

# Planning and Environment Committee

## Report

The 11th Special Meeting of the Planning and Environment Committee  
July 15, 2020

PRESENT: Councillor M. Cassidy (Chair), J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, Mayor E. Holder

ALSO PRESENT: H. Lysynski, M. Schulthess, S. Spring and J.W. Taylor

Remote Attendance: I. Abushehada, J. Adema, A. Anderson, G. Barrett, J. Bunn, E. Copeland (Captioner), M. Feldberg, D. Hahn, P. Kokkoros, G. Kotsifas, J. Lee, C. Lowery, H. McNeely, L. McNiven, C. Parker, J. Raycroft, E. Skalski, B. Somers, M. Sundercock, M. Tomazincic, D. Turner and B. Westlake-Power

The meeting is called to order at 4:03 PM, with Councillor M. Cassidy in the Chair; it being noted that the following Members were in remote attendance: Mayor E. Holder; Councillors J. Helmer, A. Hopkins, S. Turner and A. Kayabaga

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor M. Cassidy disclosed a pecuniary interest in clauses 2.1 and 3.5 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

2.1 Request for Council Resolution, under section 45(1.4) of the Planning Act, R.S.O. 1990, c. P.13 - 307 Fanshawe Park Road East

Moved by: J. Helmer

Seconded by: A. Hopkins

That, the following actions be taken with respect to the property located at 307 Fanshawe Park Road East:

a) on the recommendation of the City Clerk, the report dated July 15, 2020 and entitled "Request for Council Resolution, under section 45(1.4) of the *Planning Act, 1990, c. P.13 - 307 Fanshawe Park Road East*" BE RECEIVED for information; and,

b) the Managing Director, Development and Compliance Services and Chief Building Official BE AUTHORIZED to accept a Minor Variance application for the purpose of amending the definition of Stacked Townhouse relating to the property located at 307 Fanshawe Park Road East.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Recuse: (1): M. Cassidy

**Motion Passed (5 to 0)**

Additional Vote:

Moved by: A. Hopkins  
Seconded by: J. Helmer

That D. Hannam, Zelinka Priamo Ltd., BE GRANTED delegation status relating to the request for a minor variance application for the property located at 307 Fanshawe Park Road East.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder  
Recuse: (1): M. Cassidy

**Motion Passed (5 to 0)**

### **3. Scheduled Items**

#### **3.1 London Plan Housekeeping Amendment (O-9173)**

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

That, on the recommendation of the Director, City Planning and City Planner, with respect to the proposed amendment to The London Plan to correct errors and omissions and to add Council-approved, in-force amendments to the 1989 Official Plan to The London Plan, the proposed by-law appended to the staff report dated July 15, 2020 BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend various policies of The London Plan to correct errors and omissions and to add Council-approved amendments to the 1989 Official Plan to The London Plan;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

it being further noted that the Municipal Council approves this application as the purpose and effect of the amendment is to improve clarity and consistency in policies and mapping throughout The London Plan. It will further recognize planning decisions that have been made since the approval of The London Plan but have not been implemented in the Plan due to the status of appeals, which did not allow City Council the ability to make amendments to appealed portions of the Plan.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

Additional Votes:

Moved by: A. Hopkins  
Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

Moved by: E. Holder  
Seconded by: A. Kayabaga

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

3.2 Amend Section 4.11 (Household Sales) in Zoning By-law Z-1 (Z-9166)

Moved by: A. Hopkins

Seconded by: A. Kayabaga

That, on the recommendation of the Director, City Planning and City Planner, based on the application by The Corporation of the City of London, relating to a City-wide review to permit the sale of agricultural products grown on a premises, the proposed by-law appended to the staff report dated July 15, 2020 BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to amend Section 4.11(Household Sales) to permit the sale of agricultural products;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

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

- the recommended amendment to Zoning By-law Z.-1 is consistent with the Provincial Policy Statement (2014);
- the recommended amendment to Zoning By-law Z.1 conforms to the 1989 Official Plan and to The London Plan, including the policies of the Food Systems chapter, and provides for appropriate uses on these sites;
- the recommended amendment to Zoning By-law Z-1 will allow sales of agricultural products from premises that have a dwelling unit;
- the zoning by-law amendment helps implement one of the goals of the Urban Agriculture Strategy to make fresh produce more available to the general public; and,
- the recommended amendment to Zoning By-law Z.-1 will allow the sale of agricultural products grown on properties located within the Urban Growth Boundary to be sold by residents on the property.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

Additional Votes:

Moved by: A. Kayabaga

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

Moved by: A. Kayabaga

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

3.3 Part of 65 Brisbin Street (Z-9195)

Moved by: S. Turner

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by The Corporation of the City of London, relating to a part of the property located at 65 Brisbin Street:

a) consistent with Policy 43\_1 of The London Plan, the subject lands, representing a part of 65 Brisbin Street, BE INTERPRETED to be located within the Neighbourhoods Place Type; and,

b) the proposed by-law appended to the staff report dated July 15, 2020 BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Open Space (OS1) Zone TO a Residential R2 (R2-2) 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 noted that the Municipal Council approves this application for the following reasons:

- the proposed amendment is consistent with the Provincial Policy Statement, 2020;
- the proposed amendment conforms to the in-force policies of The London Plan;
- the proposed amendment conforms to the in-force policies of 1989 Official Plan;
- the proposed amendment represents good planning and removes a land use conflict between 81 Brisbin Street and 83 Brisbin Street; and,
- the proposed amendment facilitates functional improvements to the residential use at 81 Brisbin Street.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

Moved by: S. Turner

Seconded by: A. Kayabaga

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

3.4 1146-1156 Byron Baseline Road (Z-9172)

Moved by: S. Turner

Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, based on the application by 2186121 Ontario Inc., relating to the property located at 1146-1156 Byron Baseline Road, the revised, attached, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R1 (R1-7) Zone TO a Holding Residential R5 Special Provision (h-5\*h-183\*R5-7( )) Zone;

it being noted that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:

- i) enhanced provision of boundary landscaping along the east, west, and south property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;
- ii) location of a deep well waste storage system outside of the easement area;
- iii) building orientation towards Byron Baseline Road;
- iv) parking lot design, including landscape islands and generous separation between the parking lot and easterly property line;
- v) provision of an adequately-sized outdoor amenity area in a central location; and,
- vi) the retention of as many trees on the property as possible;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
  - the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Neighbourhoods Place Type;
  - the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation; and,
- 
- the recommended amendment facilitates the development of a vacant, underutilized site within the Built-Area Boundary with an appropriate form of infill development.

Yeas: (5): M. Cassidy, J. Helmer, S. Turner, A. Kayabaga, and E. Holder  
Nays: (1): A. Hopkins

**Motion Passed (5 to 1)**

Additional Votes:

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

Moved by: E. Holder

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

Moved by: A. Hopkins

Seconded by: E. Holder

Motion to change the order of business pursuant to Section 27.6 of the Council Procedure By-law to deal with Item 4.1 prior to Item 3.5.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

3.5 307 Fanshawe Park Road East (SPA20-029)

Moved by: A. Hopkins

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by 1423197 Ontario Inc., relating to the property located at 307 Fanshawe Park Road East:

a) the Approval Authority BE ADVISED that the following issues were raised at the public participation meeting with respect to the application for Site Plan Approval to facilitate the construction of the proposed residential development:

- i) tree and hedge preservation;
- ii) concerns relating to the lack of privacy;
- iii) the size and location of the proposed snow storage sheds;
- iv) the proposed central amenity space;
- v) the location and number of parking spots;
- vi) the mass, setbacks and form of the proposed development;
- vii) water runoff onto neighbouring properties;
- viii) sewage being diverted to Camden Place instead of Fanshawe Park Road East;
- ix) encroachments to the setbacks;
- x) lighting concerns;
- xi) fencing inquiries;

xii) a request for a board-on-board fence around the entire development; and,  
xiii) vehicular access to the site;

b) the Approval Authority BE ADVISED that Municipal Council supports the Site Plan Application SUBJECT TO the trees 6, 14, 21, 31, 36 and 60 specifically being retained;

it being noted that the development, as proposed, conforms to the requirements of the Council resolution dated October 2, 2019, specifically the requirement for the protection and preservation of the trees; and,

it being pointed out that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a presentation from D. Hannam, Zelinka Priamo Ltd.;
- a presentation from the Old Stoneybrook Community Association; and,
- a communication dated June 30, 2020 from G. McGinn-McTeer;

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.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder  
Absent: (1): M. Cassidy

**Motion Passed (5 to 0)**

Additional Votes:

Motion to add a new part c) which reads as follows:

"c) a special provision BE INCLUDED in the Development Agreement to deal with the removal of the snow onsite to lessen the effect of the spring thaw;"

Yeas: (2): A. Hopkins, and E. Holder  
Nays: (3): J. Helmer, S. Turner, and A. Kayabaga  
Absent: (1): M. Cassidy

**Motion Failed (2 to 3)**

Moved by: A. Hopkins  
Seconded by: A. Kayabaga

Motion to open the public participation meeting.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder  
Recuse: (1): M. Cassidy

**Motion Passed (5 to 0)**

Moved by: E. Holder  
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Absent: (1): M. Cassidy

**Motion Passed (5 to 0)**

**4. Items for Direction**

None.

**4.1 (ADDED) Silverleaf Subdivision Sidewalk Installation**

Moved by: S. Turner

Seconded by: A. Kayabaga

That the communication from R. Galizia, with respect to the proposed sidewalks in the Silverleaf subdivision BE RECEIVED and no further action be taken; it being noted that a petition signed by approximately 41 individuals is on file in the City Clerk's Office, with respect to this matter.

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

Kayabaga

Nays: (1): E. Holder

**Motion Passed (5 to 1)**

Additional Vote:

Moved by: A. Hopkins

Seconded by: E. Holder

That R. Galizia BE GRANTED delegation status with respect to the proposed sidewalks to be installed in Silverleaf subdivision.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

**Motion Passed (6 to 0)**

**5. Deferred Matters/Additional Business**

None.

**6. Adjournment**

The meeting adjourned at 7:52 PM.



## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.3 PUBLIC PARTICIPATION MEETING – Part of 65 Brisbin Street (Z-9195)

- Councillor Cassidy: Thank you Mr. Hahn. Any technical questions for the Planner? Councillor Hopkins.
- Councillor Hopkins: Yes, thank you Madam Chair, I just want to confirm that I understand where the fence is. Is the fence just on the south side and it's just along the boundary between the two neighbours. Just want to confirm that I'm reading that right.
- Councillor Cassidy: Mr. Hahn?
- Daniel Hahn, Planner I: Through the Chair, the fence would be located at the southern limits of the requested, of the new zone boundary and the new property boundary so that would be, that would be in between the City-owned lands and the new zoning area so it wouldn't be in between the property lines of 81 and 83 Brisbin Street if that was the question.
- Councillor Cassidy: Thank you. Are there any members of the public here for this item? Come to the microphone, state your name and then you have five minutes.
- Bridgette Somers, Manager, Corporate Records: Yes, we have one speaker here in Committee Room 1.
- Ron Humphries, 81 Brisbin Street: Thank you. I thank the members of the Planning and Environment Committee for this opportunity to speak to the application, and although I'm standing here by myself, my lawyer, Marshall Mayne, put the application together and is actually viewing on your YouTube channel and is available on Zoom call if I need to make a phone call to him if you have some real difficult questions for me. In January 2016, I retired and my wife and I moved to London. I remember the first time we went through the house at 81 Brisbin, it had been all set up. We sat down in the house - my wife in the living room, I in the kitchen - and we said, "We'd love to live here". We met our neighbor who lived at 83 Brisbin, living at the other side of the driveway and we had an interesting visit with her, and we noticed the homes on Brisbin seemed to be well cared for. Only later did we discover the added bonus of the nearby Thames River, the walking trails and the Vauxhall and St. Julian parks. The house itself had been owned for several decades by the previous owner and it became necessary for him to move to a long term care home, the house was sold, the new owners completely renovated, and then sold the house to us one year later. Our new neighbor and I worked on several mutual projects, including replacing the fence at the bottom of the present driveway. She paid for the materials and I did the work. Sometime during our first summer in our new home, she pointed to a post in the driveway. Apparently, our neighbour's father who used to live there still owned the home and he had since passed away. He had put the post into the ground to indicate the property line. Even though the position of the post suggested that they owned almost two thirds of the front of the driveway, I was not too concerned as we were both just parking as if it was a normal side-by-side driveway. After about a year and a half, in September of 2018, she got a car for her niece who also lives with her, and now she had two cars to park in her driveway. She told me that I was only allowed to park at the entrance end of my driveway, and I insisted I bought the whole driveway and would park where I chose. She insisted that I only park with her permission. She then got the boundary line staked by a surveyor, and we hired a survey of our

land and it showed that, indeed, there was a problem in the driveway. It seems that in the early 1950's, two brothers bought the last two lots at the end of Brisbin on the West side. They built their houses with little concern as to the actual boundary line. Now the survey shows the houses were not built perpendicular to the street but on a slight angle. This leads 81 Brisbin, now my home, having only about a six and a half foot wide driveway at the entrance and almost nine feet wide at the fence. I then went to City Hall and spoke to Mark Conley at the City's Realty Services to ask about purchasing the vacant City land adjacent to the South of my home. On January of this year, we signed a conditional offer agreement with the City of London to purchase the land. This re-zoning is one of those conditions; the other condition has already been mentioned - the archaeological assessment and the 'R' plan have already been completed, and the final condition is the erecting of the one point five meter high fence, which will be completed after paving for the driveway has been done. I believe the fence will be along the South side and then at the back end of the property as well. I've already gotten a quote from London Paving to create a double driveway on the land, and another group - M. L. C. London Fencing - to install a fence along the new boundary. It's interesting to note that when the water and sewer lines on our street were marked last year, at least a couple of empty lots South of my house were marked as having service. At one time, there was a plan in place to use this land as residential. I want to conclude my remarks with a public thank you. Over the past year, I have visited, called and emailed several departments in City Hall. Every staff person I spoke with was professional, considerate and even caring about my situation. They went beyond what I had expected of them. Never did they simply say, "That's not my department". Instead, they listened to my concerns and then helped me to understand what department to speak to and what to expect from them. In one instance, the staff person even called several others on my behalf while I waited. I have felt that every person took their time to understand my situation and to help me towards a viable solution. I also want to thank Daniel Hahn for the extensive report he has prepared for you this afternoon. Thank you for taking the time to reconsider this re-zoning request, and I would be happy to answer any questions or give any further details as to the steps that I and my lawyers are taking to get us to this point in finding a resolution to the need for an accessible driveway.

- Councillor Cassidy: Thank you, Mr. Humphries. Are there any questions for the applicant? I'm not seeing any. Are there any other members of the public who would like to speak to this matter? Any other members of the public for the Brisbin Street matter? I'm not seeing any, so I'll look for a motion to close the public participation meeting.

Bill No.(number to be inserted by Clerk's Office)  
2020

By-law No. Z.-1-20\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1146-  
1156 Byron Baseline Road.

WHEREAS 2186121 Ontario Inc. has applied to rezone an area of land  
located at 1146-1156 Byron Baseline Road, 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 1146-1156 Byron Baseline Road, as shown on the attached map  
comprising part of Key Map No. A106, from a Residential R1 (R1-7) Zone to a  
Holding Residential R5 Special Provision (h-5\*h-183\*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( ) 1146-1156 Byron Baseline Road
    - a) Regulations
      - i) Building Height 12 metres (39.37 feet)  
for a Lot Depth of  
35 metres (114.8 feet)  
(Maximum)
      - ii) Building Height 8 metres (26.2 feet)  
For a Lot Depth Beyond  
35 metres (114.8 feet)  
(Maximum)
      - iii) Parking Area Setback 7.5 metres (24.6 feet)  
From the Ultimate Road  
Allowance (Minimum)

The inclusion in this By-law of imperial measure along with metric measure is for the  
purpose of convenience only and the metric measure governs in case of any discrepancy  
between the two measures.

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. P13*, either upon the date of the passage  
of this by-law or as otherwise provided by the said section.

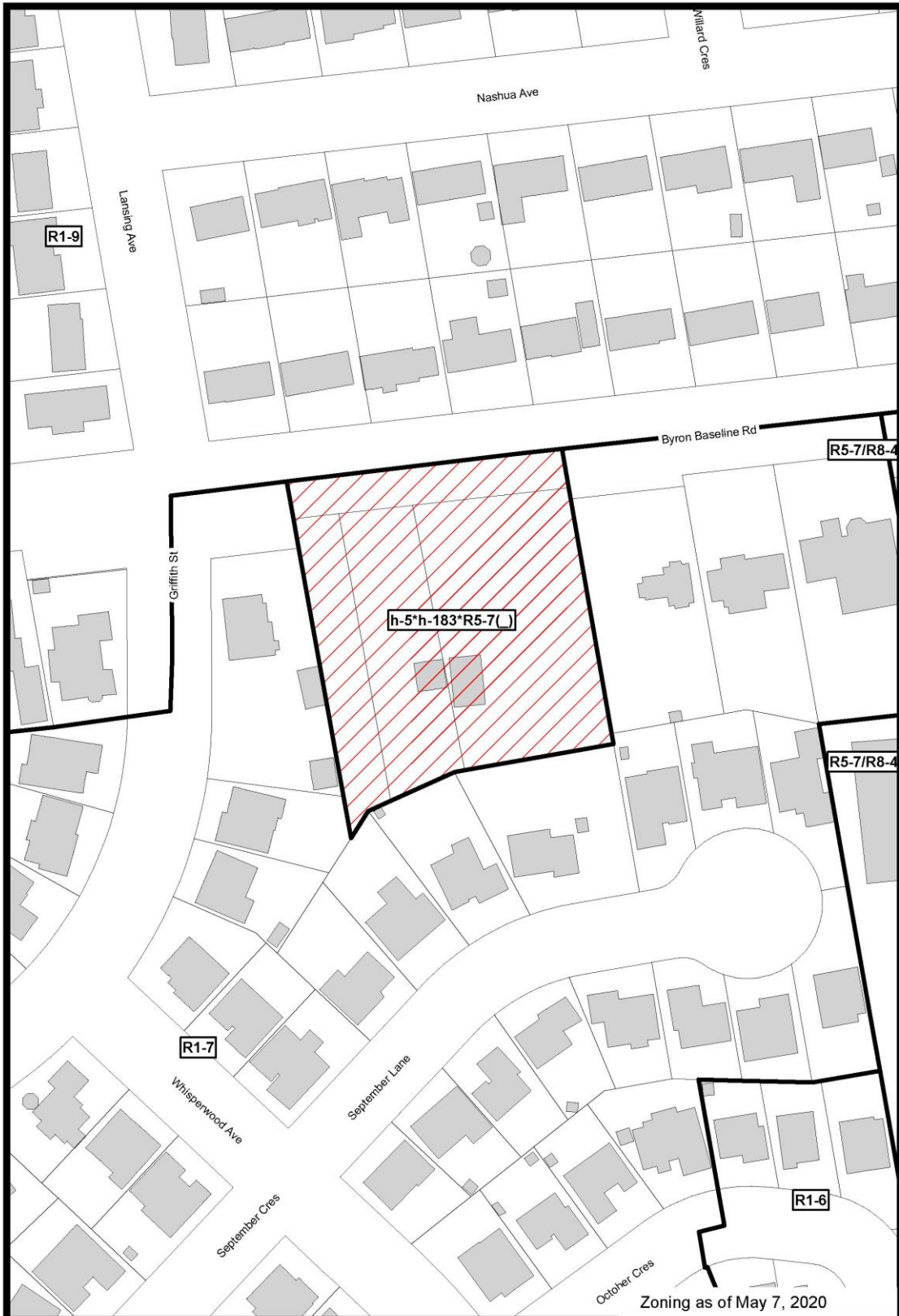
PASSED in Open Council on July 21, 2020.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 21, 2020  
Second Reading – July 21, 2020  
Third Reading – July 21, 2020

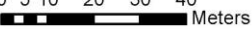
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9172  
Planner: CL  
Date Prepared: 2020/06/01  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40  
 Meters



## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.4 PUBLIC PARTICIPATION MEETING – 1146-1156 Byron Baseline Road (Z-9172)

- Councillor Cassidy: Thank you Ms. Lowery. Is the applicant here and would the applicant like to address the Committee?
- Ali Briani: I'm joined today by Karla and Ahmed Briani and we're here, obviously for the proposal of the development at 1145-1156 Byron Baseline Road. First off I would just like to thank everyone for coming and I'd like to thank the City of London for being able to make such a safe and easy environment for us to be able to meet and discuss, and it's such a fast way as well. I'd also like to thank, most notably, Jerzy and Catherine for helping us, maybe for, it's been about a year now, especially with Jerzy, with urban design, and Catherine for the last five or six months, in really guiding us to where we've gotten now. We wouldn't have been able to do any of this without you guys. Catherine basically hit the nail on everything so I'll keep it nice and short. I'll just tell you about most of our objectives for this project. We just really want to improve the aesthetics of Byron Baseline Road and to create a better and more positive streetscape image. We also want to eliminate the vacant aspect of land, not only for us, but also for the city and also for the neighbourhood. We have a strong desire to keep the natural cedar hedge on the perimeter of the property and we've actually just discussed over the last year, with your engineers and surveyors, of how we could do this, and mainly it would be through the use of a retaining wall to make sure that, during the construction and after the development would be built, that the vegetation would stay intact and you could see that in our planning report. Most importantly, we want to ensure the privacy of all the abutting properties as well because we are keen on, you know, creating privacy. At the end of the day these will be town homes that will be sold and we would want privacy for that development as well as all the neighbours. We have done our best to ensure, in terms of design that it matches and it fits with the neighbourhood. We understand that obviously new construction won't necessarily conform to mid-century style homes but we've done our best to make sure that it seems like a best fit for the neighbourhood. Lastly, we understand the sensitivity around infill residential construction and intensification and we've tried to make this as timid intensification as we could and we've worked really hard alongside Catherine and Jerzy to make sure that we followed whatever they recommended, as for the London Plan. That's it from us, we'll try to keep it short, so I'll now pass the baton to whoever's next. Thank you.
- Councillor Cassidy: Thank you. So, I see we have a number of people in the gallery. There's somebody in committee room four. Are you here to speak to this issue as well? Okay, can you state your name and then you have five minutes.
- Greg Thurston, 18 September Lane: 18 September Lane is immediately behind the site of the proposed buildings. As we've heard in 2017, the same developer brought a proposal forward that the city did not feel was a good fit for our neighborhood. The developer took the proposal to LPAT where it was also seen as a bad fit. Now developers brought forth a new proposal, which in my mind, is very similar to the original one with one glaring exception. They essentially took a floor off the four-storey apartment building and put it on the ground. When the developer presented the original proposals to the Peer Panel Review on December 20, 2017, these comments were made: need to look at reducing the height or townhouse model, needs to better relate to the street, consider different built-form reflective patterning in the neighbourhood, too big, too tall, footprint too large. Although they call the building in the front of the lot a three-storey cluster townhouse, it is, in fact, very similar in shape and size to the original four storey apartment building. The new proposal does not address these recommendations. In fact, the one that drew my attention was the one that stated that the footprint was too large. A footprint

takes up space on the ground, by definition. This new proposal has a bigger footprint than the original proposal. Looking at the ruling from the LPAT hearing issued on January 23, 2019, the following are quotes: "The city witnesses indicated that staff may be willing to consider and potentially recommend a more modest intensification proposal for the subject property, such as a townhouse development." The core issue is one of compatibility with the character of the neighborhood. The proposed development 1) should employ innovative and creative urban design techniques to ensure maintenance of the neighborhood's character and compatibility; 2) overpowers its neighbouring uses; 3) represents over-development of the subject property, as reflected by the substantially reduced front yard setback, parking layout and driveway proposed to be located within a municipal servicing easement; 4) which is not located at an intersection and is located among single detached dwellings would appear drastically out of character with the surrounding area; 5) in no way reflects the character of the surrounding primarily single detached residential neighborhoods." The report went on to say that both the height and front yard setback are out of character for this neighborhood and are not compatible. The front yard setback represents a dramatic shift from the existing setbacks on Byron Baseline Road and is not a good fit for this neighborhood. The unique height and form of the corner heritage listed property, next to the subject property, creates an identifiable landmark in the community and that the reduced side yard setback and location of the proposed building blocks views to this landmark building. The proposal makes no attempt to protect the privacy of adjacent properties, and in particular, those to the rear of the subject property on September Lane. Although all these comments relate to the original proposal from 2017, in my opinion they still ring true. The original proposal and what was discussed today has talked about and put a lot of stock in the cedar shed that separates the subject land with the homes immediately behind it. I commissioned a certified arborist to take a look at this hedge. First and foremost, it's not a hedge, it is a row of individual trees, as reflected in this statement: "the definition of a tree is defined as an erect woody plant reaching over four metres in height with a distinct crown and with the trunk measuring at least 7.5 centimetres in diameter, measured 1.4 metres from the natural ground level." The white cedar trees meet all the requirements of a tree. The white cedar trees have never had any maintenance, pruning or shaping during the entire time of their life-cycle. For cedar trees to be classified as a hedge, they would have to have been trimmed and pruned early in their life-cycle and had continuous pruning to encourage growth and creating a thickness to them which would create privacy. By allowing these trees to grow wild, they are now classified as trees and not a hedge. They provide less than 30% privacy to the backyards and houses located on September Lane. The report goes on to state: "any excavation, digging or destruction to the soil within 3.6 metres of the tree will cause significant damage to the roots and will result and die-back and potentially the death of the cedar trees, which will then have to be removed." As the recommendation therefore states, I recommended no digging or disturbances, such as compaction from equipment, driving on the roots be done within 3.6 metres of the cedar trees as this will cause significant damage to the roots, which will result in significant decline or death to the cedar trees. *(Councillor Cassidy: You have about fifteen seconds Mr. Thurston.);* The 3.6 metre distance is taken from the London Street Protection By-law. I spoke at length about a lot of things, what does it mean? I believe, and many of my neighbors believe the same way, that this proposal is not significantly different than the original proposal and that the city should not be granting the zoning by-law. Thank you.

- Councillor Cassidy: Thank you. Are there any members of the public in a committee room or in the gallery who would like to speak to this? I'll go to committee room one first. If they would just make their way to the microphone, state your name and then you'll have five minutes.

- Patty Landry, 1147 Byron Baseline Road: Right across the street from the proposed amendment. My husband Doug and I live across the street. We had already provided our comments and concerns in an email to the city, including our Council representative, Anna Hopkins, back in early March. I'm here speaking today to encourage each and every committee member to seriously consider the impact that this proposed application will have on our neighborhood. In a CBC radio interview yesterday, our Council representative Anna Hopkins said it is all about finding the right balance. We couldn't agree more, however, I'm here today to say this is not the right balance. It may be our community, but this is also our neighborhood, it's our front yards and our backyards. We understand a great number of people have come forward to oppose this proposed infill. This, in itself, should not go unnoticed by this Committee, especially our Council representative Anna Hopkins. We have reviewed the application as well as the applicant's reports and drawings, both original and revised, and are not confident that at the end of the day that what has been applied for will actually be built. Given that, in the conceptual rendering notes and the notice of the planning application, it says that the above images represent the applicant's proposal as submitted and may change. This raises red flags for us. In their prior zoning by-law request a couple years ago, we found the applicant to be non-compliant with requests and were not being honest in their fact full documents presented. We felt many inconsistencies and inaccuracies were presented. The reports did not accurately reflect or represent the community and our neighborhood. The R5-7 zoning that is being requested now, and has noted, allows for maximum density of sixty units per hectare, it says the proposed development will be fifty-two, again, we are not confident that this applicant will keep this build to a twenty unit townhouse units. They are also trying to cheat more units by stacking the townhouses. This land, with its slopes, and neighbouring properties, is more suited for one or two storey units, not their proposed three storey units. In addition, the allocated parking spots in the proposal just meet the minimum allowance. Come winter time they will have far less parking spaces available. Where will they park? Where will their visitors park? There is no parking allowed on our street. I can almost guarantee, I see it now, regardless of any enforcement, they will stop on the street and park on the street. This will create further headaches and block the bike lanes. We are not opposed to development or intensification in our neighbourhood, however, we do not believe the proposed application suits our vibrant community, or more importantly, our neighbourhood. In conclusion, once again we're urging this Committee to recommend to Council that this zoning application be denied. We are encouraging the Committee to review the comments and feedback received to date from our concerned neighbours. A tremendous amount of people have written in and there should not be ignored. Before I conclude I just want to add a couple things. I noticed that Catherine, in her initial intro, said that there's two garages on the property not in use. They are absolutely in use, they are used every day. These are storage units they use for their business, so they're in and out of there constantly throughout the day and on the weekend. I just can't believe that planning is trying to recommend going through with this amendment given even Greg's comments that it's not much different than the original one. I don't feel their objectives are sincere. It just comes down to the almighty desires. *(Councillor Cassidy: Can I just interrupt you there? You made a couple of comments that accuse the developer of being dishonest and now insincere I just want to caution you, please, that we don't ascribe nefarious or dishonest motives, we'll be respectful, please just be respectful.)*; I'm just going back on some of the notes that even city hall and made with respect to some of the things that happened in the last one, so yeah, those are probably not chosen words. That's basically it. I just want to thank you for your time and consideration.

- Councillor Cassidy: Thanks very much. I'm just going let Mr. Schulthess speak.



- Michael Schulthess: Thank you and sorry for the interruption. Through the chair, the transcriptionist services are no longer required. Thank you very much for your time today.

- Councillor Cassidy: I just want to say, I apologize, I keep going to the members of that are here in the gallery. We don't have microphones here in the gallery, so obviously people that have chosen to sit in the gallery are people that don't wish to address the Committee and if I'm wrong about that and you want to speak to the Committee, somebody will take you back to one of the committee rooms where you can speak into a microphone so it will be heard on the record. So now go to committee room one, if you want to state your name and you have five minutes.

- John McLay, 14 September Lane: My backyard bordered on the proposed building site. My first thought of the proposal is my disappointment in the lack of community involvement in building that Briani Group has demonstrated in building the proposal. This leaves the community no choice but to voice our concerns in this public forum. On page four of their planning justification report Briani Group states a neighbourhood meeting is anticipated to occur in the latter part of 2019 or in the early part of 2020. This has not happened. We all understand that actions speak louder than words. This is equally true for non-actions. Non-actions in any community involvement demonstrate the statement as shallow words that do not stand the test of time. This is the second time we have dealt with Briani on the proposal for the same site. For the first proposal we hosted community meetings and invited Briani to speak at those meetings. No dialogue has occurred on this new proposal. When I attended the Planning and Environment Committee meeting in August 2018, when the City reviewed the previous Briani proposal, we sat through many other builder proposals, including a sensitive SOHO development plan. In all other cases that evening, the builder not only involved the community in their proposals, but the community was at the meeting to share their support for the proposal. It seems all right that this lack of discussion with Briani Group leads us to a lack of transparency and, therefore, the distrust. I have asked Ms. Lowery about twelve questions about the site. Many of the answers just finally came back that that is something that would be determined at the site planning level and I worry that we will continue to not have a voice at that table, if it gets processed. On page ten of the urban design brief there's a statement: "the natural site vegetation/cedar hedge provides as a screen and buffer for the two storey townhomes at the back of the site." As Greg pointed out, this is a row of cedar trees, not a hedge. As such, it does not meet the privacy statements claimed the urban design brief as cedar trees do not provide privacy at the desired eye level, let's call that zero to ten feet. If the trees survived the construction the privacy benefits of the trees do not come down, they only go up. If the proposal proceeds, there is planting required on the north side of the cedar trees to obtain the privacy screen buffer the proposal describes. I would now like to talk about the footprint. I find it impossible to believe this proposal is not too big for the property. Why else would three zoning provisions be required, one for the height of the first row of townhomes, one for the height of the second row townhomes, and the third for the parking area setback. So, in other words, we want to build the first building taller than the rules allow, we want to build our second building taller than the rules allow and, subsequently, we have so many people on the site that we can't park there without stretching the parking boundaries. It is clearly too big. I request of you that you do not approve this rezoning, decline this request, and Briani Group to develop a new proposal in conjunction with the community that allows intensification without building code allowances. Thank you.

- Councillor Cassidy: Thank you Mr. McLay. Are there other members of the public who would like to speak to this? In committee room five. Come to the microphone state your name and you have five minutes.

- Julie Lee: Good afternoon Madam Chair, your Worship, Council Members and Committee Members. I live in the heritage designated home directly abutting on the west side of the proposed development. I want to make it clear that I adopt all of the submissions that have been made by my neighbours with respect to concerns regarding this proposal. I'm not going to repeat the concerns but I do want to emphasize a couple of things. One, I'm glad to hear some discussion with respect to the geological integrity of our well. That well is well over a hundred years old and is many feet down into the ground. We depend on that for our day to day water. We do not want to be in a situation where we're forced to redress some harm to that well and we will hold all of the city and the developer accountable if that does happen. The difficulty here is, and we've heard this theme, the difficulty here is that we're not sure that our concerns are being heard or being responded to, which puts us in a very, I would say, opposing kind of relationship with the developer which is very unfortunate. Our neighbourhood supports infill, it supports the expansion of the availability of housing to Londoners and welcoming new Londoners, but the relationship with this developer has been extraordinarily poor. What I see that is different today is that it appears that the young Biranis, and it was nice to hear from them today, have developed a good relationship with the City. That's an improvement over the first go at the development but they have failed to similarly develop relationships with the neighbours. So we have to fight about things, as to what the definition of a tree is as compared to a hedge, because there's not truth telling about the fact that the privacy that they're relying on in the existing cedar trees will be enough to respond to the community. What is not happening here is an open, frank discussion with the neighbours about what's a tree and what's not a tree, what's a hedge, how do you propose to keep our privacy? So what I'm asking for is to recognize that there is, procedurally, a difference between the input at site planning and at this point. I think that the flaw, at this point, is, as set out by my friends and my neighbours, and in particular what we have to be mindful of, is much more open in the consultation process. For those reasons, I'm requesting that the Committee at least adjourn this decision until that that kind of consultation has occurred. Alternatively, to deny the request. Those are my respectful submissions. Thank you for hearing me.

- Councillor Cassidy: Thank you Ms. Lee. Are there any other members of the public who would like to address the Committee? In any of the committee rooms, anyone wish to speak? So nobody in number five? No members of the public who would still like to speak to this application? I'm seeing none. I see no movement. I will look to the Committee, then, to close the public participation meeting.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.5 PUBLIC PARTICIPATION MEETING – 307 Fanshawe Park Road East (SPA20-029)

- Councillor Turner: Thank you Ms. Sundercock. So I will look to the Committee for any questions of a technical nature. Ok, seeing none at this point, I will go to a representative of the applicant. I'm not sure which Committee Room we are looking to, perhaps Committee Room 1 I think. If you'd like to speak you have 5 minutes.

- Dave Hannam, Planning Consultant for Royal Premier Homes. Also speaking as part of our delegation is Mike Leonard who is the principal Landscape Architect for Leonard and Associates and also Kevin Moniz, principal Engineer with Strik Baldinelli Moniz, the majority of the time will be taken up by Mike talking about tree preservation and then Kevin will speak at the end with regards to the stormwater management. Obviously there is a bit to go through within five minutes so hopefully there is a little bit of flexibility in terms of timing while people come up and down. As you know, we provided, as part of the agenda package, as part of the agenda package, we provided some graphics that the delegates may refer to on pages 201 to 203 of the agenda. In terms of the SPA, we acknowledge that this is a collaborative process and there are some refinements to make as we move forward to making our third submission. We hope that all parties that you hear from tonight will acknowledge that the applicant has been willing to work with and meet and listen to the comments raised by staff, by the Urban Design Peer Review Panel and particularly the local residents and we'll continue to do so as well. So, I'll hand it over to Mike who will talk about tree preservation.

- Mike Leonard, Leonard and Associates: Thank you and good evening. Being Irish Catholic three minutes usually doesn't even get me past hello, I'll try for better tonight. Once again an interesting file so to speak quickly, our guiding principles, not all trades are, are created equal, both within species and across species. They're like us, they are composed of an awful lot of water and an awful lot of actively divided tissues, like us they don't live forever. From time to time in fact they tend to develop characteristics and they can fall into the category of hazard trees and we have several on this site. Just a partial correction, in one of the reports before you from staff there was a figure cited that four trees are being kept, that's not the case. Of the forty-seven trees within the client's site we're keeping, we're keeping sixty percent of those and, of course, consistent with City site plan guidelines, adding twenty new ones. The matter at hand that I will dwell on in my remaining time, there were six trees of concern to the residents, the staff and, I'm sure, the Councillors. Of those six trees of concern we're keeping four of them, removing one of them and the fifth tree is still subject to a decision; the reason for that being when myself and our consulting Arborist who peer reviews all of our work disagree we usually bring in a third party, another consulting Arborist to cast the deciding vote. Very briefly, you will see, I think, in your graphics package the tree retention plan. There is a Sugar Maple, nice large sized Sugar Maple on a neighbouring property. We will be specifying a program of best practices and committed to protecting that tree. Further to the south and these are both on the east side of the property, there is a large Silver Maple, tree number fourteen in the old less politically correct age we used to call those widow makers. This tree is a hazard in our view and in the view of our consulting Arborist; however, the owner that our client shares ownership with does want to retain that tree. Consequently by law we're, we're bound to do that. I mean it is possible to litigate because of its hazards but our client has decided not to. We'll be accepting some risk, and in fact, I will say great risk. (*Councillor Turner: about thirty seconds left.*) There is two beautiful burls on the site, one on

the city road allowance, a beautiful one at the south end of the site, the special drainage techniques will be used and the only tree definitely for removal is a huge large old Silver Maple that has to be one hundred years old that met its best date decades ago, and actually has a huge limb extending fully over the neighboring property to the south that is an absolute catastrophe that is just waiting to happen; *(Councillor Turner: so that's about five minutes there; how much, we've got one more person speak, about how long are you speaking sir?)*

- Kevin Moniz, Strik Baldinelli Moniz: I should be able to wrap this up in about thirty seconds I hope; *(Councillor Turner: That would be wonderful. Thank you.)*; Thank you Committee. I'm Kevin Moniz of Strik Baldinelli Moniz, the Site Servicing Engineer and Grading Engineer and Stormwater Manager Engineer for this project. Speaking specifically about the concerns related to stormwater management and snow storage as it relates, I think, to drainage and stormwater management. Firstly, stormwater management, I'll second Meg's comments there that and thank you Meg, we are currently meeting all of the City requirements for stormwater management, no it's not accepted yet because site plan approval is not accepted yet. We've received second submission SPA comments and we're down to two minor clarification items which we will be addressing with our third submission so we are conforming to City requirements on stormwater management and regarding the snow storage there are two areas on both the east and west sides of the property designated for snow storage. On the site plan there was concerns that runoff may melt and flood neighboring properties. The snow storage area on the west side of the property is located on top of a six inch deep conveyance swale with the intention of containing that drainage and directing it to a catch basin on property for stormwater management quantity controls. The area on the east was noted that snow storage is not on a surface swale and although that is correct it has about a five percent slope inwards towards our site onto the parking lot where again, so it will drain onto the parking, our internal parking surface and again to catch basins and to our stormwater management quantity and quality controls. Thank you very much.

- Councillor Turner: Thank you Mr Moniz. I look to the committee for any questions of the applicants of a technical nature. Seeing none at this time so I will go to the community. There are members I believe in Committee Rooms five and one potentially right now. I'll start with Committee Room five. Just as a as a parameters for public participation we limit comments to five minutes. I will try to give you a one minute warning as you approach the five minutes edge there. Also a reminder that this is for comments specific to the site plan so the zoning itself has been approved and has moved forward so this is, this is, really if you can scope your comments specifically to that the site and the site plan that would be very helpful and then that would help us in providing directions to the Site Plan Approval Authority. So, also, as you come forward if you can give your name and address for the Committee and, and we'll go with that so I look to Committee Room five. I have a gentleman standing right in front of the camera ready to go. So over to you sir.

- Michael Crawford, Camden Place: *(Councillor Turner: We'll try that again, I guess. When you are ready Mr. Crawford, I don't hear any feedback at this point so you might be good.)*; Can you hear me now? *(Councillor Turner: Yes.)* Mr chair, your honor and Councillors thank you very much for the opportunity to speak. We have sequenced our presentations together to save some time and you can see the slides starting in your package on page 204. I'm going to be talking a little bit about the historical perspective just to remind you that the community is indeed very supportive of infill development and the opportunity to intensify particularly with regard to improving diversity and aging in place and, to this end, we were pleased when Council approved rezoning with

an amendment and the amendment was a critical consideration because the intensity proposed was extreme for the size and shape of the lot. There are some really difficult constraints not the least of which is that eighty-three percent of the perimeter of this property are embedded in R-1 single resident dwelling only seventeen percent on Fanshawe and what, what Council, City Council, requested was that the Planning Approval Authority work hard to preserve trees and hedges and privacy buffer essentially for the residents and in addition to send the plan to a UDPRP again for analysis. When this work came under debate in City Council, Councillor Turner, thank you very much, asked for clarification and asked if Planning staff would read the recommendation as a directive or as, as directive in nature, considerative of and the response from Paul Yeoman, Mr. Paul Yeoman, who's the Director of Development Services was that it would be considered as a requirement of Council. In further of clarification, Councillor Turner queried the parking lot maximum is the applicant compelled to use fifty-three parking spots and again Mr Yeoman responded that it was to, they were merely establishing maximum. In other words, to quote again it was a cap on the number of spaces. So on page 210 of your document there is a of picture of the revised site plan that sort of illustrates what the complexity of the situation is because the site plan has changed in a fundamental way in so far as a new storage shed has been added and a central amenity space has been added to what was already a very packed configuration and what this means is that it's hard to accommodate the buildings, the mass and form of which we approve, the size of the parking lot, fifty-three, which is really large and the Tree Preservation Plan, so basically something has to give. One of the things that has given in the first iteration of the plan submitted as part of this post City Council amendment was all the trees were being removed, nothing had changed. That's beginning to improve and we're grateful to Meg Sundercock for insisting on preservation of trees but another thing that has changed is that the snow storage space has been diminished and divided in two and one of them sits on top of an area that has no swale so for us the big problem is that there are these extras being added that occupy a footprint that is denigrating or degrading the capacity for adequate snow storage and also what we, what we consider to be appropriate, some tree preservation. So this, this involves the new storage shed, the central amenity area and the tree preservation. Let me just sort of encapsulate the issue here, it's been improved to a preservation of seventeen from fifteen trees originally. The majority of these are on neighbor's property okay, so the numbers sound impressive but really they're saying we're not going to damage neighbour's trees (*Councillor Turner: About a minute left.*) but in order to sort of fit all of the stuff in there have been issues with regarding, regarding encroachments so the setbacks not respecting the front building setback not respected with regard to the storage shed which I infer from comments just made may have been taken into account in previous issue with the zoning amendment and I'm going to stop there and hand over to the next speaker. Thank you very much.

- Councillor Turner: Thank you. We'll take your name and address for the committee. Welcome.

- Claudia Clausius, 21 Camden Place: I think it's become clear that the trees are the issue about this development and it's obvious why. Privacy will be enhanced if the trees are preserved, invasive lighting will be mitigated, the danger of flooding will be significantly reduced; we don't want another wetter incident and there is an added bonus, the quality of life for the future residents of the development will be enhanced; they, too, will have the benefit from the privacy, coolness and fresher air that the trees will offer. We are very worried now with all the talk about which trees are suitable to save and which not. City Council's resolution regarding the Tree Preservation Plan does not specifically stipulate what kind of trees ought to be saved, in fact, we already have a caution

in the City's landscape comments that the developer's demolition of the old house did not respect trees or their roots. It's clear then that the trees are in danger of being destroyed if we do not put specific constraints in place. I would also like to challenge the invasive tree argument for the removal of trees such as, and I'm just taking this as an example, the Norway Maple. The Norway Maple was introduced in 1756; this is from Reforest London so it predates Confederation. "The trees were specifically selected by London and elsewhere because they are fast growing, provide good shade and survive well in the harsh city environments." This site is right beside Fanshawe Park Road so it's a very suitable tree for the site. For the urban resilience Norway Maples are also London's most popular boulevard and park tree. Other examples of invasive species are Spruce, Scotch Pine, Silver Birch, Weeping Willow, many of which people buy from nurseries. As a comic aside, tomatoes and garlic are also an invasive species. More seriously, fifty-two percent of London trees are native, forty-eight percent are invasive and no one would argue that we would want to cut down half of the London trees. London's urban forest affects model, otherwise known as UFOR, is an exhaustive report demonstrating how also invasive trees are critical to London's air quality, its carbon saturation and its water absorption. I'm going to quote from page two of the UFOR report "Management of the urban forest must establish green infrastructure as a primary step in urban design and development standards." So Council's requirement that the trees be preserved directly reflects this Policy. Here are statistics from the UFOR report with regard to the Norway Maple and again, I'm just taking this as an example, in a comparison of all London tree species the total structural value of Norway Maple is nine percent second only to the Silver Maple at twelve percent. Annual carbon storage of Northern Norway Maple is 7.8, second only to Sugar Maple at eight percent, another tree the developer wishes to cut down. Now here is a sobering statistic, a full one quarter of all carbon sequestration in London is accounted for by four species of large shade trees, Norway Maple is second on that list and perhaps more importantly Norway Maples are celebrated for soaking up excess amounts of water and in the case here of a very large parking lot, excess water and snow melt will be absorbed by these trees. The current plan preserves only three trees just within the sites boundary, the so called preserved trees belong to the neighbors, ten trees are on the neighbor's property (*Councillor Turner: Just about a minute.*) on this one tree and there are three trees that are shared. In short, Council's tree preservation resolution is not reflected in the current plan. I would just like to mention, very briefly, privacy and buffering. There's the plan, development uses eighteen foot poles with a maximum brightness of twilight, the fence around the property is seven feet high so there will be no proper darkness on and surrounding this site, not for the neighbours and not for the future residents. Twilight is not darkness and public health officials frequently discuss the importance of circadian rhythms and sleeping patterns as necessary for good health. Luckily there are many modern light options, waist high pole lights with LED lighting would be safe and only cast light where it is needed and not shine into people's residences. Thank you for your attention.

- Councillor Turner: Thank you. So I would look to see if and we do and now in Committee Room one if this is a continuation it seems that everybody is very well timed and so I might dispense with giving you the one minute warning so I don't interrupt you but I will flag it at five minutes. Welcome. Please state your name for the Committee and address and I will start your five minutes. Thank you.

- Deborah Beverley, 25 Camden Place: I'd like to begin my portion just by saying thank you very much for allowing us to speak and for the open dialogue, both with the City and the developer and all the people working on this development site. I want to begin by just talking about some of the

inconsistencies and changes that have repeatedly been occurring that make it very difficult to debate - let alone consider approving - this plan. Starting with something that was already addressed earlier tonight, which we are grateful to hear about but is still concerning that it had to come to light in this way, and that is the original setback for Building 'A', which was four point nine meters. It was supposed to have been six meters but was approved for four point nine during a re-zoning phase, and I promise I'm not discussing re-zoning. The issue though was that the building that was submitted for site plan actually had an encroachment - not at the main level where it did adhere to the four point nine meters, but at subsequent levels of the building. It is concerning to watch the City and/or residents having to point these things out as opposed to them just being adhered to. It may be an oversight, and we appreciate there's lots of details, but it's concerning to us to have to notice these things. The same building - Building 'A', which fronts on Fanshawe Street - is very close to the Western property line of the neighbours that surround it, and the original submission during zoning - the October 1st, 2019 minutes - the submission that was considered for zoning showed transom windows at the three and a half story level, and this would have protected privacy for the residents on the Western side - something that they deserve to have. The submission that's now before you with the site plan actually shows full size windows, and these rooms that the full size windows exist on at this level are living rooms, dining rooms and kitchens. The rooms are going to be very frequently occupied and therefore afford no privacy for the residents on the Western edge who might want to enjoy their backyards in the summertime. Continuing on the theme of privacy and another inconsistency, the plan...there is a fence that runs along the West or the Easterly edge of the property from Fanshawe, and it goes across two properties on the Southern edge. That's shown in the City submission documents on the website, but when you look for that same board-on-board privacy fence in your submission - I believe it's in your agenda package - it appears that it goes all the way around the property, so we're just wondering, which is it? And we urge you and ask you to mandate that it be the board-on-board property fence around the entire circumference of the development. We talked a little bit about the snow storage and the lack of swale, so it sounds like that's already open for me to discuss. Snow storage, if that's to remain on-site in these two small spaces where it has gone from, previously, a twenty-two foot by thirteen foot area space to, now, a small space on the inside of the driveway, the incoming driveway of the property and on the Westerly edge of the property right by the amenity space - this is very, very small. We're concerned that meters high of snow, or anything like this past snowstorm winter - it's going to be excessive. Even with the five percent grade, there is still a slope - not just into the parking lot as we've been told, but there's also one going down into the neighbours' Easterly side. Water is going to run off; it is going to impact and flood basements; and as much as we're grateful for assurances, assurances aren't going to help us when peoples' basements, pools, and vegetation are all damaged and there's higher insurance premiums and repairs that need to be made. If snow is to be removed, which we know is something that was actually discussed informally, we would be grateful for that to happen, we would appreciate that happening. But because of the history and the changes and the inconsistencies, we would be concerned to understand how this would be enforced. How do we ensure that future owners would be accountable for the same requirements? What are the repercussions for neighbours if it's not removed regularly? And what does a regular basis look like - snow build up for one day, five days, three weeks? Again, the same kind of issues can happen with runoff and snowmelt if we have inconsistent weather patterns, so all of these things need to be discussed, and we urge that they be very clearly detailed, outlined and mandated, and the ability to address any lack of adherence to this, that we have a very formal, strict process for addressing it and protecting the neighbourhoods. And when I say neighbourhood, we're including the residents of the site that's being developed, not just the people

surrounding. We're all going to be neighbours together and we're all looking to have a good strong community together. One other thing I wanted to point out that helps to outline why we want to be so diligent and to ask for the strictness in adherence to whatever is decided here today, and that is that earlier this week, some of the members, the developer and an arborist I believe, came out to one of our neighbour's sites to discuss this tree you've already heard about - this beautiful boundary tree that the neighbours do not want to have removed. During that discussion, the neighbour said, "I do not want to have it cut down", and I'm paraphrasing but, "I do not want to have the tree cut down, but I need to have assurance that you're going to protect the roots of this tree so that it will stay strong as it has for many, many years". The response to that, instead of, "We will do our best" or "We will ensure..." was "Whatever happens after we finish construction, we are not accountable for, and it comes down to you as a neighbor - you are liable and you may be subject to lawsuits". This was very likely not intended the way it came across, but it did sound like a scare tactic and bullying, and was not well-received or something that neighbours ought to have encountered. So again, it just makes us very fearful and nervous about strict guidance on this development and any decisions that are made. *(Councillor Turner: Great – I've given you about a minute extra there...are you pretty much done?);* I would just love to wrap up by reminding you, as my colleagues pointed out, that, you know, staff have been echoing many of our concerns about the tree preservations. And we do appreciate the discussion that's been happening back and forth, and look forward to continuing to be involved because the plan does not seem to be final at this point, so we ask and urge that all parties - neighbours included - be involved in discussions until it is final.

- Councillor Turner: Thanks very much. Are there further speakers? Back to committee room 5 as someone approaches. Good day, sir, and welcome - just need your name for the committee and your five minutes starts now, sir.

- Ron McDougall, 41 Camden Place: I'm addressing the needs for a minor variance to the zoning because Building 'B' is not in compliance. The zoning granted allows only two units to be stacked; the building has three units stacked. And as it stands under the current zoning, this would mean that six of the eighteen units would need to be eliminated. *(Councillor Turner: Sir, if I could just pause you there for a second. Specific to the minor variance itself, this committee has already granted leave for the applicant to go to the Committee of Adjustment, and that's where that would be heard so we won't be able to influence that process at this point. So if your comments are of another nature please focus there, but with respect to the minor variance, that won't be the purview of this committee – just...if that helps you with your time, sir.);* Well, I'll try to be very brief but does that mean that we will have an opportunity to speak? *(Councillor Turner: Yes, sir – the Committee of Adjustment has a public process, and you're able, when those go forward...there's a notification process similar to the zoning process, as well as the ability to submit comments or present to the Committee of Adjustment.);* Well, I'll just bring up one other point then - that we have some great concerns about the sewage line that is proposed that would empty into Camden Place. This is a very, very old line and it could very easily be overwhelmed if the project finishes with considerably more occupants than they projected. We feel the sewage lines must be directed to Fanshawe Park Road, and this should be done at the time of construction - not when an existing line fails. I know that this is still under study, but I would just like to make the point that we consider it a serious issue that has to be...it just...an old line like that cannot withstand, and the hundred and one occupants is, I think, somewhat lighter than what might end up in this property. That's all I have to say, thank you very much.



- Councillor Turner: Thank you, Mr. McDougall. I'll look for any further comments. Committee room 5 - we have another. Welcome, sir - don't worry, the sanitization process does not encroach into your time.

- Rick Giroux: I and my wife are the property owners of 1269 Hastings Drive, backing onto the subject property of 307 (Fanshawe). The original concern was my apprehension about the applicant electing to pursue removal of the hedges at the back of our property, replacing them with six-foot-high wooden fences. We've now been informed, after meeting with the applicant a few days ago, that the hedges will be retained and, after completion of the project, lightly trimmed to promote growth along the sides of the hedges. This eliminates my concern relative to hedge removal but does not address the East/West parking lot that will be adjacent to the backyard of 1269 Hastings or 1265 Hastings - my neighbour to the North - and about ten feet of the Northeast corner of my lot. Based on the latest site and landscape plan, the area in question will include a common area, the snow storage area, and a parking lot for approximately seventeen cars and trucks. The ten-foot section of the back of my yard is the location of a pergola which we use to relax in the evenings and entertain family and friends. Please envision a daily traffic of vehicles entering and exiting the parking lot, the glare of headlights, the slamming of car doors, the potential of noise emanating from the common area, and the backup signal of trucks pushing snow, notwithstanding the possible moisture problems with the snow storage area. Even with retention of hedges, this section is somewhat thin at the lower level, and it's my belief that the benefit of the hedges should be supplemented by a fence along the parking lot area which is structured to provide both light and noise abatement characteristics. I urge you to take this into consideration as it will retain the shelter and integrity of my backyard and negate the effects of backing onto a parking lot. Thank you for the opportunity to address you.

- Councillor Turner: Thank you, Mr. Giroux. I'll look for further speakers. We'll go to committee room one – welcome, sir.

- Piotr Nowakowski, 1273 Hastings Drive: Hello, good evening. Thank you for allowing me to speak. (*Councillor Turner: Mr. Nowakowski, could you speak a little bit louder? It's a little quiet, maybe a step forward or two. Wonderful, thank you.*); I live at 1273 Hastings Drive, together with my wife and my son. I would like to bring another issue that I've been thinking about - and I addressed it at the previous meeting where we had the opportunity to speak - and that is safety of Fanshawe Park Road and safety of the future neighbours of that development. What I'm speaking about is how limited the access to that property is from Fanshawe Park Road. It's proposed that it is going to be a 'right in, right out' access. Also, the proposal mentioned that it will be allowed - or currently it is not illegal - to take a U-turn on Fanshawe and Hastings Drive, and then make a right turn into that property. Now, I've done some studies and calculations, and it appears to me that you have about four seconds time to make the U-turn, after which you accelerate fast to make sure that you don't create a hazard for the oncoming traffic, and then you have to brake immediately so you've got to slow down to access 307 Fanshawe Park Road. So, what to me seems necessary is another lane being built beside Fanshawe Park Road for those people that choose to turn, to access the property, to turn on Fanshawe and slow down and get out of the way of oncoming traffic - to slow down and then access the property. So it seems like a third lane would be necessary to build, in my opinion. And I realize this even more now, after driving from church last week on Richmond Street where I pass by 12- I believe it's 1235 Richmond Street. This is that tall apartment building that was built there, and somehow city staffers missed the necessity of having an area of the street widened there to allow for service trucks and taxis to be able to park in front of the building. I'm not sure if people here are aware of this, but right now there's construction going on to correct that

unsafe situation there, and I believe it will be the same scenario with this property where something will need to be done along Fanshawe Park Road to provide a safe access, and I would like just to make a point here, on the record, that perhaps something of that nature should be reflected on the site plan. Thank you very much.

- Councillor Turner: Thank you, sir. And looking into the committee rooms, I'm not seeing many people moving right now...are there any further speakers on this matter? I'll make a second call – to the staff members in committee rooms, does it seem that there's anyone else that wishes to speak at this time?
- Jeannie Raycroft, Manager, Licensing and Elections: Nobody in committee room 5 wishes to speak at this time.
- Councillor Turner: Thank you very much.
- Bridgette Somers, Manager, Corporate Records: No one in committee room 1.
- Councillor Turner: Wonderful, thank you. I'm seeing no further speakers; I will take a motion to close the public participation meeting.