

Old Stoneybrook Community  
Association:  
Helping Grow Forest City

307 Fanshawe  
Rezoned 1 Oct 2019 Z-9006  
Plan SPA20-029

# Agenda:

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- Historical Context – Summary of Plan and Council Directives
  - Michael Crawford
- Tree Preservation
  - Claudia Clausius
- Privacy Buffering and Lighting, Snow Storage and Removal, and Summary
  - Deb Beverley

# History: Michael Crawford

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## Community Association Supports Development:

- Under-utilized lot
- Opportunity to intensify
- Opportunity to promote accessibility, aging in place
- Opportunity to diversify community

Council Approved Rezoning with Amendment  
Oct 1, 2019

# What Current Amendment States:

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“b) the Site Plan Approval Authority BE REQUESTED to consider the following matters:

- i) the requirement for the protection and preservation of the trees and hedges on the easterly, southerly, and westerly boundary (both shared boundary and within-boundary vegetation) on the subject property, with the exception of invasive species or hazard trees;
- ii) where hedge growth is sparse the requirement for the provision of supplementary coniferous plantings post-construction to fill the gaps;
- iii) the comments from the Urban Design Peer Review Panel (UDPRP) from their meeting held on July 17, 2019; and,
- iv) subject to iii) above, the submission of a revised site plan to the UDPRP for review;”

# Clarification of the Amendment 1:

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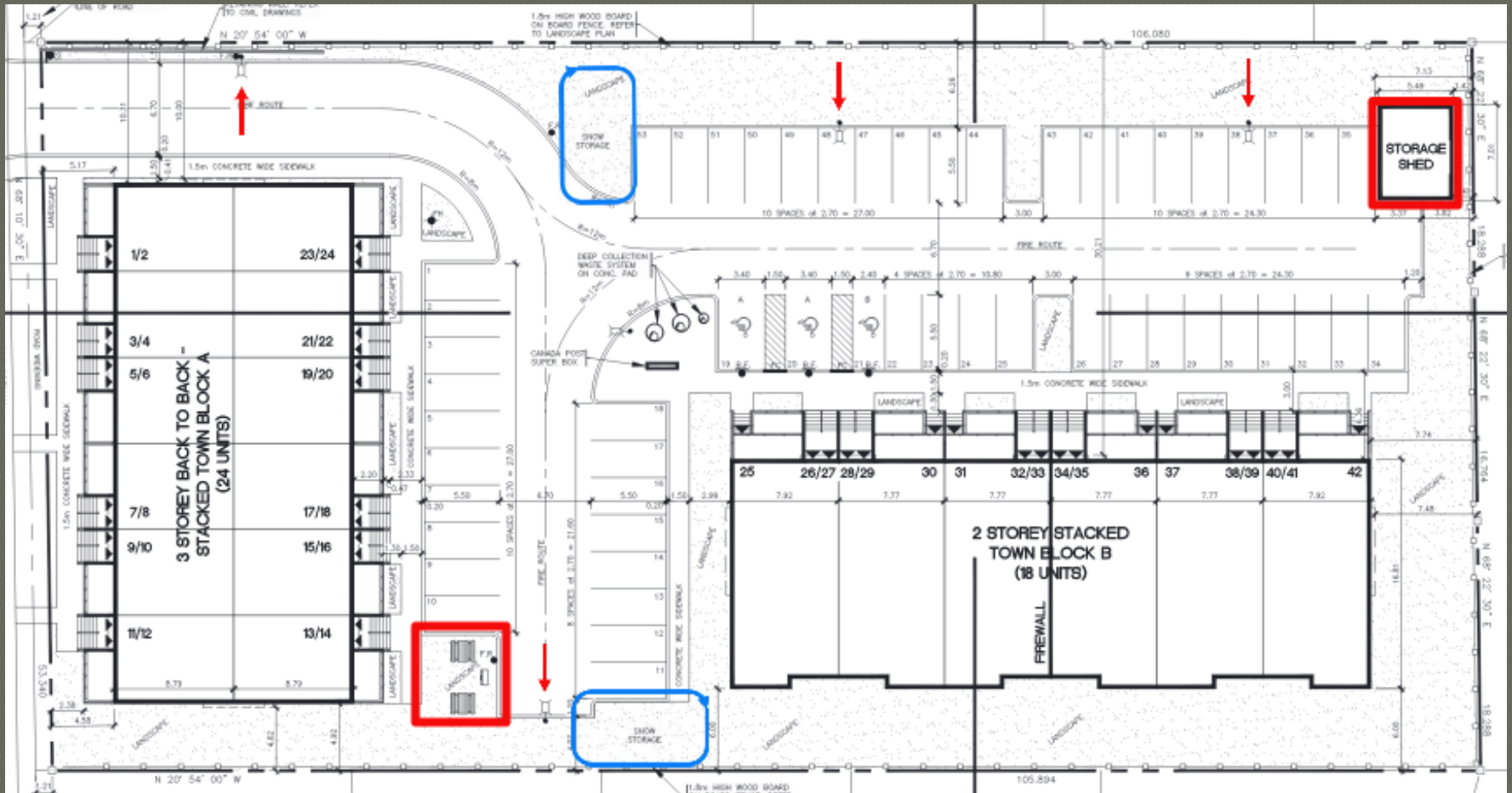
- Councillor Turner: “ How would staff read that – is it directive or considerative?” Regarding tree protection “ ... it seems to create some inclusion of trees that aren’t on the shared boundary, but actually on the site themselves.” Oct 1, 2019, video time stamp 3:39)
- Director, Development Services Paul Yeoman:
  - “ The way that it would be interpreted by the Site Planning Authority is that it is a desired standard of Council to be implemented through the process as a requirement” (emphasis added) (video time stamp 3:41)

# Clarification of the Amendment 2:

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- Councillor Turner queries parking lot maximum: “the applicant is not compelled to take advantage” of the maximum? (video time stamp 3:41)
- Director, Development Services Paul Yeoman responded that the parking allocation is intended to “establish a maximum.”(video time stamp 3:41:55)
- Councillor Morgan for clarification queried if the number of spaces was required or established a cap.
- Mr. Yeoman responds, “a cap on the number of spaces” (video time stamp 3:42:44).

# Revised Site Plan:



# Revised Plan:

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- New storage shed on treed boundary line
- New central park bench area introduced
- Snow storage areas reduced – one lacks service swale
- Tree Preservation only marginally improved (17 instead of 15, *majority are on neighbours' property*)
- Parking space footprint static at 53 (none put underground)
- Setback not respected (encroachment of Building A - Fanshawe fronting building)
- Zoning was inappropriate for stacked town houses...!



# Tree Preservation: Claudia Clausius

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The trees on this site are the answer to many of the obstacles:

- Privacy will be enhanced with the trees preserved
- Invasive lighting will be mitigated
- Danger of flooding will be *significantly* reduced
- Soil erosion will also be reduced
- Added Bonus: Quality of life for future residents of the development will be enhanced - they too will benefit from the privacy, coolness, and fresher air the trees will offer.

# Tree Preservation:

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- Wisely, Council's requirement to preserve the boundary trees did not specify what kind of trees ought to be preserved
- M. Sundercock's Report to PEC: tree preservation along "the interior property line is a requirement"
- Preserved trees enhance privacy, avoid flooding, and soil erosion *regardless of their species*
- many of the trees identified for destruction are extremely beneficial
- Developer's demolition of old house did not respect trees or their roots (Landscape Comments)
- Tree preservation is critical at this time.

# Trees Condemned for Parking/Grading:

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- #6 Sugar Maple (ON neighbour's property)
  - Paige Vroom argues this tree isn't healthy; should come down in 10 or 20 years! (on site visit July 13, 2020)
- #27 Maple – just inside border
- #28 Pear – ON shared boundary
- #32, #33, #34 – all ON shared border property lines
- M. Sundercock: preserve #21 Burr Oak; #31 Silver Maple; #36 Freeman Maple
- Developer wants to fell #14 Silver Maple (ON neighbor's property - totally healthy but defined as a “risk”)

# Invasive Tree Argument:

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- Some have argued for the removal of “invasive trees” such as the Norway Maple or Buckthorn
- Norway Maple was introduced in 1756 (ReForest London)
- Norway Maples were specifically selected because they are “fast growing, provide good shade and survive well in the harsh city environment (ReForest London)
- For this reason, they are London’s most popular boulevard and park tree

# Example of the Norway Maple:

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- We need to acknowledge the benefits of ‘introduced’ or ‘invasive’ species
- Other examples are Spruce, Scotch Pine, Silver Birch, Weeping Willow, Buckthorn
- BTW - tomatoes and garlic are also invasive species
- 52% of London’s trees are ‘native’ – 48% are “invasive” – no one would argue that we would cut down almost half the trees in London

# Urban Forest Effects Model: London's Urban Forest: May 2012

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- UFORE's exhaustive report argued for the importance of London's trees
- This report makes clear that many trees – also so-called 'invasive' trees - are critical to London's air quality, its carbon saturation, its leaf cover and cooling qualities, and its water absorption – not to mention its aesthetics

# From UFORE Report :

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- **“Management of the urban forest must integrate landscape ecology, landscape architecture and arboriculture in a system of planning that protects plantable space; establishes green infrastructure as a primary step in urban design and development standards;”** (p. 2)
- Council’s requirement that the trees be preserved directly reflects this policy

# From UFORE Report:

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- Norway Maple as an example only:
  - Norway Maple is #1 in terms of leaf area provided
  - Total structural value of Norway Maple is 9% - 2<sup>nd</sup> only to the Silver Maple at 12%
  - Annual carbon storage of Norway Maple is 7.8%, 2<sup>nd</sup> only to Sugar Maple at 8% (another tree the Developer wishes to cut down)
  - A FULL ONE QUARTER of all carbon sequestration in London is accounted for by 4 species of large shade trees (Norway Maple is 2<sup>nd</sup> on that list- Buckthorn is also recognized for its leaf cover)
  - **Importantly, Norway Maples soak up excess amounts of water – in the case of a large parking lot, excess water and snow will be absorbed by these trees**



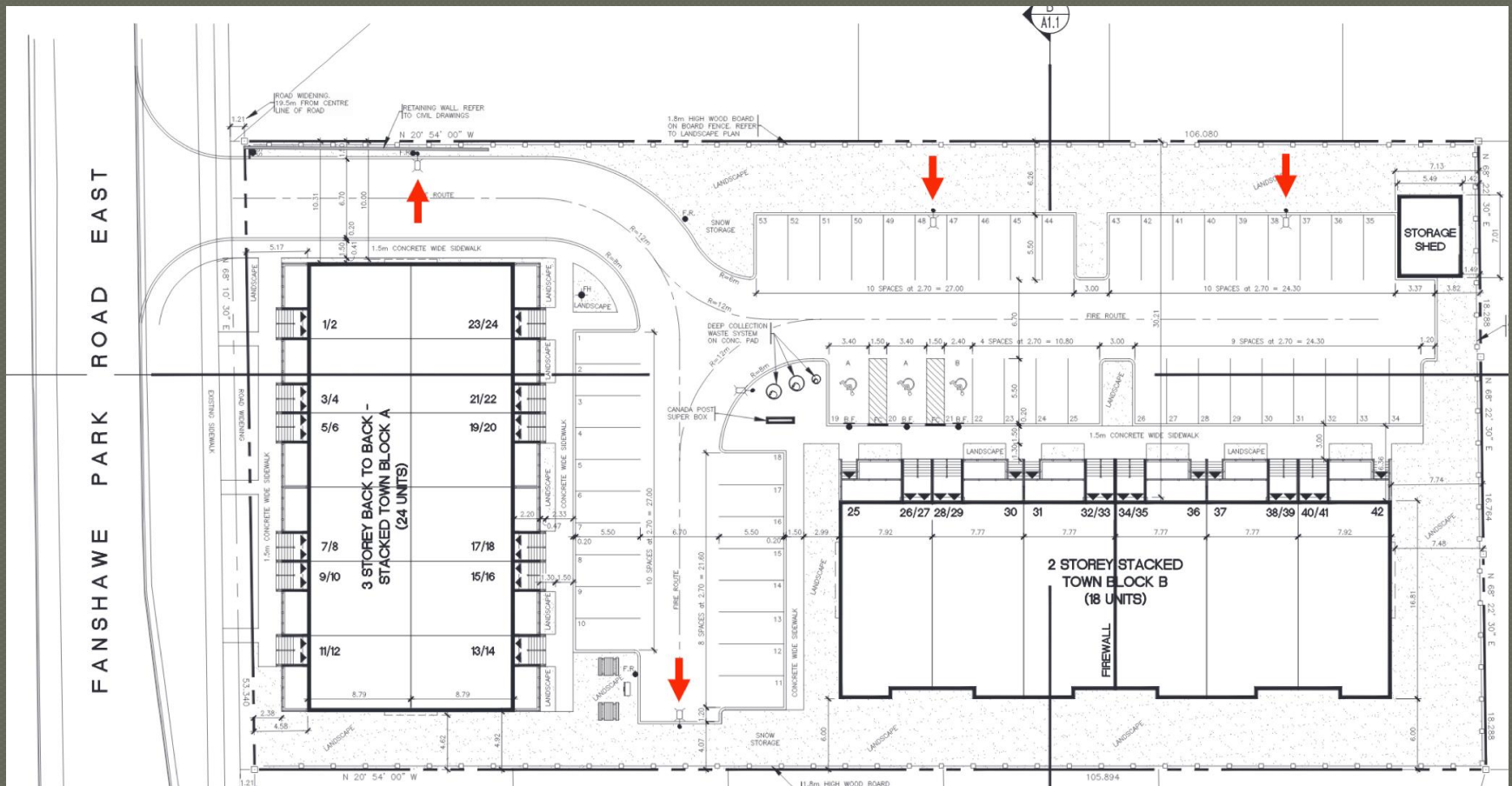
# Tree Preservation Plan?

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- Too few trees preserved— current plan preserves only THREE trees just within the boundary.
- Ironically, all the other “preserved” trees are either the neighbours’ (10), the City’s (1), or shared (3) NOT their trees to cut down
- Zelinka Priamo *own study* identified mature trees as a distinguishing characteristic of the neighborhood (pg. 6) in the “Spatial Analysis and Neighbourhood Character” section of their rezoning application Planning and Design Report: “Large mature trees are located on many of the properties in the area.”

# Privacy and Buffering: Deb Beverley

## 24/7 Light Poles



# Set Back and Privacy

- North Block of Residences (facing onto Fanshawe) required a variance (4.9m instead of 6m setback)
- On the west end of structure, 4<sup>th</sup> floor overlooks neighbours' yards from kitchen/living room! (frequently used spaces)
- Privacy fencing extends only part way down easterly edge of property on Site Plan
- Fencing must be on entire perimeter as on M. Sundercock's plan

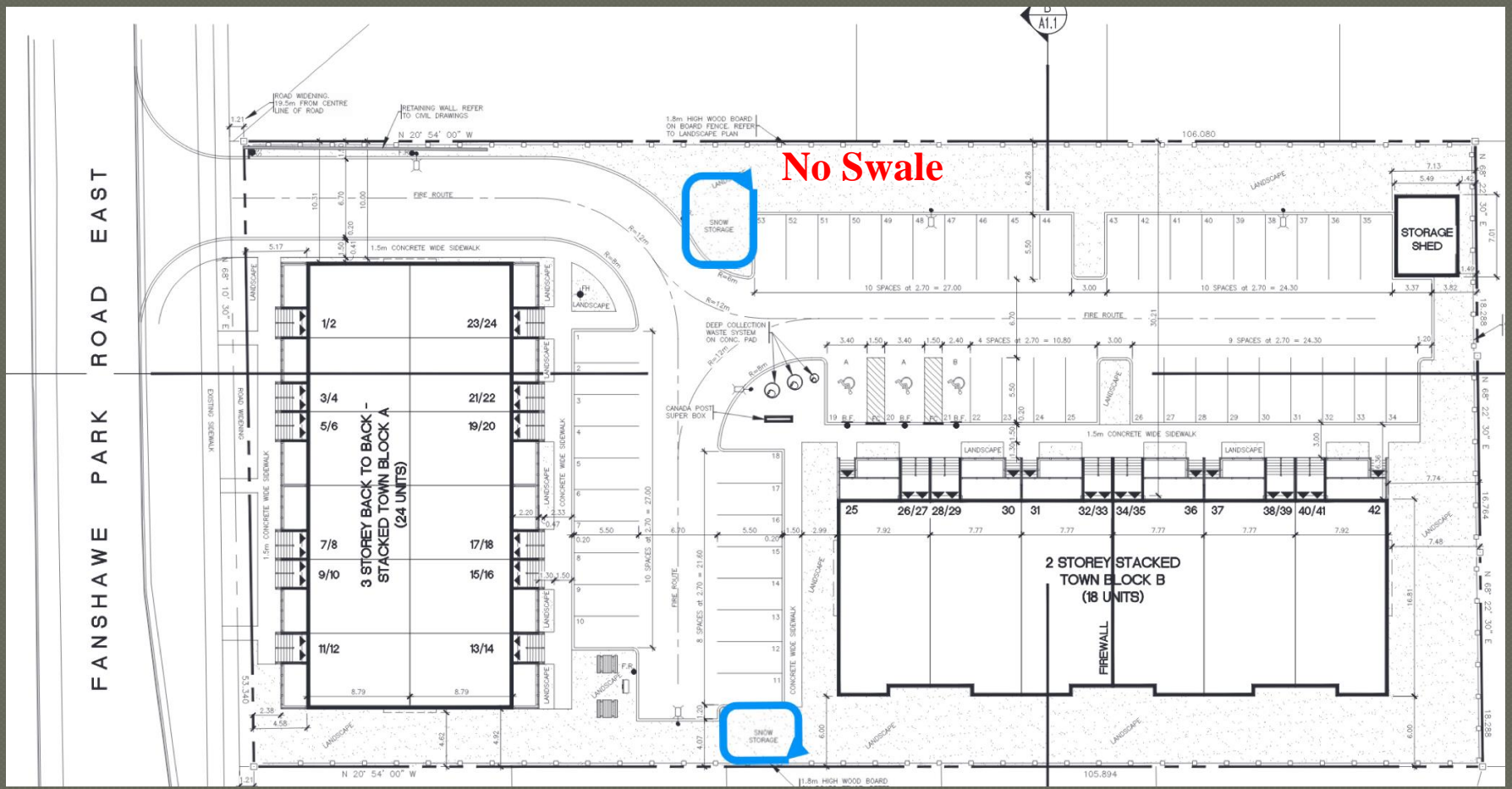
Re-Zoning Application Submission



Site Plan Submission #2



# Anticipated Flooding Potential:



# Snow Storage: No Viable Plan

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- Limited space for adequate storage of snow
- Space on east edge of lot is graded
- Eastern edge is not serviced by swale
- Snow piles metres high will slide down or melt to neighbouring properties
- Increase in water will impact water table, flood basements
- Salt, chemical laden melt will kill vegetation and neighbouring trees

# Removal of Snow: What Guarantee?

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- A clause in the development agreement could require “snow removal”
- This is registered on the title of the property and is applicable to future owners (transferable)
- Other issues:
  - Who assures compliance? Neighbours will be left with this burden.
  - Who decides frequency of removal? The owner?
- Steps for redress need to be *itemized*?

# Summary

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1. Developer's Tree Plan needs to respect Council requirements
2. Lighting must be more carefully imagined
3. Set back variance must come with conditions to ensure privacy (transom style windows) & board on board privacy fence surrounding *entire* property
4. Winter snow storage needs appropriate and drainage-serviced space.
5. Not enough room for all additional proposed structures and parking – hence the adverse compromises

**SOLUTION:** some parking underground (thereby preserving residential density) OR reduce parking space density.

# City Staff Echo Our Concerns:

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- Set back bylaw violated
  - Set back encroachment Building Block A (M. Sundercock, Building Design)
  - Storage Shed is too high, too close to border (M. Sundercock)
- Tree preservation insufficient to Council's demands:
  - "does not comply with the regulations of the By-law. Further, the Site Plan, Landscape Plan and Elevations, as proposed, will result in development that does not address all the requirements outlined in the October 1, 2019 Council Resolution. In particular, the requirement for the protection and preservation of the trees and hedges on the easterly, southerly, and westerly boundary (both shared boundary and within boundary vegetation) on the subject property." (M. Sundercock)
- Demolition work did not respect trees (Landscape Comments)
- Sanitary Plumbing and Water Supply are not to code (Engineering Comments)
- Storm waste water management is not up to requirement (Engineering Comments)
- Transom windows for privacy (Building Design)



# Next Steps:

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- Site Plan is **STILL** very much a work in progress
- Association should have the opportunity to comment on future site plan iterations
- Current plan dramatically different from previous plan (swale removal, shed, transom windows, set back encroachment, etc.).
- In the interest of equity, all stakeholders should be formally included.