

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.8 PUBLIC PARTICIPATION MEETING – 1047-1055 Dearness Drive

- Councillor Squire: We will go to the staff presentation.
- Councillor Squire: Thank you very much. Is the applicant present?
- Laverne Kirkness: Yes, I am Mr. Chair, it's Laverne Kirkness of SBM Planning.
- Councillor Squire: All right, go ahead.
- Laverne Kirkness: Thank you very much, Mr. Chair, Committee members and members of the public that are attending. I should tell you that Leo Viglianti and his daughter, Maria, who have been the primary applicants, are attending, along with Max Sim, representing Zed Architecture, should you have any questions of them, but I'll be quick. I know we're way behind on the schedule, but we thank Planning staff for their thorough report and one that is supportive of our proposal. We agree with it and have no changes to add, and we would therefore hope the Planning Committee may be of the same mind and support, adopt the recommendation and take it on to council for August 10<sup>th</sup>. I'd like to just point out a couple of things, this is kind of a unique application, maybe unique compared to the other ones you've heard tonight. Leo and the Viglianti's are basically residents, and have been for fifty years, of the property at 1047 and 1055 Dearness in two different, single detached homes. Leo's mother lives in one and he lives in the other. The two properties make up about one acre: they're part of an old subdivision and the neighbourhood known as Dearness Drive. They're located on the very edge of the neighborhood, between the Wellington Road corridor and White Oaks Regional Mall to the west and Fanshawe College in the old Westervelt building to the east, which is Dearness Drive, and to the east of that is of course the Dearness neighbourhood, which is primarily a single detached residential neighborhood. The other unique aspect of this is that the apartment building that the Viglianti's propose is one where they would like to reside, so they want to stay in the neighborhood, and they'll be basically an owner / occupant of this rental apartment building. That's a bit different, they're not developers, they're basically citizens of London and hardworking citizens of London, but they, I guess, in a sense, are developers as soon as they start developing this site should they get the approval. I should say that the Viglianti's have been great to work with, it's been a few months getting through the City's zoning process, but we've done a Functional Servicing Study to show that there's adequate municipal services, we've done an Archaeology Study, we've done a Planning Justification Report to show conformity with the Land Use Planning policy framework in the Urban Design Guidelines, we have spent substantial money on the architecture, which you do with Bonus Zoning so you know basically the building you will get when you grant the Bonus Zone and we've done an urban design, recently appeared before the Panel and, all the while we have been responding, you're looking at about the fifth set of revisions here tonight, with basically two major changes, but the changes have

come about mainly because of the Urban Design Panel, mainly because of neighbourhood concerns, because we had our own community meeting back on April 14<sup>th</sup>, and about 18 households appeared. It was, of course, online and for an hour and a half we did exchange thoughts about the pros and cons of this development. I think one of the most significant things that came out of the meeting was the traffic problems on Dearness Drive, which we've been trying to work with the City on to see what we can do to contribute, but basically, we have one access to Dearness and it's close to Bradley. We're providing a Road Dedication to widen Bradley. We removed the commercial component, we've certainly made the building so it's narrow and is facing the residential neighborhood, we've enhanced the architecture of that end as well. We tried to be sensitive to the trees along Dearness Drive and along the east side of the property, and there would be Site Plan approval and through a tree inventory that's being required of us, so in the end Mr. Chair and Committee members, this is basically what the London Plan envisages and certainly it's a great transitional use, we think, between the very high-rise development that you know is proposed at Bradley and Wellington on the very northwest corner and the residential neighborhood to the east, and so we're hoping that that you see fit to support the Planning staff report, which is basically comprising our application. We would like to respond to any residential concerns perhaps, but we'll wait and see what they might be. Thank you very much.

- Councillor Squire: Thank you, does the committee have any technical questions for the applicant or for staff? There being none we will go to the public. First speaker?

- McLennan: Hello?

- Councillor Squire: Hello, how are you?

- Keely McLennan: Very Good. This is Keely McLennan from 914 Dearness Drive.

- Councillor Squire: Okay, go ahead sir.

- Keely McLennan: I was listening to the conversation and my biggest concern would be this traffic study that was done in 2018. I believe I kind of initiated that, I spoke with a Mr. Mark Ridley, and at that time I was told it could not be done until the Spring. Well, they set up a wire across the road and I do believe that's how they did their study. The problem was where they put the wire across the road is north of Wellingsboro, where the traffic is maybe a third of what it is going on to the south of Wellingsboro. I moved here approximately 10 years ago, and I live directly across from this intersection, and in the time that I have been here the traffic has tripled, at least. On Wellingsboro, we have the Islamic Youth Center, we have a Jehovah Witness Temple, plus they have also added a strip mall on the corner that faces Wellington, but all of the services and customers come out through the rear of the building, especially if they wish to go south on Wellington, because you can't, there's a Starbucks, there's Popeye's Chicken, Kentucky Fried Chicken, Jersey Mike's, Pizza Nova, Roy Inch, all of these businesses are emptying onto Wellingsboro, they come down that road to a stop

sign. I contacted the London Police because, as far as I'm concerned, people are breaking the law by running that stop sign, and it's also no trucks on that road, but once again, it's a service road and it's not enforced. I was told they would put it on a list, and like I say, I'm retired, and I live right across from that, and I have never seen an officer. I offered to put them in my driveway so they could watch it. Other concerns, the crosswalk that is at Dearness and Willow Lane, it empties on the west side of the road into somebody's driveway, there's no overhead markings, the bus comes down as far as from Bradley to Willow Lane and it goes east from there, it has to go over the curb in order to make the turn, which is also the crosswalk; they are extremely dangerous. We have lower income housing down at the end of the street, which is semi's. I know of two home daycares, from there there's 12 kids every day going four times a day, crossing in there. I can't do anything more; I've contacted people and it seems to be ignored. They have a three-way stop with crosswalks at Willow Lane and Osgoode, they also have a three-way stop crosswalk at Willow Lane and Willow Drive. Nothing on Dearness, there's no sidewalks on the east side of the road, so they have to cross the road. Anyways, those are just a few of the things.

- Councillor Squire: You have one minute left sire.
- Keely McLennan: Yes, I see that. The other thing, this is a residential area, the properties are large. I wonder what kind of precedent we are going to set with this. The reason they want to put this building in, because yes there is the area, but that is the reason I moved here, I like my own big lot. Is that what I'm going to do? Am I going to go to my neighbor and say "Gee, we could make a pile of money here, let's do what they did." You know, it's zoned Residential, I guess that is residential, I don't know. Anyway, that's about all I have to say, thank you.
- Councillor Squire: Thank you. Next speaker?
- Nicole Burke: Good evening everyone, first I want to take a moment to say thank you to Barb Debbert for taking my many calls and emails. My name is Nicole Burke and my husband, Trenton, and I, along with our girls, who are 2 and 4, live at 1039 Dearness Drive, which is the home next door to the proposed development. For context, we have eleven windows, those, our deck, and our front and back yards all will face the proposed site. There are currently no buildings in our community of Westminster that are of this height and scale. The Shadow Study that was conducted shows that for the entire winter months the homes to the north will have all sunlight blocked by this building. We are part of the group of neighbors who created a petition against this zoning application, as of today our petition has 198 signatures. The petition was distributed to only four neighbouring streets, including Dearness Drive, Willow Drive, Glenbanner Drive and Dunelm Lane. The number of 198 represents only 5.5 blocks of homes; therefore, the large majority of the neighbourhood are against this proposed rezoning application. Since December of last year, 11 neighbouring houses that are all located within 120m of 1047 and 1055 Dearness Drive, have joined together to oppose this rezoning application. We have secured counsel, Paula Lombardi, a Partner at Siskins, as our legal representation; she will be helping us appeal any approval of this application. I along with more than 37 other neighbors have already

submitted an email outlining the many reasons we're all against this application. I am speaking tonight to add additional concerns that have come up through speaking with neighbors, many of whom are over 70 years old and the original homeowners on the street. I have reviewed the original application and recent amendments and I wanted to outline specific areas that are attempting to address any concerns that came up in the community meeting earlier this year. We believe these areas are manipulative and intentionally misleading to look as if changes were made to the betterment of the neighboring homes. One example is on tonight's agenda, page 439; you will see that item 10 through 12 speak to protecting the privacy of the neighboring homes to the north, the misleading part is when you look at the details which are said to include an "enhanced landscape buffer" to mitigate privacy concerns. The applicants are proposing a 1.8m, or 5.6', wooden fence along the property line; our current fence is 6.4' high, the proposed fence doesn't address any privacy concerns. In addition, a line of trees will be planted along the property line, but that won't be relevant until if, and when, those trees grow over 6' in 20 to 25 years. Another part of the amendment that doesn't fit into the current neighbourhood is the additional Bonus Zone considerations, which propose moving the standard spacing for R9 Zoning; the applicants have asked for the current front yard depth of 8m to be changed to 1m; additionally, the side yard depth is proposed at 2m, rather than the standard 11m. Both of these changes negatively impact the landscape of the neighborhood, as well as the homes both across the street and to the north. The bonusing increasing the height to six storeys, rather than four, completely goes against the standard of this community, which is entirely one to two storey homes. There are many homes in in this area that have had second or third storey addition applications denied by the City due to privacy concerns; yet this application has been allowed to get this far. One of my final comments has to do with the proposed driveway and the traffic it will generate, not only is it located within 30' of my property, but there is no plan to include a driveway to the Bradley side of the property. With only one driveway the additional traffic will cause a lot of problems on an already busy road with existing traffic concerns. Since 2014, we have been contacting two City Councillor's, as well as the Traffic Division, regarding traffic concerns on Dearness Drive, specifically requesting a stop sign at Dearness and Willow Lane. We have a long trail of over 30 emails and 10 phone calls requesting a Traffic Assessment to address the current issues of speeding and an existing illegal, which I've confirmed with the Traffic Division, an illegal School Crossing sign at that intersection. A Traffic Study was conducted in 2018, but it failed by a small margin, 20 cars to be exact, to be considered for a three-way stop. A traffic calming crosswalk was approved, despite the fact that there is a sidewalk on only one side of the street and the current spot for the proposed crosswalk has a driveway in the way.

- Councillor Squire: One minute remaining.
- Nicole Burke: Thank you. I mention this backstory, as to date nothing has changed, despite many neighbors contacting the City about traffic for the past 20 years. The 2018 traffic study is being used with this application despite that it is not sufficient nor applicable to this application. The traffic at Bradley and Dearness was not looked at in 2018, as they would have seen that upwards of 10 to 20 cars an hour can be found using the driveways near Bradley to turn around and go west on Bradley. Surely the

addition of 55 units would make an existing problem exorbitantly worse. In closing, we as a community are opposing this application and currently feel disregarded. At this time, we request that the Viglianti family voluntarily withdraw their application to protect and preserve this cherished neighborhood. Thank you everyone for your time consideration.

- Councillor Squire: Thank you very much. Next speaker?
- Barbara Fisher: Hello? It's Barbara Fisher.
- Councillor Squire: Hello Barbara Fisher?
- Barbara Fisher: I'm Barbara Fisher, I did send out some emails and one of the questions, I'm going to address four issues, one of the questions I had is, do we know the outcome of the zoning bylaw that was proposed for file O-9263...
- Councillor Squire: I'm sorry, perhaps it's me, but I'm having trouble hearing you, you're breaking up a little bit.
- Barbara Fisher: Okay, I'll try and sit forward, that might help, okay I'm just asking whether we know the results of the proposal for the three 18-22 storey building units that are supposed to be on the northwest corner two blocks from where this proposed site is, and whether we've got the outcome of that, because an additional 1,239 residential dwelling places brings to question whether we really do need these additional living spaces. My second one is with regard to the traffic, I believe you do you need a traffic engineer analysis report, not only for the present situation, because when I first saw your sign saying about this proposal, the first thing I said to my husband is "there will be blood on their hands". The next couple days, that's when they took out the traffic light and I saw the car going backwards in front of McDonald's, this is not a good functioning traffic intersection, and that's prior to this proposal, that's prior to the proposal of 1,239 residences two blocks away. You need to take a look at the fact that they're coming from a left-hand turn, which again decreases the capacity for that intersection. I'm telling you the only reason I'm speaking today....
- Councillor Squire: Okay, you're speaking quickly, but you're also breaking up, I don't know about my colleagues, but I'm having trouble following what you're saying.
- Barbara Fisher: What I'm saying is, it's probably because I'm not inclined to speak like this, it's not something I do naturally.
- Councillor Squire: I understand.
- Barbara Fisher: The only reason I'm talking to you is that I'll be able to sleep at night if somebody is dead, because what's being proposed is a death sentence for someone.

- Councillor Squire: No, I'm not complaining, I mean, you are starting to say things that are little bit inflammatory, but it's the technology, we're having trouble hearing you properly on the technology that you're using.

- Barbara Fisher: What I'm saying is it is not functioning. 2018 is not an acceptable time frame. I've lived here 10 years. I almost had my husband run over at Wellingsboro; I cried for about a half hour after I pulled him back from the guy who tried to hit him. I'm telling you, the functioning in this area with the infiltration of commercial and then adding apartments, and then monster apartments two blocks away, the movement on that intersection will be deadly. Okay, that's my second point. If we are going with in and up, let's take a look at the building in the area between Commissioner and Bradley, there is one token apartment that's going to be built, it hasn't been built yet at Highbury, that area is almost the same as the area between White Oaks and Dearness Drive, and I can tell you straight out on Bradley there is one 6-storey, eight 7-storey, two 8-storey, two 9-storey, two 15-storey; there are 15 mid and high-rise buildings on Bradley. You've got one token one in the new build, if you want in and up to be a part of your building requirements, then do it from the beginning, do it as you're developing a neighbourhood, and don't use that as leverage to come into single family dwellings, because we came here under the guise that this is what the community was going to be and you're changing it. You are supposed to be our protection, the by-laws are supposed to be protecting us as citizens and that's what we depend on you to do. Finally, my last comment is if this is passed it's a slippery slope, as another gentleman said, will we not have an apartment on the other side of the road as Bradley goes? Will we have one going on Southdale at the end of the road, or two at the end of the road? Will we have on Willow Drive one on each side? Will we have them on Southdale on each side too? Because it's possible doesn't mean it should be. And what protects us from changes from senior apartment building? Maybe could be all ages start to become included, including the students from Fanshawe? And the question about that comes as a result of the bicycle storage area. I haven't seen a lot of senior citizens jumping on bicycles and...

- Councillor Squire: You just passed five minutes, so I'll just give you a few seconds to wrap up if that's okay.

- Barbara Fisher: The impact of this proposal is of paramount importance to me; I do not want to see somebody injured. You need a more updated traffic analysis to understand the risk to life, and if we're going to do in and up, it should be in the earlier development of a subdivision. How exactly are we improving this community? I believe this approach or proposal amendment to the bylaws do not help us in any positive way especially if we have...

- Councillor Squire: Okay, you're going have to, you've gone well over your time.

- Barbara Fisher: Thank you for your listening.

- Councillor Squire: Thank you. Next speaker?

- Pat McCarty: I'm Pat, Pat and Garry McCarty, we live at 1035 Dearness Drive, we are right beside Nicole Burke and her husband. So, we are the second house from the proposed project. We bought a house and land, and we sold the house, we built this house we're living in now ourselves, with the idea that it was a beautiful neighborhood with mature trees, there was a park behind us and that we would be living here until we have to go to a senior citizen home. We felt that this area is well developed, there's a mixture of different houses, which makes our street unique and this whole area unique. One of my concerns is Dearness Drive, the road itself is considerably narrower than most of the other roads; when you're going down the street from Southdale, if there's cars parked along one side, and even on the other side where they're not supposed to be, you have to stop and wait for oncoming traffic and, even then, cars are over more in your lane, you have to pull off almost onto the gravel area, right on the shoulder. The traffic has been horrible since we moved here, we've been here over 25 years and the increase in traffic every year has been just horrendous. And with this project going in the corner, 55 units means perhaps 55+ cars going in and out at all hours. The noise, the disturbance, coming in and out the lights flashing on our windows are from headlights of the cars. And also, the security lights that are going to have to be placed on this building will be shining directly in our homes and in our backyards. As well as the balconies overlooking our backyard, we will have lost any privacy we had. My other concern with this project; I really feel that you're not taking into consideration the established neighbourhoods that have been here for years and you're just shoving apartment buildings wherever you can to get people in them because of their inability to afford homes, and I understand that, but there are many other apartment buildings that could be built specifically to that, this one on the corner is not necessary because of the ones going in on Wellington Road, and I'm sure that will be accepted, there is supposed to be five towers, and all these extra people in this area, the crime, the inability to feel safe in your own backyard is going to be exponential. I just feel this area is not made for an apartment building, it was built for veterans, a lot of the veterans, some still live here or their children even, and they feel that this was their home, this street was beautiful, and this is going to be spoiled by an apartment building. And I really think that Leo and his family, and his mother, Maria, I know she wouldn't want this, I know she loves the area and wants to stay here, but I'm sure she wouldn't love an apartment building to live in with no backyard, I see her in the backyard all the time, doing the plants and looking around, she loves it back there, and then she's going to be stuck in an apartment building because her son wants this to happen and that's about all I have to say. Thanks for listening.

- Councillor Squire: Thank you. Next speaker?

- Connie Lorch: Yes.

- Councillor Squire: Hello. Your name?

- Connie Lorch: It's Connie Lorch, my husband, Brian and I, live right across from the proposed site and, of course, we have a lot of reasons we don't want it, just like everybody else in this subdivision. According to the 1989 Official Plan, the subject site

is designated Low Density Residential, within this designation developments shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. That's what we've all been talking about. The requested density of the development exceeds that permitted by both the Low-Density Residential designation and the Multi-family Medium Density Residential designation of the 1989 Official Plan. Most of the people in our area bought here because there weren't any apartment buildings, in fact, there aren't many two-story homes in this area either. When you go to a new subdivision that's being built, you can look at the plans for that subdivision and see where there's going to be townhouses, semi's and an apartment building and then you have the choice of buying a house near it or not near it. In this situation, we don't have a choice and the decision is being made for us. There is no need for this proposed apartment building since there are multiple high-rise buildings proposed for Wellington and Bradley, which is one block away, why do we need another one here in this area with lower buildings? Traffic, as you've heard over and over, is already a huge concern for our area and by adding the proposed apartment building it's only going to get worse. Now Dearness Drive has apparently 2,500 vehicles per day, backing out of our driveway will be even more difficult than it already is. Parking during construction, if it's passed, will hinder traffic greatly on Dearness and visitor parking after it's built is also a major concern. If this proposed apartment building is built, we will have a lovely view of some balconies and a six-storey wall from our front porch, not to mention no privacy when we're on the porch; definitely not why we bought our house. Living across from this proposed building will definitely affect our property value, it will be hard to sell a house across from an apartment building. The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to, and a good fit with, the existing neighbourhood. This apartment building doesn't fit with this neighbourhood and doesn't follow the Plan on either of the specifications. Needless to say, we're not in favor of having a six-storey apartment building built in our neighborhood for these reasons they've given you, and many more. We want our area to stay the same friendly neighborhood it is now. I have a few questions for you about this proposed project, first one is, who is the main developer? Does the developer have to post a bond with the City? What guarantee does our neighborhood have that if the project starts it will be completed? If the zoning gets changed, is it possible for the developer to slip it to another developer and, if so, can the plans change, or will they have to use the same plan? These are just a few of the concerns, we could probably go on all night, but you've been here long enough. We appreciate you listening and giving us a chance to tell you how much we do not want, and do not need, this apartment building in our neighborhood. Thank you.

- Councillor Squire: Thank you very much. That is the last member of the public to speak, so I would need a motion to close the public participation meeting.