

December 13, 2019

Councillor Cassidy and Members of the Planning and Environment Committee
City of London
300 Dufferin Street
London, ON
N6A 4L9

Re: Council Resolution for Z.1-192743
Application for Zoning By-law Amendment (Z-8945)
LPAT File: PL190251
2492222 Ontario Inc.
536 & 542 Windermere Road
Our File: TSR/LON/16-01

On behalf of 2492222 Ontario Inc. (the “Applicants”), we are pleased to provide the following information for your consideration regarding Council’s direction for the redevelopment of 536 & 542 Windermere Road (the “subject lands”), specifically clause (c) of Council’s resolution in approving By-Law Z.1-192743 which states the following:

“That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2492222 Ontario Inc., relating to the property located at 536 and 542 Windermere Road:

c) the trees on the westerly and northerly boundary BE PROTECTED AND BE PRESERVED with the exception of invasive species or trees that are in poor condition;”

The trees noted above consist of nine (9) evergreen trees, being a mix of Blue Spruce, White Spruce, and Balsam Fir, all located along the northerly property line, abutting Mr. Tony Mara’s property at 127 Orkney Crescent.

It is our understanding that Mr. Mara’s comments and submissions at two public meetings were the principal reason that PEC included clause (c), with the intended objective of ensuring a vegetative screen to buffer the proposed townhouse development from Mr. Mara’s property. Without Mr. Mara’s comments, we believe it is unlikely that the PEC would have included clause (c) requiring the preservation of existing trees.

As you may be aware, Mr. Mara appealed the City’s approval of Z-8945 (By-Law Z.1-192743).

Based on recent discussions with Mr. Mara, we understand that it is now his preference to have trees replaced instead of retained, which is acceptable to the Applicants.

We are proposing that clause (c) be deleted or, in the alternative, be amended to the following:

c) The Applicants shall ensure a substantial vegetated buffer on the west and north property lines, in accordance with a City-approved landscape plan.

The deletion of clause (c) or the revised wording would allow for the replacement of existing trees in accordance with the attached updated Site Plan and Landscape Plan, which we understand to be acceptable, and indeed preferable, to Mr. Mara after recent discussions.

The objective of removing existing trees and replacing with new trees is to ensure that there is a vegetative screen between the subject lands and Mr. Mara's property. The existing trees are 'limbed-up' quite high (i.e. no branches at lower levels) and some are in marginal health. In order to provide the best and most robust screen possible for Mr. Mara, the Applicants now propose that new trees be planted in place of the current trees.

As Clause (c) specifically requires the trees to be preserved and retained, the requested tree removal and planting cannot be accomplished without a deletion of, or an amendment to, Clause (c) noted above.

Given the above, we hereby request that PEC consider the above and provide a resolution amending or removing clause (c), thereby permitting the removal and replacement of the trees in question.

We thank you for the opportunity to provide the above information and request for direction from PEC and Council. If we can be of any assistance, please do not hesitate to contact the undersigned.

Yours very truly

ZELINKA PRIAMO LTD.



Matt Campbell, BA, CPT
Senior Planner

cc: 2492222 Ontario Inc.