amend The London Plan by:

- i) changing the Place Types on Map 1 - Place Types - FROM Neighbourhoods and Environmental Review TO Green Space, and to change the alignment of the Neighbourhood Connectors;
- ii) changing Map 3 - Street Classifications- by amending the east-west Neighbourhood Connector to align with Street A, and by amending the north-south Neighbourhood Connector to align with Street D;
- iii) changing Map 5 - Natural Heritage - FROM Unevaluated Vegetation Patch TO Significant Woodlands and Wetlands; and,
- iv) changing 1565_5. Southwest Area Secondary Plan, Section 20.5 (Southwest Area Secondary Plan) by:

- A) amending Schedule 2 (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;
- B) amending Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM "Low Density Residential", "Medium Density Residential", and "Open Space" TO "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;
- C) amending Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM "Low Density Residential", "Medium Density Residential", and "Open Space" TO "Low Density Residential", "Medium Density Residential", and "Open Space", adding a Park, and to realign a secondary collector road; and,
- D) amending Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM "Low Density Residential", and "Medium Density Residential" TO "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

it being noted that the amendments will come into full force and effect concurrently with Maps 1, 3 and 5 of The London Plan; and,

d) the request to amend The London Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, BE REFUSED for the following reasons:

- i) the Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- ii) the London Plan and the Southwest Area Secondary Plan support sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the *Accessibility for Ontarians with Disabilities Act*, so that all of the elements of the City are accessible for everyone; and,
- iii) the City's Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more "complete" environment that will feature high-quality pedestrian environments and integrate seamlessly

with transit services, cycling networks, and automobile users. London's streets will be designed for connectivity and support the use of active and sustainable modes of transportation;

e) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone and an Environmental Review (ER) Zone, TO:

- i) a Holding Residential R1 Special Provision (h*h-100*R1-3(*)) Zone;
- ii) a Holding Residential R1 Special Provision (h*h-82*h-100*R1-3(*)) Zone;
- iii) a Holding Residential R1 Special Provision (h*h-100*R1-4(*)) Zone;
- iv) a Holding Residential R2 Special Provision (h*h-100*R2-1(*)) Zone;
- v) a Holding Residential R2 Special Provision (h*h-100*R2-3(*)) Zone;
- vi) a Holding Residential R2 Special Provision/Residential R4 Special Provision (h*h-100*R2-1(*)/R4-6(*)) Zone;
- vii) a Holding Residential R2 Special Provision/Residential R4 Special Provision/ Residential R6 Special Provision/Neighbourhood Facility (h*h-100*R2-1(*)/R4-6(*)/R6-5(****)/NF1) Zone;
- viii) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h*h-100*R6-5(*)/R8-4(**)) Zone;
- ix) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h*h-100*R6-5(**)/R8-3(*)) Zone;
- x) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h*h-100*R6-5(***)/R8-4(****)/R9-3(**)) Zone;
- xi) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h*h-100*R6-5(***)/R8-4(****)/R9-3(***)) Zone;
- xii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision (h*h-100*R8-4(*)/CC6(*)) Zone;
- xiii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision/Neighbourhood Facility Special Provision (h*h-100*R8-4(***)/CC6(**)/NF1(*)) Zone;
- xiv) a Holding Residential R9 Special Provision/Convenience Commercial Special Provision (h*h-100*R9-3(*)/CC6(***)) Zone;
- xv) an Open Space (OS1) Zone;
- xvi) an Open Space (OS5) Zone;
- xvii) an Environmental Review (ER) Zone; and,
- xviii) an Urban Reserve (UR4) Zone;

f) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for draft plan of subdivision of W-3 Lambeth Farms Inc. relating to a property located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

- i) the approval of clause b) above relating to the request to amend the 1989 Official Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections; it being noted that the Civic Administration is recommending refusal;
- ii) the approval of clause d) above relating to the request to amend The London Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all

street sections or on all street sections; it being noted that the Civic Administration is recommending refusal; and,

iii) in clause g), below, the removal of the requirement for “one (1) future road block;

g) the Approval Authority BE ADVISED that the Municipal Council SUPPORTS the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by W-3 Lambeth Farms Inc. (File No. 39T-17503), prepared by MHBC Planning, File No. 1094 ‘U’, dated December 20, 2018, as red-line amended, which shows a draft plan of subdivision consisting of twenty-one (21) single detached/low density blocks, thirteen (13) street townhouse blocks, two (2) apartment/medium density blocks, four (4) commercial/residential mixed use blocks, two (2) cluster/low rise blocks, one (1) school block, one (1) open space block, seven (7) pathway blocks, three (3) park blocks, one (1) urban reserve/environmental review block, one (1) future road block, two (2) road widening blocks, eleven (11) 0.3 m reserve blocks, all served by two (2) secondary collector/neighbourhood connector roads (Street A and Street D), and nine (9) new local/neighbourhood streets, SUBJECT TO the conditions contained in Appendix “D” appended to the staff report dated September 23, 2019;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the proposed and recommended amendments are consistent with the Provincial Policy Statement, 2014 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods and Green Space Place Type;
- the proposed and recommended amendments conform to the in-force policies of the (1989) Official Plan, including but not limited to the Low Density Residential designation, the Multi-Family., Medium Density Residential designation, and the Open Space designation;
- the proposed and recommended amendments conform to the policies of the Southwest Area Secondary Plan;
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, the (1989) Official Plan, and the Southwest Area Secondary Plan;
- the proposed and recommended redlined draft plan supports a broad range of low and medium density residential development opportunities within the site including more intensive, mid-rise apartments along the Bostwick Road corridor, limited convenience commercial uses at locations along the Bostwick and Colonel Talbot frontages, and a mixed-use, community oriented development node at the intersection of the proposed secondary collector roads (neighbourhood activity node). The red lined Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing, mixed-use development that is pedestrian friendly, transit supportive and accessible to the surrounding community; and,
- the proposed amendments to The London Plan and (1989) Official Plan, clauses b) and d) above, are recommended to be refused as the Provincial Policy Statement promotes active transportation and

encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; The London Plan and the Southwest Area Secondary Plan support sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the *Accessibility for Ontarians with Disabilities Act*, so that all of the elements of the City are accessible for everyone; and the City's Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more "complete" environment that will feature high-quality pedestrian environments and integrate seamlessly with transit services, cycling networks, and automobile users. London's streets will be designed for connectivity and support the use of active and sustainable modes of transportation. (2019-D09)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: J. Helmer

Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.5 Public Participation Meeting - Proposed New City of London Tree Protection By-law

Moved by: J. Helmer

Seconded by: S. Turner

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the Tree Protection By-law C.P.-1515-228:

- a) the public input provided at the September 23, 2019 Planning and Environment Committee meeting with respect to the proposed new Tree Protection By-law appended to the staff report dated September 23, 2019 BE REFERRED to the Civic Administration for consideration in the preparation of a revised Tree Protection By-law; and,

b) the Civic Administration BE DIRECTED to provide a proposed by-law to repeal and replace the existing Tree Protection By-law C.P.-1515-228 at a future Planning and Environment Committee meeting including replacing the term “City Planner” with “City Engineer”;

it being noted that the Planning and Environment Committee reviewed and received a communication dated August 30, 2019, from S. Levin, Acting President, Congregation Beth Tefilah, with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-E04)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: J. Helmer

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

4. Items for Direction

4.1 9th Report of the London Advisory Committee on Heritage

Moved by: M. Cassidy

Seconded by: S. Turner

That, the following actions be taken with respect to the 9th Report of the London Advisory Committee on Heritage, from its meeting held on September 11, 2019:

a) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the property located at 40 Craig Street, within the Wortley Village-Old South Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the vinyl siding cladding the front gables be removed within 1 year and the painted wood shingle imbrication be retained and restored;
- only painted wood be used for the alterations to the porch, including but not limited to the hand railings on the steps, the steps, and the porch skirt;
- all exposed wood be painted;
- the Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, was received with respect to this matter;

b) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval for replacement of the front door at 213 King Street, within the Downtown Heritage Conservation District, BE PERMITTED with the term and condition that the former door be salvaged by the property owner for appropriate reuse elsewhere; it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner and a verbal delegation from S. Caplan were received with respect to this matter;

c) the following actions be taken with respect to the Notice of Planning Application, dated July 24, 2019, with respect to Official Plan and Zoning By-law Amendments related to the properties located at 1-3 Bathurst Street and 269-281 Thames Street:

i) C. Lowery, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the conclusions of the Heritage Impact Assessment (HIA) associated with the above-noted Application; it being noted that the HIA has not adequately addressed the following impacts to the adjacent and on-site heritage resources or attributes:

- massing impacts, particularly with respect to adjacent southerly heritage listed properties;
- design impacts, with respect to compatibility with the properties located at 1-3 Bathurst Street, in terms of building materials, colour and overall design as referenced in Section 3.3 of the above-noted HIA; and,
- glazing attributes; it being noted that the LACH recommends glazing inspired by the 19th Century Industrial style; and,

ii) the document, entitled "Comments on the HIA for 1-3 Bathurst Street and 269-281 Thames Street" from T. Jenkins appended to the 9th Report of the London Advisory Committee on Heritage, BE FORWARDED to C. Lowery, Planner II, for consideration;

d) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage is satisfied with the vision, principles and policies of the Victoria Park Secondary Plan Draft Secondary Plan; it being noted that the proposed policies for cultural heritage outlined in Section 3.5 of the above-noted Secondary Plan continue to support the objectives and policies of the West Woodfield and Downtown Heritage Conservation Districts and promotes the conservation of on-site cultural heritage resources and compatibility of new development with on-site and adjacent cultural heritage resources; and,

e) clauses 1.1, 2.1, 3.1 to 3.5, inclusive, 4.1, and 5.3, BE RECEIVED for information.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: M. Cassidy

Seconded by: J. Helmer

That the Managing Director, Development and Compliance Services & Chief Building Official and the Managing Director, Planning and City Planner, BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Confidential

The Planning and Environment Committee convene, In Closed Session, for the purpose of considering the following:

6.1. Personal Matters/Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal or board employees, including communications necessary for that purpose, with respect to the 2020 Mayor's New Year's Honour List.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Motion Passed (5 to 0)

The Planning and Environment Committee convened, In Closed Session, from 4:24 PM to 4:27 PM.

7. Adjournment

The meeting adjourned at 9:37 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – Application – 585 Third Street (OZ-9028)

- Barbara Rosser, Planning Consultant retained by the applicant and the agent for this application – expressing support for the very fulsome staff report that would allow the business of Tricor Contracting to remain in its current location at 585 Third Street; highlighting a few matters from the report and that is that there has been no evidence of complaint or incompatibility with regards to the operation of Tricor Contracting which has been on the site since 2000; advising that the report indicates adequate parking at 35 spaces approximately available to the business; stating that the zoning that is before the Committee would specifically recognize the use or similar use within the existing building at the existing setbacks on this property only; expressing satisfaction with the report; hoping the Committee sees fit to accept the recommendation.

Appendix A

Bill No.(number to be inserted by Clerk's Office)

2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 307 Fanshawe Park Road East.

WHEREAS Royal Premier Homes has applied to rezone the lands located at 307 Fanshawe Park Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 307 Fanshawe Park Road East, as shown on the attached map, from a Holding Residential R1/ Bonus (h-5*h-54*h-89*R1-8*B-15) Zone to a Holding Residential R5 Special Provision (h-5*h-54*h-89*R5-7 (*)) Zone.

2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

- ___) R5-7 (*)
- a) Permitted Uses:
 - i) Stacked Townhouse
 - b) Regulation[s]
 - i.) Density (maximum) 75 units per hectare
 - ii.) Front Yard Depth (minimum) 4.5 metres
 - iii.) West interior side yard for a lot depth of 30 metres 4.9 metres
 - iv.) Front Yard Setback to patio/porch (minimum) 2.3 metres
 - v.) Height For a Lot Depth of 30 metres (maximum) 12 metres
 - vi.) Height For balance of the lands. (maximum) 10 metres

3) This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

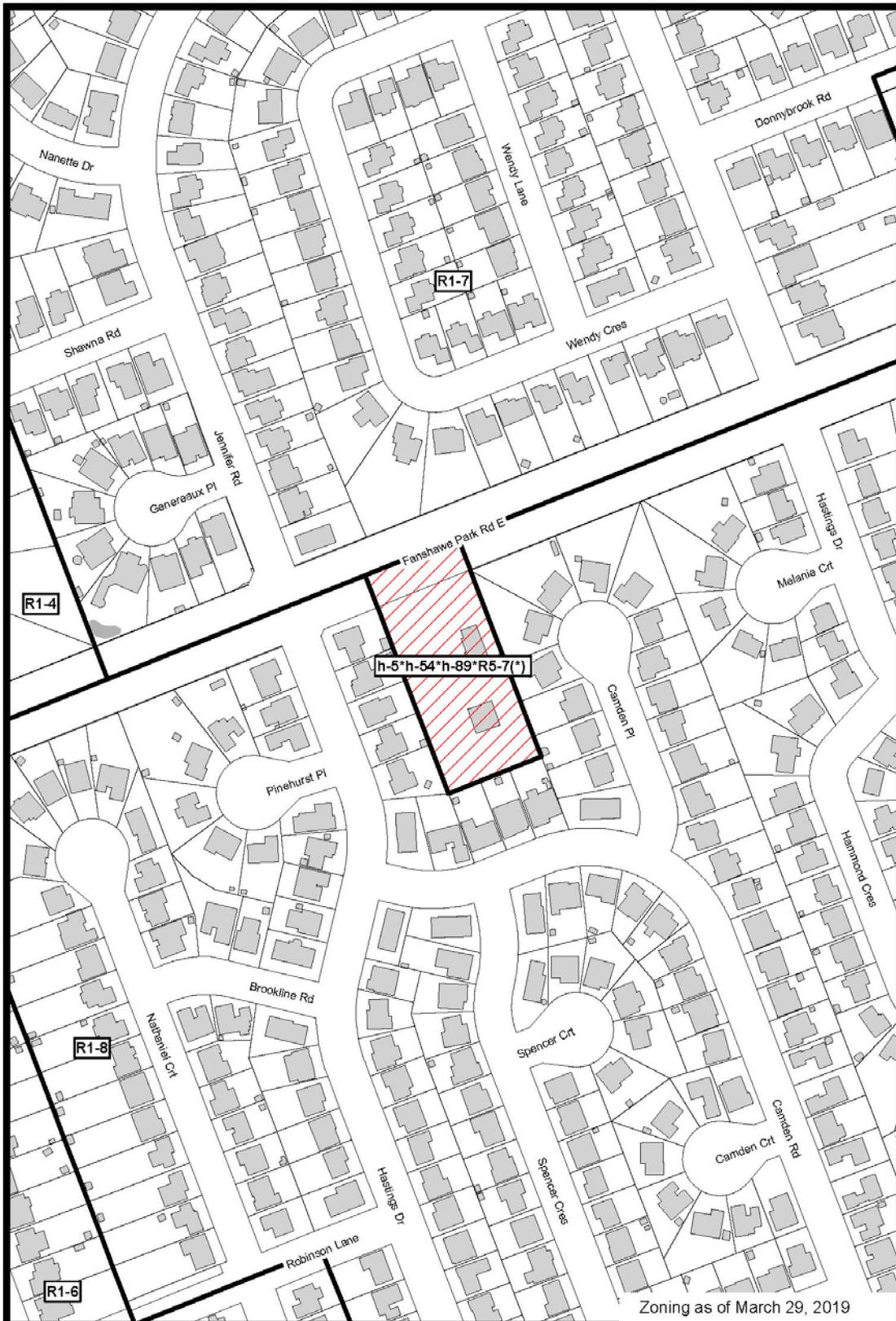
PASSED in Open Council on October 1, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 1, 2019
Second Reading – October 1, 2019
Third Reading – October 1, 2019

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: Z-9006 Planner: CS Date Prepared: 2019/04/05 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters</p> 
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PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – Application – 115 Bessemer Road (Z-9084)

- David Mihlik, Spriet Associates – indicating that he has Larry Martell, Barnim Property Holdings and Charlene Lampman, Enterprise Rental Car with him in the audience; advising that this is a proposed amendment to permit a rental establishment for Enterprise and their existing uses right now are limited to use as a garage of the facility so they want to add rental cars and this is the same approach that is done on a similar Enterprise location a few blocks away where they had to get a site specific zoning amendment for it and what they are asking for is the same type of use in the same type of existing zoning on the property located at 115 Bessemer Road; expressing full agreement with the Planning report prepared by the City and would support the amendment under the terms that are outlined in that petition.
- *(Councillor S. Turner pointing out that it indicates in the report that this is just with respect to the range of uses; there is some site condition components that seem like they might just be minor variances but the reason it is before them is because there is a change in use; is that correct.);* Mr. M. Tomazincic, Manager, Current Planning, responding that that is absolutely correct.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Application – 307 Fanshawe Park Road East (Z-9006)

- Claudia Clausius, Executive Secretary for the Old Stoneybrook Neighbourhood Association – stating that the people behind her who will be continuing our presentation are the rest of the Executive for the Association; noting that they were duly elected in a meeting about a year ago from the general membership of the Association, many of whom are in the Gallery and we hope will speak later on; she would like to begin by reiterating that our Association has always been in favor of developing the 307 site; it is underutilized, in fact, it is an ugly lot right now and developing it offers several advantages: an opportunity to intensify, an opportunity to promote accessibility to our neighborhood and to diversify our community; guided by the two London city plans and the by-laws, we have repeatedly suggested an intensification of twenty units and more on this later; we have also accepted the footprint of the buildings; zoning is at the heart of this entire process; the highlighted zoning, as you see, demonstrates clearly the tension at the core of this proposal; the development obstinately wants more intensification than is allowable under the zoning; the request at the first proposal wanted R5 but alluded to R-6/R5/R6-7 and R8; at one point the City Planner suggested the developer request R8 since the intensification he wanted was not possible under R5, this R8 was dropped; however, even here when we are back at R5, R8 is being used to justify an intensification not allowable under R8; this development seems stubbornly fixated on a specific number of units and parking spots and cannot seem to get past that even where solutions are possible; here is the wording from the City Planner who is trying to accommodate the developers insistence on forty-two units for this lot; the recommended density of seventy-five units per hectare is required given the maximum density within the R5 zone is sixty units per hectare; however, R8 intensification is not required in R5 applications except when the developer is not satisfied with the R5 zoning limitations; the proposal already requires many waivers and allowances; other developments in London have taken the two City plans into account, more on this later; for this type and size of site precedents reflect about thirty units per hectare which means that for 307 that would be seventeen units not forty-two; please recall that we have already agreed to twenty units, a number already in excess of the precedent number; here is a brief history of the recommendations thus far; in May, the Planning and Environment Committee sent the proposal to City Council; City Council directed that the proposal and she quotes from the minutes here and the City Planner in fact quoted the same minutes “be referred back to the Civic Administration in order to undertake additional work with the applicant to address tree protection, building elevation and intensification in site planning through the Urban Design Peer Review Panel (UDPRP)”; the UDPRP recommendations were, in many instances, consistent with City Council concerns and with our Association feedback; she would like to turn now to the puzzling refusal of the proposal to address the clear and repeated requests made by both City Council and the Urban Design Review; in fact, in some cases those very concerns are now worse than in the first proposal; City Council requested additional work on tree protection; the previous proposal had twenty bordering trees retained, now only fourteen will be preserved, six additional trees will be cut down, all of these are partially owned by the neighbors; all trees within the lot will be cut down in the designated tree protection zones for building elevations there is now less privacy for neighbors; there were high private transom windows that have now been replaced with full height windows; urban peer review echo many of City Council’s concerns; in the words of one expert “that is a lot of parking lot”; because of the large parking lot, critical issues for urban peer review were the loss of privacy and buffering, the absence of any common green amenity space; they were anxious about the parking lot size also for vegetation and tree preservation plans; they also

wanted an improved plan for traffic within the parking lot; the urban review offered a solution to some of these problems by suggesting below grade parking; urban review also asked that the proposal be returned to them; (*Councillor J. Helmer indicating that Ms. Clausius is at five minutes and to please wrap up.*); the final slide will sound repetitive because, once again, we see the current proposal is entirely different to UDPRP's directions; there are fewer trees preserved than before, landscaping is deferred to site plan phase, private buffering is degraded, parking lot issues are not addressed, drainage swales are described as green amenity space for future residents, underground parking was dismissed as too costly; the proposal has not gone back to the urban peer review; this plan has disregarded all the feedback and recommendations that tried to solve specific problems; not surprisingly those problems remain. (See attached presentation).

- Debra Beverley, President, Old Stoneybrook Community Association – advising that she would like to talk to you a little bit about the adverse impacts and some alternatives and she does want to say thank you very much for your time and continuing to address this with us, to all of you as well as to the developers for working with us, we are grateful to have these opportunities and continue dialogue; she would like to start by pointing out some of the practical problems with the current zoning application as it is outlined today; the first is that the loss of all trees, as you just heard about, in this designates Tree Protection Zone, that is a really large one for us, the sewer capacity calculations which do appear to be sufficient; we recognize those are based on standards the City is currently using but they are standards from 1972, almost fifty year old products and things that are using the sewer systems have changed significantly so we do have concerns related to that; some aspects of the application are also impractical or hazardous and that would be things like the u-turns, one of the main intersections that people are likely be doing u-turns at are at Jennifer/Hastings; that changes names as it crosses over north and south right at Fanshawe and even just a week or so ago there was another accident; she knows as some of our neighbors have pointed that out to us; it is a site of repeated accidents so adding another nineteen cars leaving in the morning or twenty-five cars that come home magically at night doing u-turns to get into the property; we do have serious concerns that there may be some critical issues related to that and then just the diminishing setbacks eroding privacy and making noise and light pollution inevitable; the number of parking spaces required for the zoning application which do match the number of units that have been required to limit the landscaping and make snow removal an issue; while Zelinka Priamo Limited has tried to address this by increasing the set back of the parking lot from the eastern edge to about twenty or twenty-two feet she believes and we are grateful for that; it is, in fact, still inappropriate though because unless the lot entirely empties snow is actually going to have to be pushed, instead of into that twenty-two foot space along the eastern edge of the property into the south end of the parking lot where there is much less foot space available and the snow is likely to pile up and then may well drain into neighbours lots with flooding issues, the salt and chemical issues of the snow melting and killing vegetation there as well; what would be a better fit because she knows we are telling the Committee all the things that were not happy with; we do want to be developed, we would like to see it intensified; going from one single family home to twenty units of possibly four up to possibly eighty people, that is intensifying and that is what we are suggesting; when they were here in May, you did conclude by referring this back to City Council and we have talked about the history so she will not reiterate that but the current plan is still too intense, too intense for a lot of this size; eighty-three percent of which is bordered by our one houses; we are not talking about major thoroughfares on even two sides of the street; seventeen percent of it runs along Fanshawe Park Road, absolutely it does but the majority is set within a residential neighborhood; we need to address the zoning because this is driving the parking lot size which is causing the majority of the issues and these are issues that are going to come up at site planning once it is too late to scale back the development and that is going to leave the City and neighbourhoods in a challenging, an untenable situation; if the size the development is capped at twenty units this will

decrease the size of the parking lot to thirty spaces reducing paved and impermeable surfaces by fifty-three percent; recognizing it is expensive to do underground parking and we recognize why that may not be in the developers best interest but if we scale back the parking lot we are still mitigating the same issues; this decrease in paved surface will allow for more usable and effective amenity space, something the neighborhood and the Urban Design Peer Review Panel both recommend; it would not then have to relegate all of the green space to the periphery of the lot; where at the periphery there is no privacy for the neighbors who live in the residents or the neighbors that are surrounding noise, light pollution and lack of buffering all going to contribute, no one wants to have their barbecue three feet from my backyard when my kids are four feet away jumping in a pool and the same happens with other neighbors around the neighborhood; the space itself is just not a sizeable enough space for one hundred and one residents which is on the lower end of who will be living here, approximately one hundred one people; reducing the number of units and therefore the size of the parking lot means that less trees need to be removed in the Tree Protection Zone and allow us to honor that; a plan that was mandated by the City for good reason and as a Forest City, a title but I think most of us in London feel represents us, she can see with all of your glass signs here the forest on it, we actually lost the title Forest City for a period of time and we worked hard through various tree planting regimes to bring that back so let us help make sure that we retain that; the trees also provide for natural and effective means of drainage to manage storm water and then and reduce the impact of the swelling and catchment basins; (*Councillor J. Helmer advising Ms. Beverly that she has reached five minutes.*); asking for thirty seconds to wrap up; (*Councillor J. Helmer asking her to just wrap up.*); wanting to highlight one other on property that you have been discussing and that is the 420 Fanshawe Park Road East or also called the Poole property; there you had a lot of challenges as well but you went from six stories to four stories which was a better fit for that property and it is three times larger a lot than ours that has generous setbacks that provide protection and buffering, a lot of the trees have retained, two-thirds of the common space is green space; asking that you consider protecting the trees and enforcing the same kind of privacy buffering that you did there at the 307 Fanshawe Park Road. (See attached presentation.)

- Ron McDougall, 41 Camden Place – indicating that since the first day that this proposal was presented to our community we have made every attempt to be reasonable; we have demonstrated a willingness to accept that this is an underutilized lot; we know that development is inevitable and it would be greater than we prefer; we are willing to accept that; at the last meeting of the Planning and Environment Committee, it was said that our community had not made clear what we would be acceptable to us; this is not so, it was said on several occasions by several people that we would not object to a project of around twenty units; in May of 2019, we stated in a written submission to the Planning and Environment Committee an intensification of two twenty units would be appropriate; our objective is to work with the City to intensify the use of this property; in the process we also want to see some grass and trees remain; what we do not appreciate is a process we have been forced to contend with, we would like to see some flexibility by the developer and the City Planners, just a little recognition that our community deserves some input into how our community will change; however, our attempts to be reasonable have fallen on deaf ears; today's project is virtually unchanged from the original proposal; there have been a few minor changes but no concession to the number of units and consequently to the impact on our neighborhood; from the beginning we have asked for a project that will not remove all the trees and grass; the estimates for this project to the population of one hundred people in a small space; could it go to one hundred fifty people, one hundred sixty people, that would be only about four people per unit; where is the grass for leisure or play, it is under the parking lot; he would like to remind you of one of the requirements attached to the approval of 420 Fanshawe Park Road; he knows he is repeating but that project was ordered to set aside two-thirds of the property as Landscaped Open Space; we do not mind if there is no change to the footprint of the buildings; in a meeting with the developer at City Hall on

July of 2019, we made this clear; our issue is parking for forty-two units; if the number of units are reduced the parking area is reduced, the green space is increased, trees could be saved and there would be leisure space for the owners and tenants; all of our objections stem from the number of units, with fewer units the issues we have identified will be eliminated or reduced; currently, as estimated, this project will only meet minimum standards for storm water removal and waste water management, is this adequate and will it stand the test of time; the City and Province have made a commitment to promote accessibility for the handicapped; this project will have no handicapped access, handicapped people can park their car in designated spaces but they have nowhere to go; we agree that our community should be diversified, this should include handicapped families and empty nesters; we feel it is time the developers should make some significant concessions; we have no faith that anything meaningful can be accomplished at site planning; the developer has told us he plans to rent the units; he wants back some units for maximum rental and rental income; there is no incentive for him to make a concession unless this Committee and Council show the way; we ask that the zoning granted be R5-3 with twenty units; we would like to point out another concern about zoning requested, several times in discussions with the developer he has stated that if we do not agree with his plan he can build up to a six story building; this does not demonstrate good faith negotiating; if you grant the zoning requested we are concerned that he will use this zoning as leverage to go for the six storeys; we are asking you to reject this proposal, it is in the best interests of our community and the city to ask everyone to go back to the drawing board and work out a better plan; if this remains at forty-two units we cannot expect any concessions in site planning.

- Fred Cull, 33 Camden Place – indicating that he and his wife Cathy have lived here for forty-two years; we moved into our new home in 1977 and back then the trees on our street were quite small; in over the forty years plus those trees have grown to provide shade and coolness and beauty and added character to our neighbourhood; looking out from my backyard, we look directly onto the 307 Fanshawe Park Road property where the old original farm, the barn and the yellow brick farmhouse were located; this past January the developer had both the barn and the house torn down, now what remains is the old mature trees and hedges; taking a minute to thank Councillor Anna Hopkins for stepping up to support our group and be our representative for Ward 5 during this process; advising that Councillor A. Hopkins has been out to the property and she is quite familiar with our concerns; thanking the Councillor Phil Squire for taking the time to come out and have a look at that the lot from our backyard and Councillor P. Squire was quite concerned about the number of trees that they were going to remove; he would also like to thank the people in the gallery for coming out to support us; appreciate that; moving on the trees, in regards to the tree plan, he has suggested that all the trees and all the hedges that surround the 307 Fanshawe Park Road site on the perimeter be saved; the hedges have grown to be twenty to thirty feet in height and provide privacy for the property owners who back on to the site; the developer has planned to cut everything down on the perimeter of the lot and to replace these trees with little saplings; noting it would take several decades for the saplings to mature to replace what is there now; most of us will be dead by then so do not destroy the trees and hedges on the perimeter of the 307 Fanshawe Park Road lot that we all need for shade and privacy; advising that he has a maple tree in his backyard, it is on the border line between 307 Fanshawe Park road and his property and the developer is required by a by-law to consult him for removal of that tree; he has not consulted him, he has indicated that tree is coming down; indicating that he wants it left; moving on to the parking lot, the proposed plan by the developer is to install a huge parking lot for sixty-three cars and sixty-three cars coming and going, their plan is to have wall-to-wall paved parking; the parking lot exceeds what the City by-laws allow; headlights would be shining directly onto the adjacent properties onto their homes; the parking lot must be reduced; there is no green space provided for children to play; we need more grassy areas and less parking lot; snow storage, the developer plans to plow all the snow from the huge parking lot up against his fence line, snow melt, salt and chemicals would kill our

flower bed and our gardens and would flood our backyards and kill my maple tree; he does not want the snow from his parking lot directed onto his property, remove the snow elsewhere; talking about Widder Station, another development in Old South London and there is a problem there the neighbors have with the property, they back onto a new development there and the developer has dug a ditch there or a swale so there is standing water with infested mosquitos in that swale, the people are out there swatting the mosquitos, they cannot enjoy their backyards now; we do not want that and lastly just to sum up he would like to talk about the sanitary sewer; the plan is to use the existing six inch drain like this that was apparently installed in the ground and runs from the 307 Fanshawe Park Road property out to an eight inch drain on the Camden Place circle; that drain pipe was installed back in the early 1970's, almost fifty years ago, and the six inch drain was used for the single family who lived in the old farm house he is told; now the plan by the developer is to use that same old six inch drain pipe to service the entire population in this development; they say that the six inch drain pipe is large enough to service one hundred and one people; we do not know how many people will be living there as rental units may be one hundred, one hundred and fifty, two hundred, who knows, they could be crammed in there into this building, toilets flushing, water from sinks and showers, disposable diapers and wipes will clog the six inch drain; fifty years ago we did not have all those disposable items being flushed down our toilets and he dreads the thought of sewage backup or a leak in the pipe, it could cause spill and raw sewage into my home that is, my mom is right beside this sewer pipe in the easement; (*Councillor J. Helmer indicating that he has reached five minutes.*); just finishing up, thank you; instead of causing more problems for the people on Camden Place with construction for sanitary sewage to the Camden Place circle, run the proper size sanitary drain out to Fanshawe Park Road instead of to the Camden Place circle; thank you for listening.

- Michael Crawford, Camden Place - the *Ontario Planning Act* requires intensification but it is intensification to compensate in some measure for unbridled expansion in the rural suburbs, the subsections of the *Planning Act* require that the proposal advanced be clear enough for us to understand and it also requires an opportunity for us to, as a community, to have impact and input and also requires that the plans avoid adverse effects; many of the regulations surrounding this obviously derogate to the municipalities to look after; the London zoning by-laws and the Official Plan are all very very clear that if you have an intensification you must ensure there is no adverse impact and the Official Plan goes on to say that you need to minimize loss of privacy and you have to address the issues of traffic, noise, lighting, visual impact, loss of trees, etc.; the City Planner has quoted, there may be instances when a minor variance is warranted based on the configuration of the site or the developmental constraints associated with it; it does not say that it is intended to maximize intensity without regard to privacy, light pollution, parking buffering, etc., it is not to maximize profit for the developer and it is not to be at the detriment of residents; a minor variance singular minor we are being presented here with an inflation of density from sixty to seventy-five units per hectare and abatements or setback allowances that will invade the privacy of neighbors; what is it that is being offered to justify this this cross intensity, is it accessible parking maybe but where are the accessible residences, this is not a LEED efficient structure, there is no common amenity space for residents unless you include the swale ditches; there is no play place for children so how are we addressing diversity here if you are aged, if you are disabled, if you have little children this is not a place that you could live; there have been profound problems in just this last month and he has to acknowledge that up until then we have really enjoyed our communications with City Planning, Councillors and with the developer but this last month has been horrendously frustrating; the developers plans were mounted on the website only one week before comments were due to this Committee, that is this last Friday, and the City Planner listed his recommendation a day and a half before Friday's deadline; where is community consultation there, this is not consultative, this was rushed, this was discourteous and this was fundamentally disenfranchising; too much is being deferred at this present time to get a clear picture of what is really intended because of this being deferred to

site plan and their trust has been fundamentally eroded; bear in mind, a concrete example here that the stormwater management was endorsed initially by the City Planning and by the Engineer; it was brought to their attention by an outside consultant, a retired City Engineer, that this was not a plan it was a catastrophe waiting to happen; we militated, we flagged this for attention of City Planning and fortunately Council intervened and returned the plan to staff; major issues such a snowstorm storage have still not been addressed; the issue here is if we could not trust City Planning and the Engineer to address stormwater management in the initial iteration that they endorsed how can we put off many of these fundamental decisions to site planning now; from our perspective the size of the parking lot is driving all other considerations, the density is simply and purely not possible within the by-laws, check out the parking by-laws, unless the parking is either moved underground or the unit density is reduced; by-laws are fundamentally not being a respected and we are being asked to defer on these fundamental issues that are inextricably bound to zoning density and size, they cannot be postponed to site planning; going to conclude by asking you to consider that the City's Official Plans and the by-laws are the product of deliberation by Councillors such as yourself, they have involved a lot of community input, they have involved a lot of deliberation and votes; they need to be respected in their totality not cherry picked where convenient and ignored, these bylaws were thoughtfully put in place by previous administrations and we disrespect their work, we disrespect our neighbors and our city if we do not pay attention to them and we run roughshod over them; these documents are sensible and forward looking in their totality, we should follow them; urging the Committee to please look out for your constituents here, vote to reject this zoning application.

- Mary Lacey, 37 Camden Place – advising that she is here today as a concerned citizen regarding the rezoning application for 307 Fanshawe Park Road East; she is certainly not opposed to the development of this property; however, she is opposed to the size and scope and the resulting impact on our neighborhood and the environment; there appears to be fewer trees retained than previously listed and these are primarily on neighboring properties, removing the mature hedges surrounding several properties and replacing them with saplings may sound positive but it will take decades for these new trees to grow in order to provide any type of privacy and as previously mentioned, sadly, many of us in this neighborhood will probably not live to see these trees mature; in support of this, the comments from the Urban Design Peer Review Panel indicated buffering to the adjacent properties as critical; trees are a valuable part of our heritage and should be afforded the appropriate protection, we are responsible to preserve green space for future generations; noting that this is National Forest Week and London's slogan is "Hug a Tree, Get One Free", this at the same time the we are considering removing forty plus very old trees from my neighborhood; the increased traffic is another major concern especially with the recommendation of u-turns on the busy roadway; believing that somewhere she read that eventually Fanshawe Park road will be widened; imagine making a u-turn on a six lane road, the alternative would be to drive through the subdivisions on either side of Fanshawe Park Road with public schools on both Stonybrook Crescent and Hastings Drive; please reject the current proposal and work with the community to build something of which we can all be proud and that fits in with the neighbourhood; thank you for giving me the opportunity to voice my concerns.

- Jean-Ann Goldrick, 1261 Hastings Drive – saying good afternoon and thank you to the Committee and to all the people who have come as attendees in the gallery to support our considerations; the last time we met with this Committee she spoke about the character of our neighborhood, as far as the neighbourhood goes nothing has changed since that last meeting; my comments are still what they were at the time but the fact that the plans for the proposed development at 307 Fanshawe Park Road East have not significantly changed either with the with the exception of some cosmetic alterations, it is still too large, too big a parking lot creating too many cars and too many people; the suggestion that the builder will replace the privacy hedge with conifers will not give the degree of privacy that now exists; the current hedge

was planted by our son in 1985 and, as mentioned earlier, it has now between fifteen and thirty feet high so by the time it reaches the height it is now, she and many others will certainly no longer be able to enjoy and take advantage of the said privacy; the proposed building contravenes a by-law that states there is a setback from an adjacent property of six meters does not seem to be seen as an issue to the builder, he can just apply to have the by-law changed and make it 4.9 meters so that the lot will accommodate the size of the building that is planned; the character of this neighborhood has stood the test of time for almost forty-five years and it should be allowed to have some consideration when the development of this property occurs; it is up to you to give us that option and work to achieve suitable infill on a project that will drastically change the character of our neighborhood that we enjoy and appreciate so much.

- Cathy Cull, 33 Camden Place – advising that she and her husband Fred have owned our property and home for forty-two years; our backyard faces directly onto where the parking lot and proposed second building would be located at 307 Fanshawe Park Road East, the property at 307 Fanshawe Park Road East is a beautiful parcel of land and she is very saddened to see most of the trees which have been such a part of the character gone as well as the wild flowers, the wildlife, seeing the changes of the seasons on these trees and the change that will happen to the overall general calmness in the neighborhood; the thought of experiencing sixty-three cars in and out of the parking lot directly behind our home day and night noise, fumes, additional lights etc. is very disheartening after all these years; yes urban and infill growth is here, the Old Stoneybrook Community Association realizes that 307 Fanshawe Park Road East will be developed; however, our concern still remains with the size and the extent; Fanshawe Park Road is an extremely busy thoroughfare and u-turns approved by previous reports would you create huge problems, we fear this will cause additional accidents to an already busy area; also another major concern within our community regarding traffic is the fact that drivers will attempt short cuts, turning around in driveways, cutting through the subdivisions and yes, again, u-turns; we are a community of families and schools, this will all coincide as children will be going to school and drivers wanting to get quickly to their workplace, this is cause for alarm, please engage with your stakeholders, the London citizens, taking into consideration safety, respect for all when evaluating continuous quality improvement and innovation and advancement for London and in particular the Old Stonybrook community; a development of one storey condos according to zoning etc. with a design to accommodate and meeting needs of downsizing in our greater community with compatibility would be a welcome fit and sensitive to the character of our neighborhood with respect for one another and harmony and with listening ears; to our City Councillors on the Planning and Environment Committee, Anna Hopkins, Jesse Helmer, Phil Squire and Stephen Turner, our neighbourhood is relying upon the good will of Council to accept and implement whatever measures are acceptable for the Old Stoneybrook Community Association.

- Lindsay, 35 Camden – expressing agreement with everything that has been presented already; she does not have much more to add than that; advising that she does find it odd that trees two, five and seven and about sixty to two hundred feet of the hedges that are being preserved are one hundred percent on her property

- Adrian Graham, 39 Camden Place – indicating that he does not think that he will be as eloquent as everybody else here; again just to go on about the traffic a little bit longer he feels that it is busy there already, there was an accident last week as was stated and he feels that a tragedy is going to ensue and he thinks that is just an inevitable thing and he is afraid of that, that somebody is going to get hurt because the traffic there now is intolerable and now it is going to be increased and there are going to be these u-turns that are going to happen and he thinks that is going to cause a problem; one other item he wanted to mention, it is just a fairness and a balance that he is not seeing; thinking their Committee has addressed many issues and he does not see that coming from the developers; there's a black and a white and there is a grey and he does not think this grey area is being addressed right now; there needs to be, again, a balance, we need to be able to sit down and discuss and

plan this so that it is beneficial for both, some will be disappointed, some will be happy, we just have to reach that balance and make this a community for everybody and he just does not see that balance or that fairness right now and so he is hoping that you guys have a big decision to make and he hopes that you make the right one; thanking Councillor Anna Hopkins very much for all her hard work and Councillor Jesse Homer, thank you very much.

- John Golder, 1261 Hastings Drive - pointing out that there are a lot of concerns that have been brought up today and he thinks they are all qualified for a lot of thought; hoping that we bring some good results; our owner has had some problems since he bought this property just maintaining it to any kind of standard that is acceptable to the people around that area; talking three to four feet of weeds and shrubs, whatever; he finally had to call the City who came fairly quickly; he was surprised they cut it down no problem; his problem is, is that going to be the way this fellow is going to look after the property once he gets these units in there, snow piled up, garbage piled up, that is his concern there; advising that the roadway is his next large large concern; he has seen four people killed there, one young lady, eighteen years old, gone; when somebody tells me you can go down the road, make a u-turn on a four lane highway, which that is today, make a u-turn when you have dump trucks, ready mix trucks and transport trucks coming each way, it is okay to make a u-turn; those people in the summer have trouble stopping, in the winter rain, snow, that is how the young lady get killed, in the rain, two cars hit her and killed her; now we have lots of people there, we are going to have more and more, do we really need to take this chance on taking lives.
- Carol Hickson, 29 Spencer Crescent – indicating that she does not understand where a developer is allowed to take all these trees down when she has to pay one hundred dollars for a permit to have one tree taken from her property and the other point she wants to make is that all these people that are in this room that have lived there for many many years, including herself and have paid taxes, when it comes to any development around you it seems like it is completely disregarded by the City government; for all the years that we put into our properties and all the years we have been neighbors and all the years we have had that community it is just like we are completely disregarded.
- Etsuko Sawatsky, 1541 Hastings Drive - reaffirming the worry that she thinks that everyone who lives in the neighbourhood has about if the u-turn is not a possibility that most people will decide to drive down Hastings Drive to then turn right onto Fanshawe Park Road and turn right into the lot; right now, even though there are not one hundred extra people living in this proposed development, a lot of people do speed on Hastings Drive and because there are two schools there and lots of children walk around because it is a pretty walkable neighbourhood she thinks it will get a lot worse if there are an extra one hundred people who get frustrated by having to go the extra distance to get to their lot to go in this big circle; advising that she is worried that it is going to get even more people speeding on this road and it will be a less pleasant area to walk in; there is a lot of footpaths in the neighbourhood and it is a good thing for people to be able to walk through all the different cul-de-sacs and courtyards that there are in this neighbourhood; to her, to make this development, whatever the zoning ends up being, more accessible and just a better plan would be to have more access for pedestrians and that would mean some compromise and working with the other neighbourhoods around this lot but right now with only one entrance from Hastings if there are any children or teenagers who live in this lot they will probably find ways to cut through people's backyards to get closer to their home because that is what kids do, that is what teenagers do; noting that her neighbour's kid cuts across the court to get to their backyard, his backyard gets cut through; cannot imagine for all the people who live on Camden Place and Camden Drive that their backyards are surrounding this lot here who is going to be cutting through their backyards and jumping over fences to get into this lot that could potentially have one hundred plus people living there; perhaps there is some more compromise here and more design work to be done in terms of access from multiple points and reducing

the number of units there would also help with the amount of trespassing that may end up happening from this neighbourhood into this lot.

- Dave Hannam, Zelinka Priamo Limited – advising that they are the planning consultants for Royal Premier Homes and they have prepared a quick presentation with input from the project engineer and landscape consultant; he will just quickly go through this; since June 11 there have been some developments on the site; the applicant has done everything that has been asked of him by staff and Council, he has met with Councillor and residents associations to discuss the proposed development, he has provided draft resubmission materials to the Community Association for their consideration, he met and went to the Urban Design Review Panel; the findings of that Panel were that they were generally supportive of the proposed size, height and density of the proposed development, as well as the orientation and the siting of the buildings; the developer has provided the City with resubmission materials that are generally ESPA level in terms of increased architectural elevations, grading plans, cross sections, updated servicing reports and planting plan; the result of that additional information is that we have continued support from City staff and we are hopeful of a positive endorsement from the committee today; turning it over to the engineer; recapping, obviously with the continued support of staff, from a land use/planning point of view, it meets all the current land use/planning policies and it is on a site that has been identified for intensification, and at a density that is supported through the Official Plan; in terms of built form, we are at heights and setbacks that are compatible with what could be developed; as of right on this site, the existing zoning, exits and parking arrangements will be designed to meet City standards; at the City's request, we did a Traffic Impact Statement that looked at capacities and the serviceability of existing infrastructures; there was no need for any road improvements in that area; as we are all aware, there is a holding provision that deals with a future public site plan process where lots of these issues can be refined; at this stage what we are looking for is a positive endorsement from Council or from Committee so that we can move forward into that detailed design stage.
- Kevin Moniz, Strik-Baldinelli-Moniz – advising that they are the Civil Engineering Consultants retained by the developer for this file; as David mentioned, since the previous meeting here, we were asked to go back and meet with the Committee members once more to address some other concerns; in preparation of that, we prepared the site grading and stormwater management plan, shown up there, which basically details the perimeter or swales in place to intercept runoff and snow melt prior to it leaving the site and impacting neighbouring developments; as well, it shows the detailed areas and the volume calculation showing that sufficient storage is available on site to meet the enhanced stormwater management requirements; he knows there was one comment about it being the minimum level of stormwater management but, to be clear, a typical requirement is to store and retain the 100-Year storm event, and release it at pre-development levels, whereas this site was tasked with storing and retaining the 250-Year storm event; certainly, there are enhanced stormwater management controls on the site given the sensitivity with the neighbouring developments; once this grading plan, this stormwater management plan was prepared, we went back to the architect to provide a more realistic interpretation of the elevations and the site cross-sections, showing what that might look like, because that was one of the other concerns in the neighborhood; the grading plan allowed those to be prepared, and I will turn it over to Carolyn now. *(Councillor J. Helmer indicating that you have about ninety seconds.)*
- Carolyn Buck, Leonard & Associates in Landscapes Architecture – indicating that they have been retained on this file as well; through the process and, because we come after grading, flood management being the most important, it did affect the difference in what we initially suggested in terms of trees being removed to what it is now; on July 12 we had a meeting with the community they had actually requested that some come out; we had talked about trees, and she believe it is fourteen at the bottom center of the screen, it is a border tree and they are happy to keep it if the owner wishes to do so, that is fine; as you can see, Strik-Baldinelli-Moniz has put in

place a retaining wall to retain that tree and protect it; many of the other trees on site are hazard trees; there are some older silver maples, there are many older sugar maples with extensive cavities, and arboreal-cultural and legal standpoint, we have to stand up and say “those trees should not stay, they present a danger to the public”, so we just have to do that, it is our legal requirement; you can see, there are such small sections of hedge that we have recommended having them removed, mostly due to the fact that it is not doing well; cedars, once they are dead through and through, they do not come back, they do not regenerate like a new hedge would; in those cases, we have recommended replacing them but we are also open to planting on the inside and on the proponent side and improving the property that way for both; yes, within that you will notice there are small circles around the periphery and, right now, we are showing one hundred forty-four cedar trees to go in.

- Resident – wondering if, with respect to the six inch discharge line, is it the City planners who are responsible for confirming that capacity or designers.

Old Stoneybrook Community
Association:
Helping Grow Forest City

307 Fanshawe
Application Z-9006

Agenda

- **Context**
- **Land Use Change - City Council & UDPRP Recommendations**
 - Claudia Clausius
- **Adverse Impacts and Alternatives**
 - Deb Beverley
- **A Call for Changes**
 - Ron McDougall
- **One Case Study**
 - Fred Cull
- **Significance of the *Official Plan, London Plan,* & Bylaws**
 - Michael Crawford

Our Position: We Support Development

Claudia Clausius

Community Association Supports Development:

- Under-utilized lot
- Opportunity to intensify
- Suggested intensification to 20 UNITS
(Submission to PEC, May 2019)
- Accept footprint of building (meeting with
developer at City Hall, July 2019)
- Opportunity to promote accessibility
- Opportunity to diversify community

Confused History of Proposal

- Original application to PEC was for **R5**
- However, the same application also mentioned **R-6-5, R6-7, R-8**
- City Planner suggested **R8** in order to address numerous Bylaw violations
- Formal Submission returned to Council **R5**
- Now an almost identical re-submission at **R5** but still invoking **R8**.

Land Use Change

City Planner justifies 42 units on 307 site:

“The recommended density of 75 units per hectare is **required** given that the maximum density within the R5 zone is 60 units per hectare”

Official Plan (1989):

- Section 3.2.3.8 Bylaw 9.2 Clustered Townhouses max 60 units/ha

*London Plan: density permitted is **context dependent**.*

307 is designated a “Neighborhood”, not a Transit Corridor, Urban Centre, Shopping Area, etc.

Precedent is about 30 units/ha

= 17 units (not 42) = 25 parking spaces (not 63)

Consistent History of Response to Proposal

PEC: 27 May Decision Hung

City Council: 11 June directs the proposal “BE REFERRED back to the Civic Administration in order to undertake additional work with the applicant” [to address] (Minutes of meeting)

- Tree protection,
- Elevation,
- Intensification and Site Planning through UDPRP

UDPRP: July 17 recommendations consistent with Community critique re: elevation, parking lot size, loss of trees, buffering, green amenity space

City Council Directions Not Addressed

Tree protection

- Previous proposal had 20 bordering trees retained, now only 14 will be preserved.
- 6 additional trees will be cut down that are partially owned by neighbours.
- **ALL TREES WITHIN LOT WILL BE CUT DOWN in a designated Tree Protection Zone!**

Building Elevations

- Now LESS privacy for neighbours – high, private transom windows have been replaced with full height windows.

Intensification and Site Planning through UDPRP

- UDPRP gives preliminary direction to developer, with request to return with more information at 2nd meeting.
- City Staff rejects request for meeting due to limited resources.
- City Staff report does not faithfully address UDPRP concerns.

UDPRP's Direction

- UDPRP accepts land use change with density and mass
BUT WITH
- **CRITICAL QUALIFICATIONS:**
 - **“That’s a lot of parking lot!”**
 - “Critical” - Privacy and buffering require more careful thought .
 - Provide vegetation and tree preservation plans.
 - UDPRP suggests below grade parking.
 - Improve trafficking for garbage and parking.
 - Provision of central common green amenity space.
 - “It is requested that the application return to the Panel for review once an application has been submitted”

Application Disregards UDPRP

- Fewer trees preserved than before (14 vs 20).
- Landscaping deferred to site plan phase.
- Privacy buffering is degraded.
- Parking lot traffic issues not addressed.
- Claims that the drainage swales serve as green amenity space
- Underground parking dismissed as too costly.
- Proposal did not return to UDPRP.

Adverse Impacts and Alternatives

Deb Beverley

Practical Problems with the Proposal

- Loss of all trees on lot, many on shared boundary, in a **Designated Tree Preservation Zone;**
- Loss of trees = removal of natural drainage; loss of privacy; noise and light buffering;
- Sewer capacity calculations based upon 1972 sewer installation data;
- Some aspects impractical or hazardous eg: U-turns on Fanshawe at rush hour?!
- Diminished set backs erode privacy and make noise and light pollution inevitable.

Snow Storage

- Limited space for adequate storage of snow removed from parking lot.
- 22 foot space on east edge of lot is graded
 - Slopes down towards adjacent properties.
 - Cannot be utilized if cars parked in the lot.
- Only remaining space for snow – off the ends of the lot where there is no room for drainage other than onto neighbours' properties.
- Increase in water will impact water table, flood basements. (Provincial Planning Act 1.6.6.7)
- Salt, chemical laden melt will kill vegetation.

What would be a better fit?

- 20 units for fewer or underground parking:
 - This is a zoning not a site plan issue. Have to address this now
 - 30 Parking spaces – 53% reduction in paved surface.
 - Alternatively, **underground parking**.
 - Allowing for trees to be saved in the Tree Protection Zone.
 - Create more, and more *usable* outdoor amenity space.
 - Remove need for hazardous parking i.e. East edge on curve.
- Number of parking spots drives all other issues to come out at site planning.

420 Fanshawe (Poole Property)

- Intensification
- 3 times larger
- Generous setbacks – no exceptions
- Underground parking
- 2/3 is common green amenity space

A Call for Change

Ron McDougall

One Case Study

Fred Cull

Tree “Plan”

- Fewer trees retained than previously listed
- Mature hedges (line of trees 15-30 ft high) removed, replaced with saplings
- Will grow to 30ft “at maturity”
- Will take decades
- Meanwhile no buffering, privacy, trees
- Majority of neighbors likely to die before then
- How is this not an adverse impact on their property?
- Cutting mature trees without consultation

Multiple Bylaw Infractions

Set back 4.9m

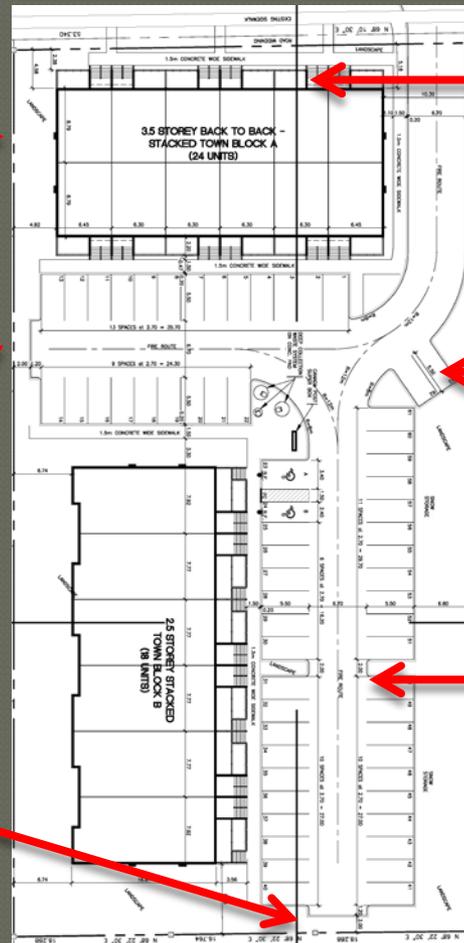
- Should be 6.0m because windows

Set back 2. m

- Should be 3.0m

Set back 2.0m

- Should be 3.0m



City Planning
Accepts
Reduced
Setback

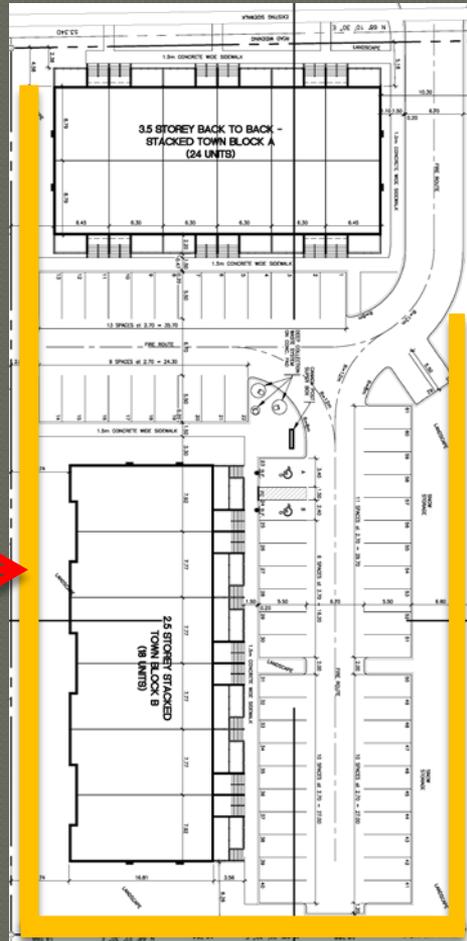
Set back is
under 3. m

Parking
oriented to
shine onto
neighbors

Contravenes Parking Lot Bylaws

Whetter Swale Nightmare

Swales



I am against industrial-scale swales:

1. Swales force removal of most perimeter trees
2. Breed mosquitos
3. Can't landscape (ugly)
4. Not a green amenity space useful to residents

Sanitary Sewer

- 6" pipe formerly serviced a single house
- Now proposed to service 101 people
 - BUT developer referred to "rent per room" – higher density planned for??
- Sewer quality and capacity not assessed since install in 1972
- Should empty to Fanshawe!

Regulatory Context

Michael Crawford

Ontario Planning Act

Requires:

- Intensification
- Clear Proposal
 - Subsection 34(12), requires that “**sufficient information** and material is made available to enable the public to understand generally the zoning proposal that is being considered by council” [34(12)(a)(i).
- Opportunity for Community input
- Care to avoid adverse effects
- Derogates details to municipalities

No Adverse Consequences?

- London Zoning Bylaws 1989 - Section 3.1.2 – Low Density Residential Objectives: “Enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are **not adversely affected.**”
- “Development of the site or area for medium density residential uses shall take into account surrounding land uses in terms of height, scale **and setbacks** and **shall not adversely impact** the amenities and character of the surrounding area.” (*Official Plan 3.3.2 i*)

Privacy and Buffering

Official Plan (3.2.2.) “development within areas designated Low Density Residential shall have a low-rise, low coverage form that **minimizes** problems of shadowing, view obstruction **and loss of privacy.**”

London Plan (1578. 6 a, b, e, g, k, m)

Impact of **traffic, noise, lighting, loss of privacy, visual impact, loss of trees etc.**

Official Plan Context

City Planner quotes the *Official Plan* (1989)
3.2.3.8

“there may be instances when **a minor variance** is warranted based on the configuration of the site or development constraints associated with it”

- Not to maximize intensity without regard to privacy, noise, light pollution, parking buffering, etc.
- Not to maximize profit.
- Not to the detriment to future residents.

What Justifies this Intensity?

- Accessible parking but no accessible residences?
- Not a LEED efficient structure (Leadership in Energy and Environmental Design)
- No common amenity space for residents
- No play space for children

= lack of diversity – no aged, no families with kids, no persons with disabilities...

Problems with Process

- This iteration NOT consultative
- Plans/zoning continually changing in fundamental ways.
- Too much deferred to get a clear picture.
- UDPRP and proposal at odds
- Trust in process eroded:
 - City Planning and Engineer was previously OK with storm water management.
 - Residents red flagged drainage issues in proposal endorsed by City Planners.
 - Council intervenes by returning plan to City Staff.
 - Major Issues such as snow storage are still not addressed.

What does rezoning include?

- Parking is driving all other considerations.
- Density not possible within the Bylaws unless parking is moved underground and buildings are moved more centrally.
- Bylaws not being respected.
- Developer is unwilling to make concessions
- Fundamental issues such as tree preservation, parking, landscaping are inextricably connected to rezoning for this site.
- They cannot be postponed to Site Planning.

Purposeful Bylaws

Current Recommendation

- Not a balanced or complete interpretation of Plans and Bylaws.
- Uses *parts* of Bylaws to support proposal.
- Ignores parts that constrain the proposal.
- Cherry picks those areas favorable to this Land Use change.

Let's consider carefully:

- Bylaws were **thoughtfully** put in place by previous Councillors and City Hall to enhance London's development.
- We disrespect their work by riding roughshod over the Bylaws and the two City plans.
- **These documents are sensible and forward-looking urban planning.**
- We should follow them.

307 Fanshawe Park Road East

Planning and Environment Committee Meeting

Monday, September 23rd, 2019



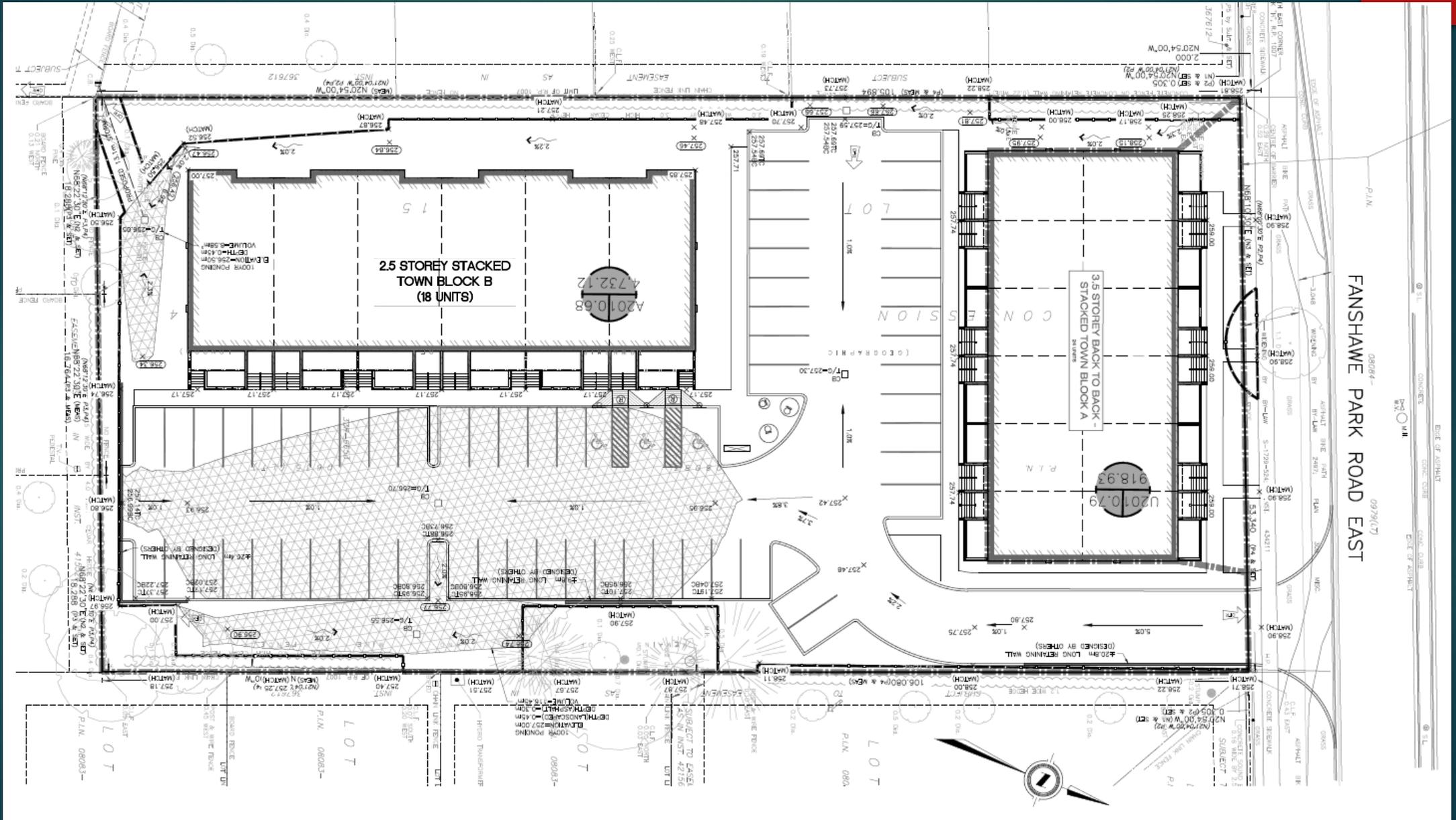
ROYAL PREMIER HOMES

your home. your way. with a quality you deserve.

Since June 11 Council Meeting

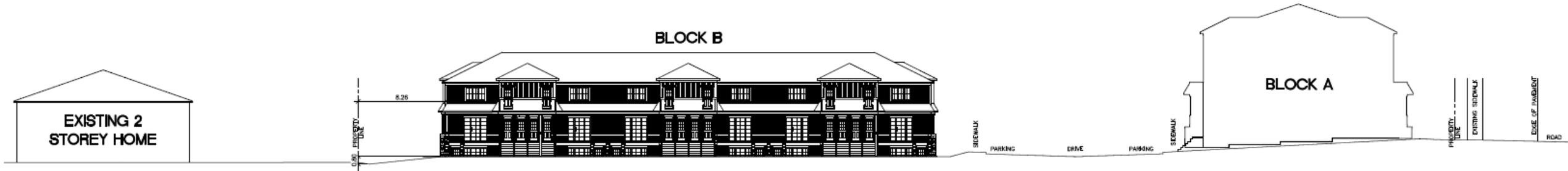
- Developer meet with Councillor Anna Hopkins and members of Old Stoneybrook Community Association to discuss the proposed development and concerns (July 12)
- Developer provided draft resubmission materials to Community Association for consideration (July 22)
- Developer attended Urban Design Peer Review Panel (July 17); comments rec. August 21. Panel supportive of the proposed size, height and density; as well as orientation of Building 1 and siting of Building 2.
- Developer provided City staff with updated architectural elevations; preliminary grading plan, cross sections + updated servicing report; and perimeter planting plan (Sept.)

Preliminary Grading Plan

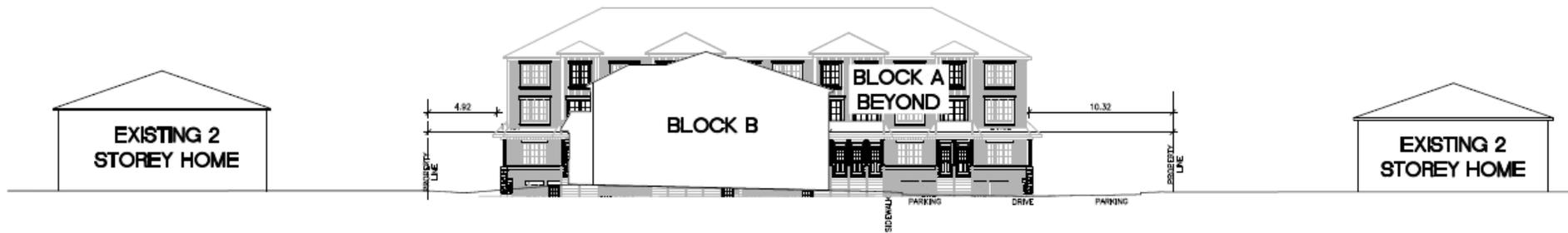


Cross sections

4



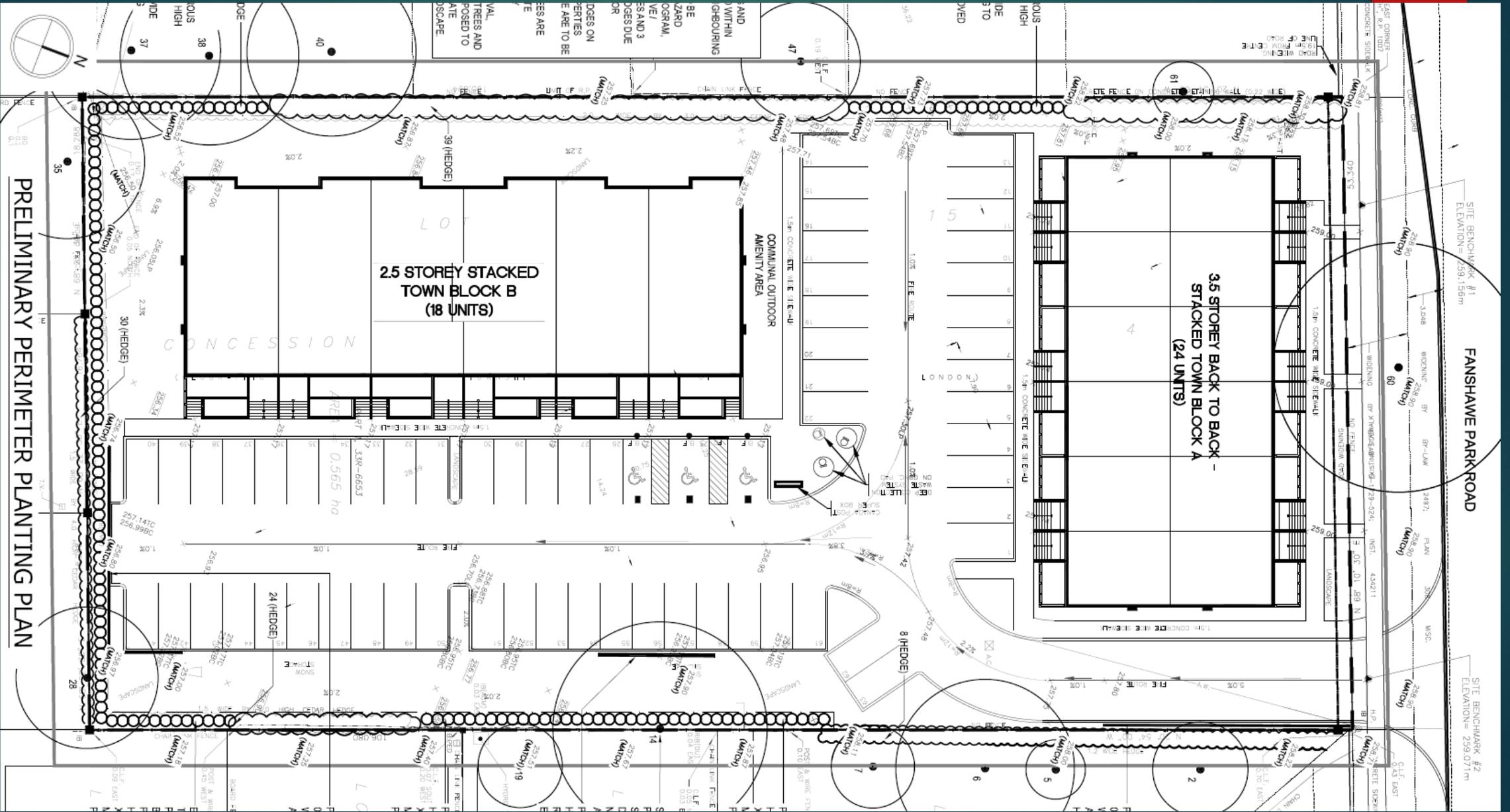
SITE CROSS SECTION 'A' (NORTH TO SOUTH)



SITE CROSS SECTION 'B' (EAST - WEST)

Preliminary Planting Plan

5



Conclusions

- The proposed development is supported and encouraged by all levels of current land use planning policies, which encourages intensification and a mix of residential uses in locations such as the subject lands, at the density proposed.
- The proposed development facilitates the appropriate intensification of an underutilized vacant residential site, located on an urban thoroughfare, in proximity to a major community node.
- The proposed building heights and setbacks are compatible with what could be developed as-of-right under existing zoning regulations; and will be set by the proposed zoning.
- Access and parking arrangements are designed to city standards. TIS confirms no impacts.
- The future public SPA process will further refine matters pertaining to architectural design, landscaping, fencing, noise, servicing etc.

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – Application – 3700 Colonel Talbot Road and 3645 Bostwick Road 39T-17503 (OZ-8838)

- Scott Allen, MHBC Planning, on behalf of the applicant – indicating that with him today, representing York Developments are David Ailles and Ali Soufan; providing the Committee with a brief overview of the vision of the project and its design components; advising the Committee that there are two specific elements of the Development Services recommendation that they are not supportive of and those were alluded to by Ms. N. Pasato, Senior Planner; advising that the draft plan before the Committee this evening was predicated on a broad design vision to create a diverse neighbourhood integrating a mix of uses and extensive connectivity; several core objectives were also established by the project team to support this vision including to provide a range of housing to accommodate a wide variety of needs, to utilize compact development patterns to limit land consumption servicing costs to propose higher residential densities throughout the development to support appropriate intensification and to design street block layouts to support active transportation and transit to promote neighbourhood connectivity; indicating that the proposed draft plan includes several components to achieve the projects vision and its core objectives, this slide provides a summary of the diversity of uses within the subdivision including those that provide housing choice, commercial opportunities and community oriented elements; indicating that he will not go into detail on these components as Ms. N. Pasato, Senior Planner, has provided a fairly effective summary of the proposal and in the interest of time he is going to carry on; during the course of the draft plan review process, they have worked closely with city staff to refine the project design to address departmental concerns; stating that they are largely supportive of the finalized draft plan before the Committee this evening; however, there are two specific aspects of the recommended plan that they do not currently agree with; firstly, they proposed a sidewalk layout that differs from the SWAP requirement for sidewalks essentially on both sides of most streets; advising that their alternative proposal was alluded to by Ms. N. Pasato, Senior Planner, and it involves dual sidewalks and higher volume collector streets and local streets with high volumes and single sidewalks for those streets that have lower volume, local roads; stating that, in their opinion, this approach addresses pedestrian and mobility needs in the community, provides safe pedestrian connections throughout the site, considers local traffic volumes, planned trails and walkways integrated into the development, promotes efficient development by reducing construction, environmental and maintenance costs and by allowing for other opportunities including additional tree planting; advising that for the Committee's information, the proposed SWAP amendment presented on this slide was submitted as part of the York application to accommodate the proposed sidewalk arrangement; showing a slide that illustrates the alternate sidewalk arrangement in the central core area of the site; reiterating that, as noted, two sidewalks will be provided, that is in red, on collector roads as well as Street 'C' which is a higher volume local street; additionally they anticipate that local streets 'J' and 'M' in the eastern section of the draft plan which are not illustrated on this plan will also require dual sidewalks with single sidewalks required for the balance of the local streets in the development; respectfully requesting that the Committee consider this alternative sidewalk plan as an additional Official Plan Amendment to this draft plan; noting that they have also prepared an updated sidewalk layout which they can provide to City staff in support of this Official Plan Amendment request; secondly, as Ms. N. Pasato has noted, they are not supportive of the addition of Block 71 to provide a road extension from street 'J' to the adjacent Forest City Community Church lands; as outlined on this slide, they are requesting that Block 71 be removed given that, in their opinion, there is sufficient connectivity between the site and adjacent neighbourhoods as the project provides

approximately or actually thirteen vehicular and pedestrian connections throughout the development; also, in their opinion, the plan linkages achieve connectivity objectives, those objectives of the 1989 Official Plan and The London Plan and the South West Area Plan; this slide illustrates that there are several street and pathway connections planned in the vicinity of street 'J', there are also a number of additional north-south connections on the western portion of the site where the local street network of this draft plan integrates with Auburn Developments subdivision adjacent to the church; in light of these considerations, they respectfully request that the Committee remove Block 71 as a red-lined revision; concluding, they have prepared a revised recommendation that addresses both of their amendment requests which has been provided to Ms. C. Saunders, City Clerk, this afternoon. (See attached presentation).

- *(Councillor M. Cassidy enquiring about the unevaluated vegetation patch 10066 and the report says that a full assessment was done April as the patch is on adjacent lands so there is a section that staff has shown in the report that is also owned by the applicant, is this section of adjacent land also owned by this applicant.);* Ms. N. Pasato, Senior Planner, responding that no, the adjacent lands that have basically ninety percent of the vegetation patch is actually owned by a different land owner so there essentially was no ability to access this patch.
- *(Councillor S. Turner with respect to that same patch and the mentioned connectivity and possible hydrogeological connectivity between 10066 and 10069, how is that being proposed to be retained, it looks like it is fairly developed in between the two, is there a drain or some kind of hydrogeological connection.);* Ms. N. Pasato, Senior Planner, responding that as part of the design studies they are going to further refine the connection but there is a stream corridor that connects the two and it will be preserved in some manner, it will be realigned because at this point, it goes directly through the neighbourhood park which obviously will cause a problem with their park system, at this point there will be a proposed realigning of that stream corridor; *(Councillor S. Turner enquiring about whether the hydrogeological balance was measured between the two and the intent is to create post-development conditions maintained from previous.);* Ms. N. Pasato, Senior Planner, yes, as you know, there are wetland patches within the larger woodland/wetland and those need to be maintained and the hydrogeological function was reviewed and analysed as part of the application and therefore the hydrogeological function will continue to flow into those wetlands and will preserve them in the future.
- Jason Jordan, 970 Willow Drive – talking about the sidewalks, to have the sidewalks on both sides of the street is important; indicating that he lives on a street that the sidewalk is only on the one side; noting that he is lucky, he lives on the corner but if you want to go down the street a couple of houses down, you have to walk on the street or you have to cross the street and cross the street again; stating that it is not very safe for children and these streets look big enough that it would support sidewalks on both sides.
- Rick Dykstra, Dillon Consulting, on behalf of Forest City Church – expressing appreciation to staff on behalf of the church as they have met with them throughout this process and they did discuss and Ms. N. Pasato, Senior Planner, in her presentation, identified a couple of items that the church was concerned about; subsequent to their meeting with staff, they wanted to address a couple of items, one was with regards to the medium density block as proposed immediately adjacent to the church building and their concern is about the activities of the church affecting future residents, based on the staff input and response that they felt that a medium density block because it would be done through site plan development they could put some controls in place that would help with that alleviating those noise concerns; based on that, even though there are a few letters in the package that did come from Forest City at this point they are saying that they will support the medium density on that block and not oppose that; the second item was with regard to Block 71 which is a red-line amendment that is being proposed by staff for future road connection through to the property; noting that the church is not in favour of that, they have no development plans for the property and do not want to see a vacant piece of property

that may be sitting there forever and a day adjacent to the church site with development across there that will restrict unnecessary access to the property and they would request that that Block not be added to the proposal and that it be left so that they do have continuous development across that frontage there, on the north side of the Forest City Church property along that front portion; advising that those are their concerns and they appreciate the Committee's consideration of those.



MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE



Design Direction

- **VISION:**
 - Create an inclusive/diverse neighbourhood integrating a mix of uses and a high level of connectivity
- **CORE OBJECTIVES:**
 - Provide a mixture of housing opportunities
 - Utilize efficient development patterns
 - Propose higher residential densities throughout development
 - Design street/block patterns to support active transportation and transit

Design Components

1. Housing Choice

- 19 Low and medium density residential blocks
- 23 Low density residential blocks

2. Commercial Opportunities

- Neighbourhood central activity node (two blocks)
- Convenience commercial (two blocks)

3. Community-Oriented Elements

- Three park blocks (linked via multi-use pathways)
- Designated open space
- Elementary school site
- Modified grid street network

Requested Draft Plan Revisions

1. Alternative Sidewalk Arrangement (OPA Request)

- SWAP generally requires sidewalks on both sides of all streets
- Alternative proposed for Draft Plan to:
 - Address pedestrian and mobility needs of the community
 - Provides safe pedestrian connections throughout the site
 - Considers local traffic volumes, future trails/walkways
 - Promotes efficient development (e.g., reduced construction, environmental and maintenance costs, additional street trees)
- Proposed Site-Specific Policy (SWAP)

“Notwithstanding Section 20.5.3.9 ii) b) to the contrary, for the lands addressed as 3700 Colonel Talbot Road and 3645 Bostwick Road an alternative sidewalk arrangement is permitted to provide safe pedestrian connections throughout the site. This sidewalk arrangement does not require sidewalk construction on both sides of all street sections or on all street sections, in recognition of the provision of other mobility infrastructure within the development.”

Requested Draft Plan Revisions

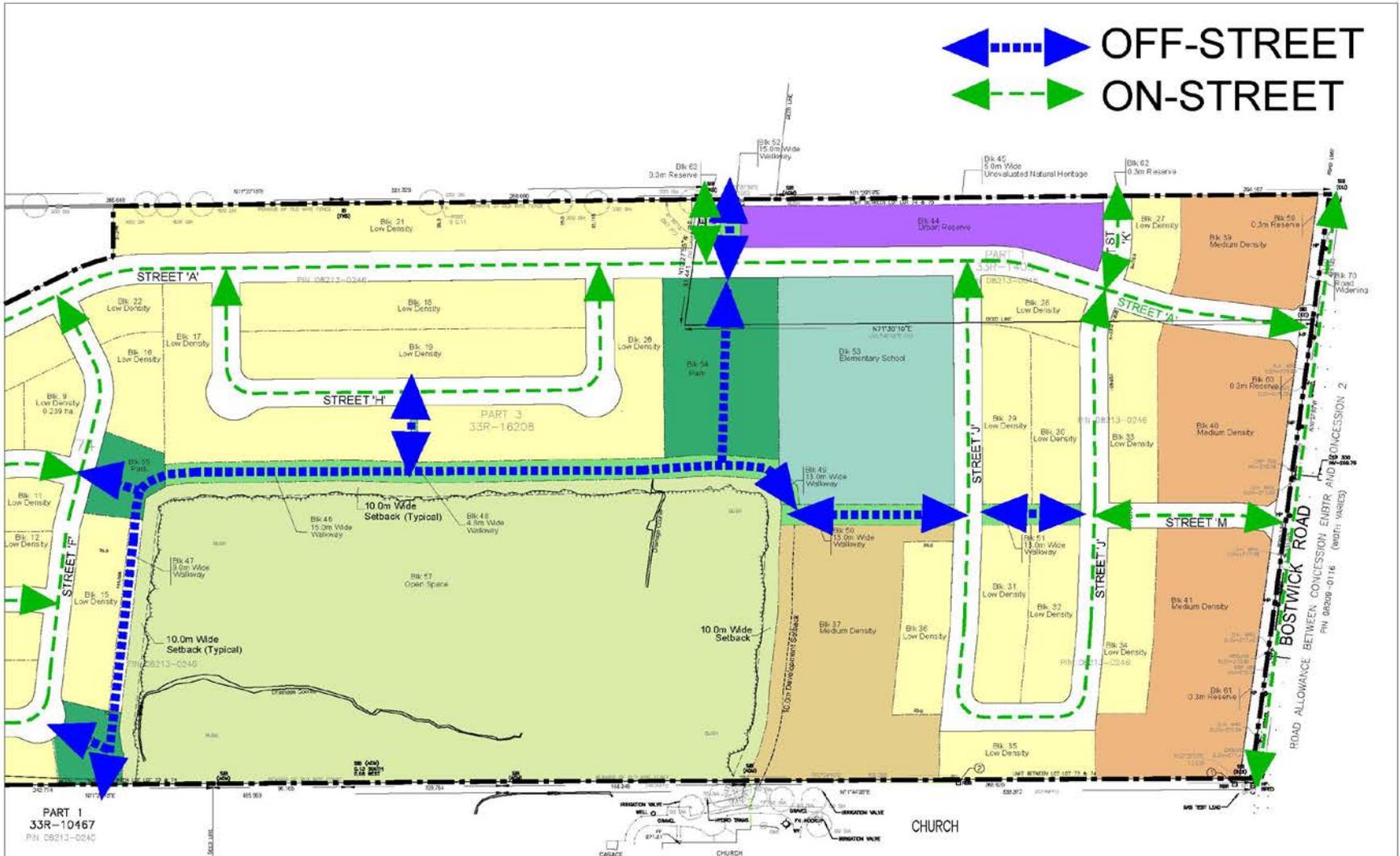
2. Future Road Connection (Block 71)

- Redline proposing additional street to Bostwick Road (Forest City Community Church)



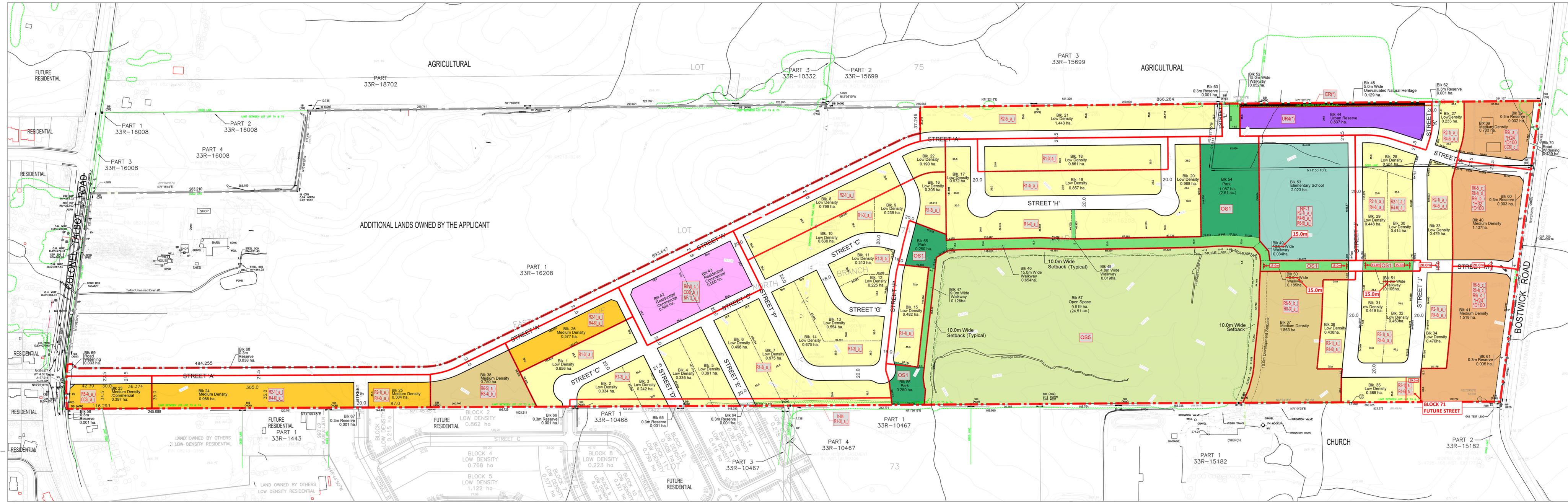
- Request removal of Block 71:
 - Sufficient connectivity between site and adjacent neighbourhoods (13 planned connections)
 - Planned linkages achieve connectivity objectives

Connectivity Plan



THANK YOU





**LOTS 74 & 75
CONCESSION EAST OF THE
NORTH BRANCH OF TALBOT ROAD
(GEOGRAPHIC TOWNSHIP OF WESTMINSTER)**

CITY OF LONDON
COUNTY OF MIDDLESEX

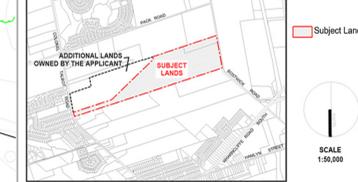
I HEREBY AUTHORIZE MACNAUGHTON HERIMEN BRITTON CLARSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.

March 17, 2017

Surveyor's Certificate
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

March 21, 2017

BRUCE BAKER
ONTARIO LAND SURVEYOR
AGM SURVEYING & ENGINEERING



SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED _____ 2019
THIS DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT
THIS _____ DAY OF _____ 2019

Date	Issued / Revision	By	
7	June 21 2019	Redline	LM
6	May 03 2019	Redline	LM
5	Dec 20 2018	Redline	LM
4	Oct 30 2018	Redline	LM
3	March 22 2018	Redline	LM
2	January 23 2017	Redline	LM
1	January 08 2016	Original submission	LM

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

A. As Shown	B. As Shown	C. As Shown
D. Residential/Commercial	E. As Shown	F. As Shown
G. As Shown	H. Municipal Water Supply	I. Loan, Clay, Sil
J. As Shown	J. All Services As Requested	L. As Shown

Description	Lots/Blocks	Units	Area (ha)
Low Density Residential	1-22	327	12,970
Low & Medium Density Residential (Street Townhouses)	23-36	262	6,296
Medium Density Residential (Cluster Housing)	37-38	82/147	2,613
Medium Density Residential (Apartments)	39-41	337	3,388
Mixed Use Residential	42-43	32	1,104
Urban Reserve	44		0,837
Unvaluated Natural Heritage	45		0,129
Walkway	46-52		1,175
School	53		2,023
Park	54-56		1,557
Open Space	57		9,919
Open Space Reserves	58-68		0,055
Road Widening	69-70		0,372
Roads			10,535
Total	70	1040/1105	52,973

**PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE**

MHBC

200-630 COLBONE STREET LONDON, ON, N6A 2V2 | P: 519 858 2777 | F: 519 858 2001 | WWW.MHBCPLAN.COM

File No. 1004 "U" Drawn By: L.M. Date: January 08, 2016

**PROPOSED
DRAFT PLAN OF SUBDIVISION**

Plan Scale: 1:2000

N110541/0/Draw Plan/MHBC - PRELIM DRAFT PLAN - JUNE 21 2019.dwg

Report to Planning and Environment Committee

**To: Chair and Members
Planning & Environment Committee**
**Subject: Application By: W-3 Lambeth Farms Inc.
3700 Colonel Talbot Road and 3645 Bostwick Road**
Public Participation Meeting on: September 23, 2019 at 5:00 PM

Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of W-3 Lambeth Farms Inc. relating to the property located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on October 1, 2019 to amend the (1989) Official Plan to:
- i) to refine and reconfigure the extent of the Low Density, Multi-Family Medium Density, and Open Space designations, by changing the designations on Schedule "A" - Land Use **FROM** "Low Density Residential", "Multi-Family, Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Multi-Family, Medium Density Residential", and "Open Space" designation;
 - ii) to change the designation on Schedule "B1" – Natural Heritage Features, **FROM** "Unevaluated Vegetation Patch" **TO** "Significant Woodlands" and "Locally Significant Wetlands";
 - iii) to change the designation on Schedule "C" – Transportation Corridors by amending the east-west secondary collector road to align with Street A, and by amending the north-south secondary collector road to align with Street D; and,
 - iv) change Section 20.5 (Southwest Area Secondary Plan):
 - a. Schedule 2 to Southwest Area Secondary Plan (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;
 - b. Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", "Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;
 - c. Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", "Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", adding a Park, and to realign a secondary collector road; and,
 - d. Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", and "Medium Density Residential" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

- (b) the request to amend the 1989 Official Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, **BE INTRODUCED** for the following reasons:
- i) The Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and
 - ii) The proposed amendment has regard for the policy direction and accessibility objectives of the Southwest Area Secondary Plan.
- (c) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting to be held on October 1, 2019, to amend The London Plan by:
- i) change the Place Types on Map 1 - Place Types - **FROM** Neighbourhoods and Environmental Review **TO** Green Space, and to change the alignment of the Neighbourhood Connectors;
 - ii) change Map 3 - Street Classifications- by amending the east-west Neighbourhood Connector to align with Street A, and by amending the north-south Neighbourhood Connector to align with Street D;
 - iii) change Map 5 - Natural Heritage - **FROM** Unevaluated Vegetation Patch **TO** Significant Woodlands and Wetlands; and,
 - iv) change 1565_5. Southwest Area Secondary Plan, Section 20.5 (Southwest Area Secondary Plan):
 - a. Schedule 2 (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;
 - b. Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", "Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;
 - c. Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", "Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", adding a Park, and to realign a secondary collector road; and,
 - d. Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", and "Medium Density Residential" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

it being noted that the amendments will come into full force and effect concurrently with Maps 1, 3 and 5 of The London Plan; and,

(d) the request to amend The London Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, **BE INTRODUCED** for the following reasons:

- i) The Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and
- ii) The proposed amendment has regard for the policy direction and accessibility objectives of The London Plan and the Southwest Area Secondary Plan.

(e) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on October 1, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone and an Environmental Review (ER) Zone, **TO**:

- i) a Holding Residential R1 Special Provision (h*h-100*R1-3(*)) Zone;
- ii) a Holding Residential R1 Special Provision (h*h-82*h-100*R1-3(*)) Zone;
- iii) a Holding Residential R1 Special Provision (h*h-100*R1-4(*)) Zone; ,
- iv) a Holding Residential R2 Special Provision (h*h-100*R2-1(*)) Zone;
- v) a Holding Residential R2 Special Provision (h*h-100*R2-3(*)) Zone;
- vi) a Holding Residential R2 Special Provision/Residential R4 Special Provision (h*h-100*R2-1(*)/R4-6(*)) Zone;
- vii) a Holding Residential R2 Special Provision/Residential R4 Special Provision/ Residential R6 Special Provision/Neighbourhood Facility (h*h-100*R2-1(*)/R4-6(*)/R6-5(***)/NF1) Zone;
- viii) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h*h-100*R6-5(*)/R8-4(**)) Zone;
- ix) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h*h-100*R6-5(**)/R8-3(*)) Zone;
- x) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h*h-100*R6-5(***)/R8-4(***)/R9-3(**)) Zone;
- xi) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h*h-100*R6-5(***)/R8-4(***)/R9-3(***)) Zone;
- xii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision (h*h-100*R8-4(*)/CC6(*)) Zone;
- xiii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision/Neighbourhood Facility Special Provision (h*h-100*R8-4(***)/CC6(**)/NF1(*)) Zone;
- xiv) a Holding Residential R9 Special Provision/Convenience Commercial Special Provision (h*h-100*R9-3(*)/CC6(***)) Zone;
- xv) an Open Space (OS1) Zone;
- xvi) an Open Space (OS5) Zone;
- xvii) an Environmental Review (ER) Zone; and
- xviii) an Urban Reserve (UR4) Zone;

(f) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for draft

plan of subdivision of W-3 Lambeth Farms Inc. relating to a property located at 3700 Colonel Talbot Road and 3645 Bostwick Road; and

- (g) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by W-3 Lambeth Farms Inc. (File No. 39T-17503), prepared by MHBC Planning, File No. 1094 'U', dated December 20, 2018, as red-line amended, which shows a draft plan of subdivision consisting of twenty-one (21) single detached/low density blocks, thirteen (13) street townhouse blocks, two (2) apartment/medium density blocks, four (4) commercial/residential mixed use blocks, two (2) cluster/low rise blocks, one (1) school block, one (1) open space block, seven (7) pathway blocks, three (3) park blocks, one (1) urban reserve/environmental review block, ~~one (1) future road block~~, two (2) road widening blocks, eleven (11) 0.3 m reserve blocks, all served by two (2) secondary collector/neighbourhood connector roads (Street A and Street D), and nine (9) new local/neighbourhood streets, **SUBJECT TO** the conditions contained in the attached Appendix "D".

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – Proposed New City of London Tree Protection By-law

- *(Councillor P. Squire wondering, and perhaps you will not have any information on this because it is too early, but do you have any information as to whether, if the purpose of this by-law is to preserve our trees, is it working, is it having an effect, is it changing anything in terms of the number of trees in London.);* Ms. S. Rowland, Urban Forestry Planner, responding that they do not have any metrics on that and they are aware that tree industry professionals often deflect what would have been an application by making it clear to their client that you are not going to get a permit so there is no point in applying so they only see the ones that are probably going to be approved; all the ones that they may have deflected from the outset, they do not have any metrics for that so it is hard for them to put a number on it; however, she does not have the information at hand but they do do a canopy loss estimate with every application that is approved and that is a figure that they could present at the next meeting if need be; *(Councillor P. Squire indicating that he would find that really helpful if it was available when the by-law comes back, he is really interested in what the effect might be.).*
- *(Councillor S. Turner enquiring about the golf courses and cemeteries, recognizing that it was a bit of a struggle for a bit of time trying to figure out how to address that; exempting them altogether would lead them to not go through any level of assessment and it would leave them to decide which to remove and which not without any intervention, is that correct.);* Ms. S. Rowland, Urban Forestry Planner, responding that that is correct; *(Councillor S. Turner indicating that a lot of golf courses existing within Open Space 4 lands which have some level of environmental significance to them, they are typically hazard lands, they might have slope stability questions, they might have erosion control issues, they might be in floodplains, he has some reservations with allowing golf courses especially in Open Space 4 lands to have full control and autonomy over what they remove or retain, could Ms. S. Rowland, Urban Forestry Planner, speak to that a little bit.);* Ms. S. Rowland, Urban Forestry Planner, indicating that this has been one of their more challenging decisions as to which side of the line they land; something that might help focus the mind is to consider what the implications of denial might be but certainly the locations of the few golf courses that exist in the city that are privately owned, she would tend to agree with the Councillor, they tend to occupy lands that may have some hazard land status and are important features for those people that live and back on to them in the cases where they are surrounded by housing but also as corridors for or conduits of wildlife; she thinks they also serve a purpose there; she works with these golf courses under the existing by-law and she does know that they are used as corridors for wildlife because she sees it when she visits, that said, they do present problems with coyotes in that at least one of the golf courses has a resident coyote population which is causing some concern to the neighbours and she hears that a number of pets have been lost; there has to be a balance as to whether you always protect the environmental wildlife concerns or whether you accept that this is a business whose business model requires a certain aesthetic and use but is kind of unique to themselves and it is very difficult for them to deny a permit when an application comes in that is based on the need, for example, a burial ground or the golf courses, the need to improve play when technology is changing, golfers are striking the ball a further distance than they used to before and all these other reasons why golf courses have to continually evolve; it is not an easy decision; having said that, they do not have the highest tree canopy tree cover of the larger landowners in the city, a lot of the land within a golf course is actually vacant open turf with no tree cover so in terms of the percentage of canopy tree that could potentially be lost, if, and she says, if, they were to cut all their trees down it is not a

dramatic number, it would be certainly harmful but it is not a dramatic number; advising that she is not sure if she has exactly answered the Councillors question but it is a very complex issue and they have gone back and forth on it many times; inviting the Committee's thoughts as to what would be the right decision; *(Councillor S. Turner recognizing the challenges that this poses for staff insofar as a lot of the Tree Protection By-law surrounds the question of canopy and total canopy cover; Open Space 4 lands we have the question of slope stability, soil erosion and more terrestrial preservation rather than canopy coverage so she would say that this something that they should really consider carefully before contemplating that exemption; with respect to cemeteries, he cannot profess to understand how cemeteries operate other than you put people underground but he would imagine that as a cemetery is planned and contemplated, they probably identify and plot off the property itself and identify where those plots would be throughout and that some of those plots may be close to trees and many or most of them probably would not be because it would be hard to bury somebody in a tree; challenged with reading through the comments from the cemeteries talking about how they have it just in time delivery process but he would think that all of the plots have been identified so to say that they need to seek a tree permit in time to respond to a burial did not make a lot of sense to him as an industry comment; he is not sure if he is missing something in that but he would imagine that they know well in advance what plots are available for use.); (Councillor A. Hopkins wondering if that was a question or a comment.); (Councillor S. Turner clarifying the question, is that a valid concern from industry or is it more a hypothetical.); Ms. S. Rowland, Urban Forestry Planner, responding that it definitely did come up in a petition that was sent to them on behalf of two cemeteries which is in the report; there was a letter from Ron Koudys and Associates and it was clear in that that the burial plot issue is an issue; she cannot speak as to whether they are unique in that or how they would otherwise operate; she does not know; she was hoping that there might be people here today from the cemeteries that might be able to speak to that but she does not see them; it is a little bit beyond her knowledge.*

- *(Councillor M. Cassidy clarifying that the current by-law, the permit is \$100 per tree and staff is proposing to make it a \$100 flat rate regardless of the number of trees; wondering if staff could elaborate on the reasoning behind that change.); Ms. S. Rowland, Urban Forestry Planner, responding that the fees at the moment, they do vary a little bit, there is a \$1,000 flat rate fee if you are dealing with more than four trees in a tree protection area, otherwise it is \$75 per tree until you hit that threshold of how many tree and with distinctive trees it is \$100 per distinctive tree and it is unlimited as to the number of trees; when they spoke to the industry back in February, 2018, they asked them specifically was the \$100 fee a problem because obviously the cost is passed on to the homeowner and it was made clear to them at that event that it was not a problem and the overall cost of taking a tree down in someone's backyard, \$100 was not seen to be a barrier; think it is not an unreasonable amount but they do accept that there have been some issues with the \$1,000 fee for sure and the potential unlimited cost depending on how many trees you are taking down that are large; then it could get quite expensive; the \$100 was what they asked the industry for feedback on and they thought that was ok so that is why they have \$100 proposed now; (Councillor M. Cassidy enquiring that even if they are taking down one hundred trees their fee is \$100; wondering if staff can explain the point of a Tree Protection Zone.); Ms. S. Rowland, Urban Forestry Planner, indicating that the point of a Tree Protection Zone was because we are a single-tier and under the *Municipal Act*, two types of tree by-laws can be created; for upper-tier, it would be woodlands and for lower-tier it would be trees not in woodlands; as a single-tier we do both so we are trying to protect trees in woodlands and trees on their own; the Tree Protection Area became a proxy, if you like, for dealing with groups of trees together or areas of large landholding that have a significant tree component on them where every tree would be protected like it should be in a woodland; if you have a size limit in a woodland, what could potentially happen is that every tree under the size is removed and you end up with no woodland fifty years from now; the purpose of the Tree Protection Area was really to meet that need to*

protect trees and woodlands, noting that we can do that as a single-tier authority because there is potential for us to protect both types of trees and trees in woodlands; *(Councillor M. Cassidy wondering if staff have been successful at that.);* Ms. S. Rowland, Urban Forestry Planner, responding that they do not have any metrics on that and she would also point out that where large treed areas are lost it is usually for development reasons and that is out of our control, out of our hands.

- *(Councillor J. Helmer wondering how often are the judgements of city staff responsible for enforcing the by-law and the arborists diverging when you are dealing with is this tree dead and should it come down because the current system now you have staff going out to check, you have arborists advising so 86% of them there is no permit required, is there a lot of convergence between the arborists and the city staff in terms of their judgements.);* Ms. S. Rowland, Urban Forestry Planner, responding yes, they have gotten to know the tree industry in the past three years that the by-law has been in existence; you develop a level of trust with some of these groups, some of these companies where you know they are being truthful, honest, forthright and they would only come to you when they know the tree is going to get a permit; she would say that the vast majority are honest opinions and that is why they are proposing that they accept that when they say the tree is dead, that they accept that, having said that, they still propose that they will do a little sample and she is going to suggest maybe one in ten perhaps where they still go out and verify just to make sure it is not being abused and there may be some particular companies that they would do that all the time but on the whole she would say that they have been very honest and forthright with staff.

- *(Councillor A. Hopkins enquiring about the distinctive trees being fifty centimeters or more and she heard in the staff presentation that if they do reduce it, and to her, it would make sense that if they do reduce it, they save more trees but the comment about the resources that are needed and do we know what those resources look like if we reduce it to 40, 30, whatever, was that looked at or considered at all.);* Ms. S. Rowland, Urban Forestry Planner, indicating that they could get that information for the Councillor from the work that was done in 2008, for their Urban Forest Effects Model, which did break down the tree population into a range of size classes but they did this for the 20-25 centimeter class and if they did go down to the 20 or 25 centimeter threshold it would be approximately ten times as many trees potentially protected by the by-law but they do not anticipate that being a tenfold increase in their workload; more of those trees are going to be younger, healthier, not reaching the end of life so they do not expect there to be a tenfold increase in their workload but they do expect there to be about fourfold and that is an estimate but they think it is a reasonable estimate of what they would anticipate coming through the door; *(Councillor A. Hopkins wondering how this new by-law is different to dealing with dead trees to the previous by-law.);* Ms. S. Rowland, Urban Forestry Planner, responding that on the current by-law, there is a requirement for an arborist's report to be submitted; it does cost money to get arborists' reports and with the proposed by-law, an arborist's written opinion, it could be as simple as an e-mail, is required to say this tree is dead, here is a photo and please can we have a permit; they hope to avoid some of the costs that are then off-set by the homeowner that is dealing with the application process but it also frees up a lot of staff time and if they accept it at face value with the exception of possibly one in ten that they may verify, but, yes, it will free up more of their time to deal with the more contentious issues and enforcement matters that they deal with every day; *(Councillor A. Hopkins wondering about the time period to get that tree down would be a shorter period, is that fair to say.);* Ms. S. Rowland, Urban Forestry Planner, indicating that yes, that is fair to say, they impose time limits on the permits to when they expire and if it was seriously hazardous they would make that very short indeed; in fact, they also deal with property standards orders that are of a similar nature and there is a time limit on those for getting trees down but they would certainly contract the period that the permit was valid for and checking that it is being implemented and if not, there may be consequences with property standards to make sure it gets removed.

- Heather Chapman, 152 Albert Street – sharing some truly interesting, amazing facts from a book by Peter Wohlleben, he is the author of a book called “The Hidden Life of Trees What They Feel, How They Communicate: Discoveries from a Secret World” and he is a world-renowned forester, he is from Germany and he is supported by David Suzuki and a whole lot of other world class ecologists and scientists; one of the first things is that we all know that trees are great vacuums for carbon dioxide, this is a quote from page two hundred twenty-four of this book “Each summer day, every day, trees release twenty-nine pounds of oxygen in the air per square mile of forest. An average person breathes twenty pounds of oxygen per day.”; this one square mile of forest supplies ten thousand people with their daily requirements; if you look at the City of London, we have a population of 385,000 people and that means we need 770,000 pounds or 1,116 tonnes of oxygen, that is forty acres of trees is what we need; noting that is the minimum; that is not counting the people that come here for eight months of the year or who are transient; she knows that the City of London is making great efforts to reduce our carbon footprint, we are working on transit, we are making more bike lanes, we are making neighbourhoods more walkable; asking the question, when we are making all of these efforts, why are a few landlords and developers allowed to do whatever they want, cutting down our trees without any consideration for the impact that they are having; in their neighbourhood, just today, they took pictures of backyards on St. George Street, of landlords who have just cut down everything and they have even taken the fences down and they have just paved them, just paved them over to make parking spaces and it looks like a God-awful backward inner city kind of a street and they have even got big canopies there, big tents that they have brought in, big marquis and it is just going to be ugly, it is going to be more noisy for neighbours, they will not have the shade, they will not have the cooling effect, they will just have lots of cars; that is one of her questions; *(Councillor A. Hopkins asking Ms. Chapman to speak into the microphone a little bit more.);* the other thing that is really interesting about this book is that it shows that trees, like City Councils, CEO’s, Boards of Directors, they are planners, they make decisions maybe three years out, maybe the Fall before, about how many leaves they are going to allow to have on certain branches and they plan how many blossoms they are going to have in years that they are wanting more seeds; they make these decisions way, way out so you cannot really look at a tree and say it is just a dumb plant; it is not, it is part of the ecology, these are very very noble kinds of big plants like elephants are to the land or whales are to the oceans; when people just arbitrarily say oh that tree is sick or hazardous or it is sick and it needs to come down, that is not necessarily the case because trees make these decisions about what they are going to do with their branches, how many leaves they are going to produce, when they are going to shed them, they make all those decisions so you cannot just have someone arbitrarily going into a backyard or buying a house and saying I am cutting down these trees because they are old and they look like they are dying; you actually need an arborist or another scientist to go in and determine whether or not that tree is sick; *(Councillor A. Hopkins advising that Ms. H. Chapman is coming up to five minutes.);* *(Councillor A Hopkins asking Ms. H. Chapman to sum up please.);* what she really wants to say is that they really have to support this new by-law and we have to enforce it because if people are just allowed to go around and do whatever they want, then we are not going to be the Forest City, we are going to be the asphalt city.
- Vicki Van Linden, 431 Ridgewood Crescent – enquiring and expressing concern about replacing dead trees; she does not know if staff could inform them of, even in the case where a tree is dead, and of course it is lawful and advisable to remove it, is there any requirement to then replace that tree at some future time; as for the cemeteries and golf courses, she does not know enough about cemeteries to make a comment but she has walked through lots of golf courses and she has read the comments in the Agenda and she is reluctant to give an exemption to golf courses, she hopes the Committee will consider that; thinking that cemeteries and golf courses are not the same thing and do not have the same concerns; regarding the reduction of down to twenty-five centimeters, she really is in favour of that and she understands

that it would require more staff time but she pays a lot of attention as she moves about the city to when she sees trees that have been cut down and she admits that she is not an arborist but she thinks most of them can tell if the stump from a tree, whether this was a healthy tree or whether there was any kind of disease; she does see a lot of trees that are certainly far more mature than a sapling and probably are falling in this area below the fifty centimeters; she is going to start carrying a measuring tape with her from now on; often they are placed and she has tried really hard to decide, try to figure out why did that tree come down, it is maybe in the front yard, it is not near a driveway, it is not too near the sidewalk, she cannot figure out any solid reason why it would and a couple of times she has had an opportunity to talk to people who were in the yard and in the two cases where she was able to ask somebody why they took the tree down, in one case it was because they wanted more sun to come to a front window, well, that is fair enough but you know, maybe pruning could have provided that a little bit more and in the other case it was referred to that the tree was dirty, it was dropping seeds, it had to be cleaned up; thinking that those are not good enough reasons to take out trees because we all know that they provide a public good; summarizing that she hopes that maybe we would move to the twenty-five centimeters and she is really reluctant to give golf courses free reign on this.

- Sandy Levin, Congregation Beth Tefilah Orthodox Synagogue of London – showing a picture of their property from the City Map showing the city trees; indicating that he discovered when they had an invasive tree branch break, fall across the city sidewalk, having to remove it because it was basically hollow and discovered they are in the Tree Preservation Area and he heard Ms. Sara Rowland, Urban Forestry Planner talk about the qualifications for that and, as you can see, they do not meet that criteria in any way, shape or form; noting they are mainly parking lot, actually everybody uses their parking lot for the city park next door; showing a higher level picture of where they are located and where city park is located; thinking it was just a mapping error that they ended up in the Tree Protection Area; really like to ask, and he notice that this is not going to change until 2020, but that they be removed from the Tree Protection Area and frankly, if they have got to lose another tree before the by-law gets amended can they be treated as if they are not in the Tree Protection Area; thinking they have about three or four more trees that are old and they might have to come down but he is not planning on doing that; he would not have taken this invasive tree down if it did not break and show that it was time to go, it is not a problem getting the permit, it is just why are they in the Tree Protection Area. (See attached photographs.)

- Richard Zelinka, 727 Galloway Crescent – advising that he made a presentation the summer of 2016 when the current by-law was first brought into Committee for consideration and at that time he raised a concern that what the City was doing was we were moving to ensure a public good through putting costs on individual property owners and that some of the measures that were being taken were verging on draconian; appreciating some of the recent consideration of issues that has been taken by staff in this current review; he would like to add a few more elements to that consideration if he may; first of all, the definition of tree, the definition of tree which includes seedlings and saplings is much too broad to be used in all applications around the city; in established woodland areas, as you have heard, this makes a lot of ecological sense, they are protecting those seedlings and saplings because they need a regeneration of those woodlands; however, in a homeowners manicured backyard, it makes no sense at all; it is something that does not allow an owner, it requires the owner basically to allow gardens, lawns, hedges, to be destroyed by seedlings and saplings that may have come up, the by-law is being used in a manner that technically does not allow a person to cut their grass and it is fine and good to say that we would not prosecute but why would you have a by-law that says that you are doing an illegal thing to be cutting your grass because you are cutting seedlings that could grow to the size of full grown trees if allowed to do so; it is illegal to cut the grass, it is illegal to remove seedlings from your hedge, it is illegal to remove those seedlings that are infiltrating one's garden; believing there should be two types of tree

protection areas, those that are for woodlands and those that are for non-woodland areas and within those the criteria for what can be done or perhaps even the definition for tree in the second category should be different from the first, it should not prevent a homeowner from doing normal maintenance; notification, he believes that staff has said that the public is generally unaware that this by-law exists; at the 2016 meeting he raised concern that there had not been proper notification and he believes that some of the Planning Committee members at that time raised the question to staff and were told once we get this by-law in we are going to notify people, that is going to be our first task is to make sure everybody knows about this; it is his understanding that particularly people that have been designated in the by-law as Tree Protection Areas, as having Tree Protection Area on their lands have not been directly notified and yet they are being severely affected by the existing by-law and that would be carried forward here as well so he would ask that the Committee consider and staff consider actually notifying those people that have that designation being put on them; Mr. S. Levin and his Congregation, that is a prime example, they did not know, they had to fall upon the fact that they were shown as being Tree Protection; *(Councillor A. Hopkins advising Mr. R. Zelinka that he as about ten seconds left.)*; he has a number of other things to say; speaking to the replacement trees and the Schedule "B" which he thinks is a great advance from the previous but there are cases of successional planting; he does it himself, successional planting is a desirable way to plan ahead for the future demise of a large tree; asking that consideration be given to having the City Engineer or the authority whoever the by-law puts this on to be given the given the authority to deem this to having been met through successional planting; he has a situation, he has a large tree and he has planted thirteen trees under it already, good size trees that he has been allowing to grow over the years so that they would be there; *(Councillor A. Hopkins asking Mr. R. Zelinka to please sum up, he mentioned that he had a number of other comments; wondering because staff are wanting to hear input if he could also pass them on to staff as well but if he could summarize.)*; what he will do is point them out to staff but one additional thing is and this goes back to Mr. S. Levin's issue, the mapping, one would assume that the areas that are mapped as Tree Protection Areas have trees on them; he did a random check and he found several areas within the city where tree canopies are less than ten percent on those areas, they should not be in Tree Protection Areas if they do not have trees on them, it really calls into question the whole purpose of the by-law; asking that those be checked, the City has the resources to check those areas out and ensure that they are not including lands that have no trees on them.

- Amber Cantel – speaking as a resident; indicating she is in favour of the by-law update; she thinks it includes a number of very important improvements notably around replacement trees which she thought was very valuable; she has a main point she wants to make but she wants to touch on Councillor Turner's point first concerning golf courses; as a resident she has similar concerns about exempting golf courses; finding it easy to believe people will be slow to cut trees on properties like a golf course but she is less confident that trees will be replaced afterwards and she thinks that actually losing the replacement tree requirement from the by-law on such a large piece of land would be regrettable so if the Council decides that the Tree Protection By-law is not the appropriate way to maintain tree cover on golf courses or cemeteries she thinks it would be valuable for Civic Administration perhaps to make recommendations around other tools that are used to achieve that but the specific point she wanted to bring up tonight actually goes back to a question that was raised at a previous Planning and Environment Committee which was how much support is there for the by-law really; at the time she had not realized there was a staff report that spoke a little bit about that and she just wanted to touch on that for the Councillors; in 2014 when the Urban Forest Strategy was being prepared there was a lot of public consultation done and eighty-six percent of Londoners who participated supported the creation of a private Tree Protection By-law that led to our current 2016 by-law which divides protection into two types of trees, you have your Tree Protection Area and your distinctive trees; of these you would expect the distinctive trees would

be by far the most contentious, most Londoners do not like the idea of clear cutting woodlands and most Londoners do not own woodlands to worry about in the first place; whereas it is obviously very different to be affected by a by-law for a tree in your own yard; sometimes it is harder to think about the greater good if it feels like you are the one personally footing the bill; that is why she thinks it is very notable that in 2018 when staff started revisiting the question of how to best update the Tree Protection By-law, they did another survey and they found that eighty-seven percent of Londoners, keeping in mind that eighty-six percent supported the creation of the Tree Protection By-law, eighty-seven percent supported maintaining the distinctive tree designation at that level or better actually reducing the limit so that it would protect more trees; thinking that personally you would expect that two years after implementing a by-law if anything, now that the rubber has hit the road, you would expect a level of support for the by-law to decrease a little bit; people realize that they are actually impacted by this or I have to pay fees for this; thinking that as far as public acceptance of a by-law goes this is really as good as it gets; the fact that even more people support the by-law or would strengthen the by-law two years in is an extraordinary outcome; wanted to say that she certainly hopes that Council will continue to value, support and work with staff to improve the by-law, she thinks it is doing wonderful things for our community and she really thinks the level of support you are seeing from the public reflects that.

- Gary Brown, 35A – 59 Ridout Street South – finding it very poignant tonight that the first two public participation meetings the most common thing brought up was trees; nobody is here to talk about it but anyhow it shows how much Londoners care about their trees; he is not going to get into the folly of parking minimums and how silly that is on City Planning and its detrimental effect; wondering if there is any chance to bring up the City's presentation, he would like to look at slide number two because he has a few questions and while they are bringing that up he would just like to say that they are at a three year review of the City Tree Protection By-law and he was here the first time and the fact that we have no measurement of whether it worked or not, there is no measure of whether our tree canopy has gone up or down, how is the Committee going to make a decision on whether you should change the by-law if you do not know if the current one is working; extremely disappointed that that number is not available to us or at least a reason why it is not available, maybe it is too soon to tell, maybe it is too soon to change the by-law in that case but he thinks that some sort of measurement and some sort of reference is absolutely required before making a decision here; here we have Tree Protection Areas mapped city-wide all trees regardless of size; remembering last year or the year before standing at the Hive on Wharnccliffe Road South in the center of a Tree Protection Area that was being clear cut by a developer and that was completely legal; not quite sure what the name actually means, he is not sure if it should even exist and the developer said we will keep a few of the trees here, and they clear cut them all; advising that he was standing there and his phone was the one that rang, and now we are set to clear cut the last vestige of forest in Berkshire, it is going to be gone from the Forest City, he will remind the Committee of that; he does not think we should be calling something a Tree Protection Area unless it actually is protecting the trees because any time the Committee wants to approve a subdivision plan this gets thrown out the window and done, every time, he cannot stomach that level of hypocrisy; just remove the name because he tells you that if he looks on a map and sees a big green blob that says Tree Protection Zone silly him thinks that the trees are protected there and they are anything but and he thinks that is something that they really need to think about; asking that the slides be forwarded to where the proposed changes are made there is as thing about the cost; off the top of his head, we are talking about a shortage of resources yet they are also talking at the same time of reducing the prices for cutting down trees; apologizing, someone would need to explain the logic in this to him if it is going to cost less money to cut down trees you are going to have less resources, should not the default position just be, it is serving as a detriment, cutting down trees is not the object of this particular exercise to stop the loss of our tree canopy and increase it in the Forest City; there are just a couple of things he has been a

volunteer for ReForest London since day one and one of the most common questions he gets asked when he is looking at other volunteers is when we are planting is what used to be here, well, what used to be here was a forest and now we are replanting it and it is really hard and he is really tired and he has to keep saying that time and time again, the trees that are the most important are the ones in the ground; he would simplify the entire by-law and he would say that if you did not plant it, you do not get to cut it down, it would not be that difficult to enforce, would it.

- Jesse Wilkins – advising that her comments are more specific to the revisions that were provided; one of the things that she saw; advising that her background is a Professional Forestry and she does woodlot marking for commercial forestry; just in some of the wording of the by-law she does realize that it was actually intended to improve the fees for good forestry practices; however, when she was reviewing the language it did almost seem that if you were in a woodland situation and the trees you were looking to harvest for commercial purposes were in the distinctive tree category, that you could actually have to pay the distinctive tree over and over again even though there are multiple trees within a woodlot; if possible for that to be reviewed; she does not believe that the intent was to actually make it harder to do good forestry practices, it was just in the language; also noticed that staff is going to reduce the timing of the permit, so in the past, the 2016 by-law you had a one year interval on the return and speaking to an arborist, she is not sure if that is a good return interval; time for you as a Forester and all of the operational issues that they have upon entering a woodlot; one of the cases for her was that, at the time, it took up to sixty days for the permit to be returned which was completely fair, it was a little bit of a tricky position and after those sixty days were up, it had actually left the winter harvest season so the ground was now thawed and they were not able to return to that woodlot until ten months later so she is not sure what would happen to the fee or if that would just be a permit that could be renewed if not used but possibly the language could be included in the by-law update; in the supplement that had been provided to them beforehand it did discuss a little bit of the intricacies of when the City Foresters will act on behalf of the CFIA and that is in the case of any of the pests effects and in the supplement it definitely did say that you have the right and the ability to spray pesticides on private landowners properties without their consent and she does believe, according to the CFIA, that is law; however, if the intent of this by-law is to be clear, she thinks this is the spot that you put that if you are dealing with someone who is doing organic farming, if their kids have cancer, you should probably just put that right out there; that we are going to spray pesticides in the event of it being on your property you have no choice, it is West Nile; believes this was written with the intent of the city staff to improve the by-law and she does believe that they are actually trying to facilitate it to be as good as it can on both sides and she would really like to drive her last point home on the matter of Schedule “A” and the City is doing everything they can to play both sides of that coin and that said, if you look at any, somebody brought up successional planting, thirteen trees, not even close to how many you need to get a big tree, so Schedule “A” as provided by the City, one tree for one fifty centimeter replacement tree they could not be easier on people, they are doing everything possible to ensure compliance, to ensure participation and to ensure that the public is engaging with this by-law and that also speaks to another speakers point about why they would want to reduce the fees; she thinks that the general intent is to engage and to get compliance rather than to just go after the fees; advising that she really supports this.

- Calvin McCallum, 7024 Kerr Road – advising that he is one of the co-owners of CLC Tree Services here in London, they have been in business for thirty-two years, his Dad started the business and they are succession planning themselves; indicating that he used to be a member of the Trees and Forests Advisory Committee but due to some bureaucratic road blocks he found it better to focus his energy somewhere else; he is a firm believer that you cannot manage a by-law if you cannot manage the companies performing work in your city; the City of Oakville has changed this as far as tree permits go and now contractors have to pass a test to say that they are qualified and capable to perform tree work within that city; feeling like if you want to

manage this by-law and you want good information gathering tactics you need to work with the member companies of the industry within our area; there is a serious lack of transparency in the by-law process and quite often it comes more to personal opinions on what trees are or the shape the tree is in as opposed to well thought out inspections on trees, most inspections happen from the ground and most defects happen ten, fifteen, twenty feet up, this cost is then passed on to people that live in London to have to hire people like him to do canopy inspections, to have to provide reports that then take your costs of a \$1,500 tree removal, which most people can only afford with their discretionary income to \$2,000 and then you have your permit fees on top of that; the costs just keep going up and one of his biggest questions, back in 2018 when they had the meeting was how many fines have been issued and he still does not have an answer to how many fines have been issued; there has been talk that this by-law itself is a lose money opportunity for the city; he is a firm believer that they do need a Tree By-law, but if you can manage the companies that are here, work within the city and have the integrity and have had that integrity the entire time that they have been working in this city, you are going to get a lot better result, you are going to get a lot better care for your forest and you are going to have a lot less cost in trying to fund other people to gather that information when they may not have the ability to do that; reiterating that he is all for a tree by-law but he would encourage the Committee to look into the Oakville by-law; give them a test, we can prove that we are quality arborists and can make these decisions and they can monitor it for the City, they can give the City the information, they can tell the City they denied a tree removal because they thought it was a healthy tree so if another tree company comes along and says that tree has to be cut down, there is some conflict of interest and you have some information to go on; right now there are four or five companies in this city that he would consider professional companies; the people that you should be protecting against are, he hates to say it, but people that have three day a work week jobs and go out and do things on weekends and fly under the radar; they have been working for three years to write these permits and they are still getting six month challenges on dead trees or trees that are lifting porches; asking them to get information from construction companies and letterhead approvals from other construction companies to show that this tree is lifting this deck; believing it is not going to get better and then you fight over it for three, four, five months; they have some that are five months out right now with obvious sheds heaving; given letterheads from professional construction companies, then they ask us to go back and take pictures, get them to prove it and prove it and prove it but they are one of the companies that is not out there skipping around the by-law; advising that the other concern that he has is that there is a serious lack of enforcement and without him knowing what these fines are how does he judge whether it is worth his time to go through the by-law or not; he can go out and cut down trees all he wants if nobody is going to fine him; he made some complaints to the City of London within this department and they consistently preach that they want to fine and they want to make sure that this by-law is working but they had no reaction; they had trees that were cut down in a Tree Protection Zone and they said that if the neighbour is not going to be a witness then they cannot do anything about it; advising that he is also the Vice-President of the Ontario Commercial Arborists Association which is *(Councillor A. Hopkins advising that he has thirty seconds left.)*; it is a group of ninety companies around the Greater Toronto Area and surrounding area and they all get together once a month, figure out these headaches, talk through these things, their opinion was, in the case where this Tree Protection Zone tree was removed and he brought it forward to the managers, if they were not willing to proceed after the neighbour to be a witness then they should have fined the homeowner so that they would have to forcibly be the witness but his big question is how many fines have gone out and is this really worth our time.

- Steven Lambrick, Oxford Street West – advising that he is a professional logger; in many ways, what got me interested in forestry was carpentry and as he has gone through the years working in forestry, understanding landowners concerns, understanding loggers concerns on both sides and the impressions which are

continually implied from old practices; now he thinks the City of London, he thinks what the Tree Protection By-law trying to take it down to forty centimeters, he thinks that may be appropriate in order to obtain a diversity of species in the woodlot and the ecological benefits; an arborist that is deciding whether to remove a tree that is in a backyard is not the same thing as forestry; you have to distinguish that in somewhere in that as a lifting deck, cut the deck, go around the tree, now the problem that may exist with that is the size of the tree; trees get, many people do not understand forestry as well as the gentleman over there or the lady or your Urban Forestry Department; there are many hidden dangers in a forest that most people do not comprehend and you need to select where you want to place your large trees throughout the city based upon the root system and the damage can be caused from swaying, lifting the tree up from the roots and hidden dangers and that is what happened here; the humis layer, the root fibers hit the hole; he understands the problem that the City is facing and the communities facing with development and as he said earlier, he was a carpenter so he can appreciate a developer's point of view; he thinks they need to incorporate more of it in the land as the develop it, maintain what is there to some degree, if it is viable by a professional arborist or a registered forester or this Urban Forestry Department, it is the authentic of how you want your city to look and you are certainly losing that by stripping and recontouring the land itself and he sees that just driving by; seeing the work that has been done since he has lived in London and there are some beautiful development that has gone on; he can see where the city is going to allow future development to go on and you are going to lose the complete ascetics of it and that is going to be very unfortunate because you are losing what this conversation is about; again, as he said, you need to distinguish the difference between tree removal within city and harvesting a forest, there are two applications, two different approaches to it; there are many questions that people brought up as he was listening here and this could go on for hours; *(Councillor A. Hopkins advising him that he has about one minute left.)*; indicating that he is going to shorten it up with a quick question; being a professional forester, logger, he will not use forester because he cannot use the word management in his business, it is against the law, how will these changes affect his profession harvesting and his ability to incorporate the purpose of the by-law over all; how will it affect the peoples' property rights that own those forests if you change it; one other point he has, when it comes to harvesting in my business a hundred dollars a distinctive tree, a tree would never get harvested because that tree make would have to have a value of three or four hundred dollars then you start to create an unsafe forest because the size of the trees, to some extent, depending on the type of trees; think if you are reducing if, if you are harvesting a forest, is understandable; *(Councillor A. Hopkins asking him to please summarize.)*; as for the lady was talking about more trees per acre reduces the carbon input than one large tree so when you go to build your forest make a renewable resource we constantly have a regeneration of new growth and where you are constantly increasing the number trees per acre compared to the size of a tree which could take an acre or two.

- Mohamed Moussa, 155 Thornton Avenue – indicating that like many others here he appeared in August, 2016 in regard to this by-law; advising that he did see some issues with it at the time and it looks like three years later we are rectifying them; in regard to the fee, he mentioned at the time it should be revenue neutral, it looks to be that it is not going to be; if it does get reduced in the permit fee it will allow people to apply more readily; with respect to raising those fees or keeping the where they are at, it may not allow for compliance and this is not a money making thing, you still have to go through a permit process in order to get your approval; when he was here, the fifty centimeters was discussed; after, the proposal was for seventy-five centimeters; he thinks the double edged sword here in reducing it in that, he thinks what has happened is that people have looked at their trees and thought well let us take them down before they actually hit fifty centimeters; you reduce it further and your unintended consequence of that maybe that people will start taking their trees out even earlier; that is the reality of it; he does not have the facts to prove that or the stats to prove it but he has heard that that is what has been happening; indicating

that his biggest issue with this by-law is along the same lines of Mr. S. Levin's, how the Tree Protection Areas are set out, it's by satellite imagery, there is no standard as to how they are set; you could be encapsulating areas that are mostly buckthorn or anything else or even areas that are just between two woodlots that look to have some cover; just some clarification on that, he is not going to go through, Calvin has made some very decent points that he has brought up; the one thing he will say and he thinks that he did not get a chance to say it, just in terms of enforcement, he did make a call for three or so weeks ago, four weeks ago, about trees being clear cut; his understanding of the by-law was it was right through London but apparently it is not outside the Urban Growth Boundary and Ms. S. Roland herself had come out within forty-five minutes, very attentive and very you know on top of it but the one thing he did say three years ago is that we need to protect the trees outside of the Urban Growth Boundary as well because that is where the majority of your logging or loss of trees is going to be as people anticipate, speculators anticipate, in the future.

- Alex Morrison, 95 Tecumseh Avenue East - advising that personally he is interested in seeing the Urban Forest Strategy be successful, this is a part of that, it is the overlying structure that the Trees and Forests Advisory Committee is helping to guide which he is a part of; very much, again, interested in seeing how this would move forward effectively; indicating that he manages a business called ConservaTree which focuses on professional tree care and preservation solutions, we are locally owned and have ISA arborists; indicating that he is very much in favor of the by-law for the most part; he would say that he found the by-law to be ineffective in some ways; noting that he has heard this point of view from many people, homeowners, industry members, city staff; it is a prohibitive by-law that tries to disincentivize removals rather than incentivize proper tree care; there are lots of people out there who are happy to take care of their trees and we do need to disincentivize but we do need to further incentivize people who are interested in maintaining the urban forest; some of the reasons that this is ineffective is that is a low ability to enforce, if you cut down a tree on the weekend when there is by-law staff that are not available to enforce sometimes by the time they show up Monday morning the stump is ground and there is no evidence of anything ever happening there, there was there was clearly a tree there but there is no evidence to really enforce anything at a legal level; it protects too few trees which seems like everybody's on board with right we do not have the funds to possibly go that much lower in terms of how many trees we are going to protect under the distinctive tree designation so that is something that needs to be addressed; this by-law fails to help a lot of homeowners and landowners buy in, they are not interested in the reason that they should have to put up with the dirty, ugly, tree too close to their house for all these reasons, all the negatives, and then they have to pay for the maintenance of it, the trimming, the leaves every week, every Fall, they do not want to shoulder the burden and like he said earlier, people do want to preserve their trees already, they are willing to put their money out, trim their trees and take care of them; one of the specific issues he would like to address is that there is going to be this arborists' opinion, Mr. McCallum mentioned it that other arborists may be willing to push the line as to what could be removed in their opinion you are going to have to let us write our own tickets basically is the plan and so he has had it happen where he passed up on a tree, he said that in his opinion that one is healthy, it could use a trim and that is what he would like to do for them and six months later you drive down the road and the tree is gone; how they got it gone, it is possible that they had someone who is interested in writing that report for financial reasons, maybe they got it done by someone who just skipped the process altogether; it definitely happens; that disincentivizes arborists who are interested in conservation and tree care industry people to keep that line; why am I holding a higher standard when my competition will not and now financially I am out, why should I do that; if there was some level of incentive or support offered for those who choose to be good stewards of the environment, homeowners, tree care industry members, he believes this would lead to greater buy in from the community in general, that we are supporting arborists who want to make a difference and we really are the front line of taking care of the trees; they do a lot of the work, physical

work and they realize that it costs money from homeowners and and they are saddled with the cost of it and if this is an acceptable fee or not it is not just the fee to remove it, if you cannot remove it now you have this additional cost that every year you are spending money on this tree basically and people might choose to just not spend the money and now all of a sudden that tree gets dilapidated and that tree all of a sudden has a big break and deteriorates and now it is able to be removed so they skip the care, they skip spending the money, they skip all of that and here they are with kind of an ineffectiveness to a good intention within the by-law; (*Councillor A. Hopkins indicating that he has about thirty seconds left.*); a good example of an incentivization under the Urban Forest Strategy is the Tree Me grant, \$200,000 every year offered to private landowners to plant trees; why is there no money being offered to landowners to help maintain their trees; people who are just on the line of being able to afford to do that could really use the assistance to help take care of their trees, keep it away from their house, thin them out so that their growth is healthy so they reduce breaks and things like that; and he knows he is running short on time but he has a few more moments hopefully; (*Councillor A. Hopkins asking him to please summarize.*); summarizing that outside of basically just the homeowners and the tree care industry being supported through some sort of incentivization he just believes that that is a better way to go about dealing with this issue, do not disincentivize, incentivize, carrot versus stick, and this by-law is mostly stick so there is no carrot really; trees in urban forests are an easy win for Council members; his Council member is often seen in their community publication saying trees are good, listing the benefits, being an advocate for them and that is great; thinking it is an easy win to say yes to trees but it is more difficult to make a tough decision around a by-law like this where it needs to go further and really, why are we not all in on it, why are we, on the Urban Forest Strategy, as a larger component, not just the Tree Protection By-law that we are here today, why is there not more funding, in the Urban Forest Strategy there is all sorts of points that he could name, there are probably fifteen points in the Urban Forest Strategy where there needs to be more money and it is all falling short.



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Kippe Lane

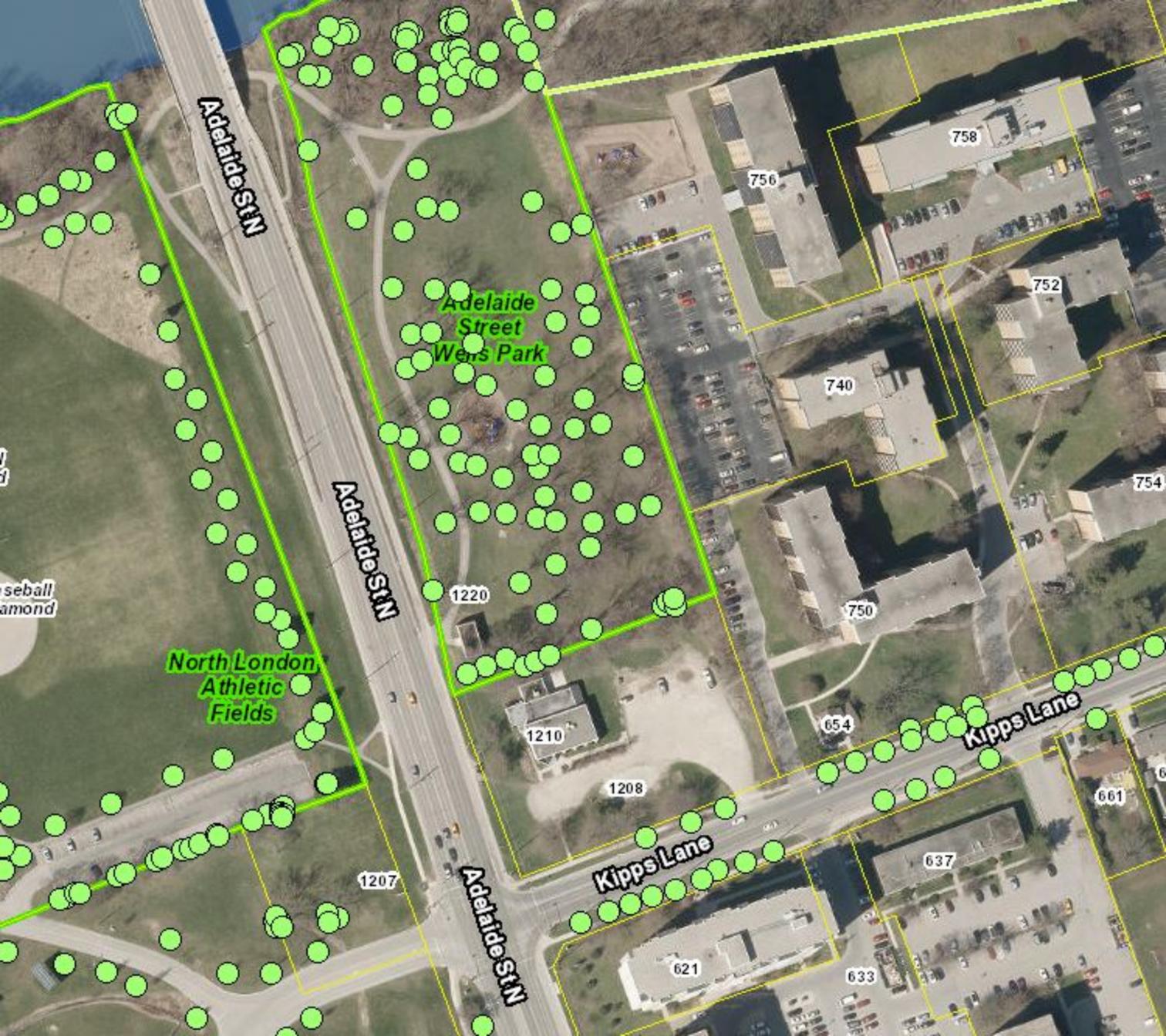
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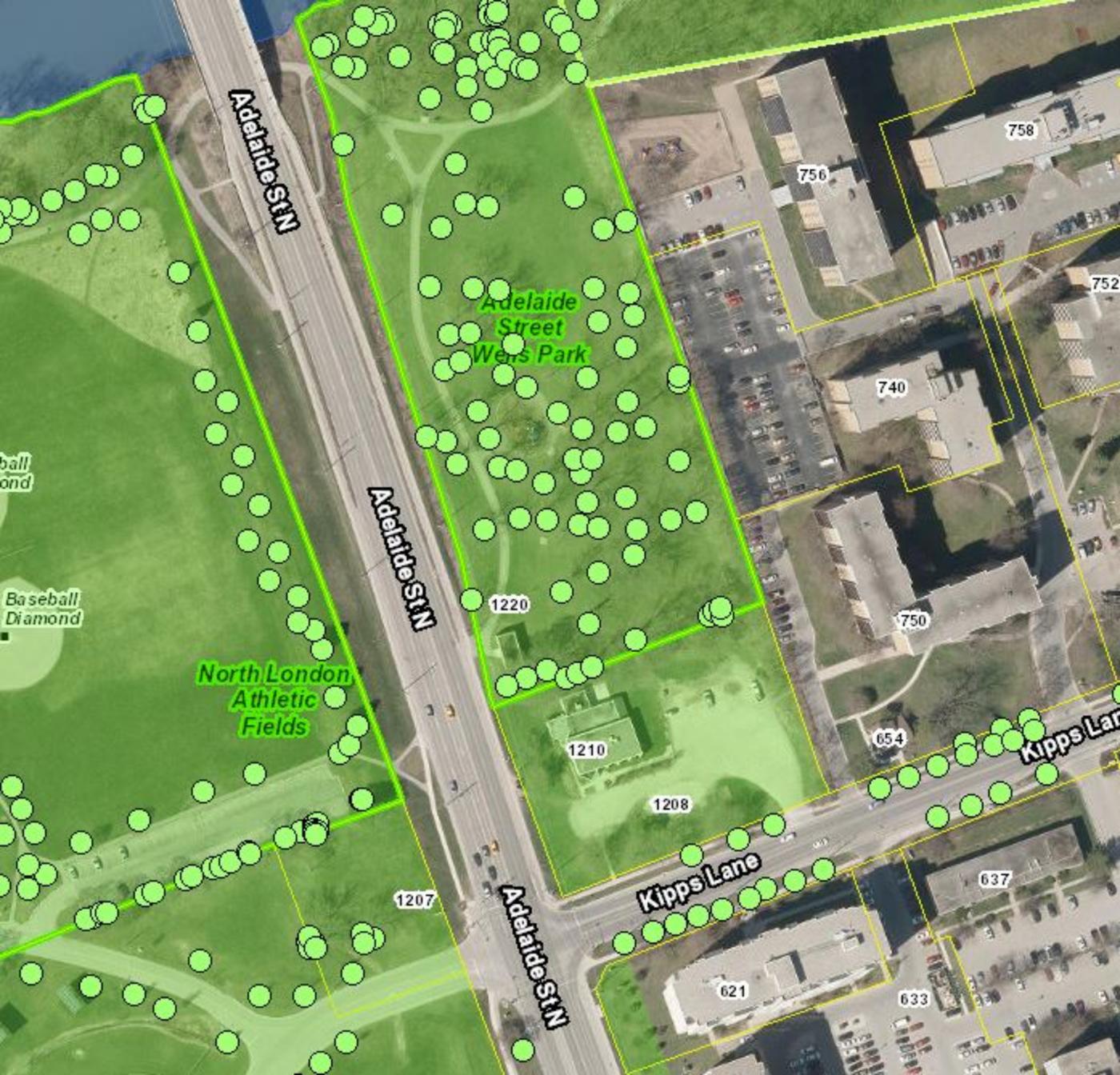
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