

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.3 PUBLIC PARTICIPATION MEETING – Application – 944 Hamilton Road (Z-9151)

- Councillor Cassidy: Any technical questions on this application? Councillor Turner.
- Councillor Turner: Thank you Madam Chair. In the report it states that this would be providing for an existing and a new building both to be served by a drive-through and in the site concepts it only appears that one is served by a drive-through. Perhaps a little explanation of how that works.
- Councillor Cassidy: Clarification from Ms. Wu.
- Monica Wu, Planner I: Through you, Madam Chair, there will only be one drive through provided on the site. That is for the proposed restaurant fronting onto Hamilton Road.
- Councillor Cassidy: Any other technical questions or do you have follow-up to that Councillor Turner?
- Councillor Turner: In 2.1 it says “The recommended amendment would allow for an expanded range of commercial uses, with 2 restaurants with a drive-through being proposed for the existing and proposed buildings.” so that may require an amendment that may lead to some confusion there but I appreciate the explanation. Thank you.
- Councillor Cassidy: Ok. Thank you. Any other technical questions? Seeing none I will go to Committee Room 1 and 2 to see if there is anybody that would like to speak to this and we have the agent for the applicant, Mr. Kirkness, go ahead.
- Laverne Kirkness, Kirkness Consulting, on behalf of the applicant: Thank you Madam Chair and Committee Members. Again, I am representing York Hamilton Road Commercial Inc. and we are at another conspicuous corner of the City here, not West del Bourne and Oxford but Hamilton and Highbury and coming from the south this is a pretty conspicuous site and right now it is kind of a derelict vacant service station lot with the closed former Tim Horton’s so the site will represent kind of a blight in the area and York is intending to make pretty nice improvements. If you look at page four into the report or the fourth page in you will see the illustrative concept where the restaurant is along the Hamilton Road frontage with a landscaped setting, the existing building is there. There is substantial landscaping around that on the north side with mature trees that would be kept along with that existing parking area so the aim, of course, is to improve the intersection quite a lot and so we basically, well, I should say that the planning report points out that seventy-two letters have been sent out to area and only one reply was received and talked about issues that were kind of not on the site such as the speed of traffic on Highbury Avenue and so I am taking by that that the residents have no objection or perhaps feel that this is going to be quite an improvement to the area that we can look forward to. Now, we appreciate the staff’s supportive recommendation and we hate to come here and quibble over one parking space but we need to and the reasons why we think we should leave that parking space is that; maybe you should go to about the twelfth page in where there is the site plan that illustrates what is happening and shows the road widening dedication but the site, the actual parking space is right at the very north end of the site. As you go in the access from Highbury Avenue, so it is that first space in if you are going to that access would be on your left side and that is the space that is within three metres or at least zero metres from the new widened street. Here are the reasons why we think it would be more fair to be able to have that space. Number one is the space exists, we aren’t proposing a new space there, it exists. The

reason why it's not more than it is from the new widened road is because the City's requirement for road widening. The road widening you can see is a dotted line on that site plan that is twelve pages in, I think it is, so it's based really on the City standard, that is not saying it's the City's fault but that is the way the situation is. We don't have a tenant for that existing building yet but the interest seems to be from dentists and doctors and they are high parkers and we have the restaurant as well. We just feel that we need every space that we can get and especially leave those that exist alone if they are not in the way of the road widening. Now you can also see on that site plan there are quite a lot of existing spaces right along Highbury Avenue that are being removed on account of the road widening, thirteen spaces. So we appreciate that there is some deviation from the fifty-five spaces that we need down to the forty-six or forty-seven but, again, without the road widening we would have had certainly more parking. We do know that that road widening cross-section, in other words, if you apply a cross-section of kind of the standard components of improving that intersection, there would be a green boulevard along, it would be City property, but it would be a boulevard. It is zoned as though there would be pavement meeting pavement, there would still be room for green, for a landscaped area but it would be on the City's property and that is part of the cross-section standards. The staff state that the parking area would be easier to maneuver without that space but, you know, this space is kind of on the going outside it's hard to think that there is any real problem with the functioning of that parking area by leaving that space alone. I guess lastly is that, again, we hate to come here in these times and quibble over one space but we feel it would be more fair to have it and it exists and so we would ask for that consideration from you. If you agree with the applicant, with us, we would need to add a provision that does allow parking spaces to be within zero metres of that right-of-way for that one existing space if you want to be that specific but we would ask for that consideration. Otherwise we agree with the staff report. We thank the staff for their supportive recommendation. We hope you would adopt that component of the report along with our additional request and recommend it to Council. Questions, I would be glad to answer. Thank you.

- Councillor Cassidy: Thank you Mr. Kirkness. Are there any questions for the applicant? I'm seeing none. Oh, the Mayor has a question. Go ahead Mayor Holder.
- Mayor Holder: Perhaps maybe this now becomes a technical question to staff but I'm sure that the property developer made the case with respect to the additional space so I'm trying to understand from staff what their resistance was if that is an appropriate question through you, Chair.
- Councillor Cassidy: Ok Mr. Mayor I will go to staff.
- Michael Tomazincic, Manager, Current Planning: It becomes an issue of functioning. So you have a parking space that immediately abuts the property line; typically, there is a three metre setback to allow for, say, cars are looking to exit the site and need to queue before they can get into traffic as traffic is backing up, well, that car is now blocking parking spaces. The other thing is those types of three metre setbacks also provide opportunities for snow storage, turning radius, so it really just becomes a functionality issue of the site.
- Councillor Cassidy: Mr. Mayor.
- Mayor Holder: So thank you for that. So I need to then perhaps ask our consultant on behalf of the client and that is would be, I think your comments about staff's work is appreciative. Would this difference in the one space impact proceeding with the project?
- Councillor Cassidy: Mr. Kirkness. Did you hear the question? That was for you.

- Laverne Kirkness, Kirkness Consulting: I am sorry, I couldn't hear the question.
- Councillor Cassidy: Did you want to repeat it Mr. Mayor?
- Mayor Holder: Sure. Mr. Kirkness I do not know if you heard the response of staff with respect to my question about the one space and I commented how complimentary you have been to staff how they have approached this; hence, my question, would not proceeding with this one space impact your clients desire to proceed with this project?
- Laverne Kirkness, Kirkness Consulting: Thank you. Through you Madam Chair, no, this is not a show stopper or a deal breaker. We simply think that the site would function just as well. There is a long throat on that access for people to get in and out. The interference, as Mr. Tomazincic said, it's a functional thing, you know, with cars backing out or something, it's a long way from the actual turning points and the throat of that access is longer than usual as well. In other words, the distance of the access. We don't think that there is a functional problem, we just feel that because the space exists, it's the City's road widening requirement that makes this the fault of not being able to make the regulation of the three meters that there's no real reason that that space shouldn't be able to remain. So, we're asking for your consideration just because we think it's more fair to leave it and it's not going to disrupt the function of the parking area to any real extent. Thanks Mr. Mayor.
- Councillor Cassidy: Thank you Mr. Kirkness. Do you have any follow-ups Mr. Mayor?
- Mayor Holder: Yes, I'm fine. Thank you.
- Councillor Cassidy: Great. Any other questions from Committee? If there are no other members of the public in Committee Room 1 and 2 and I think we already heard from Mr. Schulthess that there aren't so we can close the public participation meeting.