

PUBLIC PARTICIPATION MEETING COMMENTS

3.6 PUBLIC PARTICIPATION MEETING – 400 Southdale Road East (OZ-9261)

- Councillor Squire: A staff presentation please. Is someone.
- Alanna Riley, Senior Planner: My apologies. Sorry. My apologies. I was trying to unmute.
- Councillor Squire: Thank you. We'll hear from the applicant if they are present and then we will have technical questions. Is the applicant or representative present?
- Good afternoon Mr. Chairman. Can you hear me okay?
- Councillor Squire: I can hear, yes.
- Thank you. My, my name is John Ariens, I'm a Registered Professional Planner with the IBI Group. With me is Julia Redfearn. Between Julia and myself we do have a brief presentation to make. As you're aware, IBI has an office in London. Julia and I both work out of our Hamilton office because the developer and owner of this property is a Burlington based mid-rise and high-rise developer, LJM Developments is their name. They specialize in apartments, mixed use, they have a number of projects in Burlington, Hamilton and Niagara and we're very pleased to now have a project before you in the City of London. I understand our power point presentation is part of your agenda, it began at the original agenda on page 333 and we'd just like to refer to that as we make our presentation. If I could ask you to please go to the second slide which is an air photo of the subject property and just to put it in context, this is a corner property on two major roadways. Southdale Road is also a transit corridor of abutting land uses as you can see on this slide we have commercial to the east, commercial and institutional to the south, kitty corner we have the Shoppers Drug Mart, the medical clinic, the dental office and across the street on Dundalk we have an eight storey rental apartment building. You can see immediately to the north there is a large, treed buffer area and then we have the low-density semi-detached homes on Stockton Street so that kind of provides the neighbourhood context. I would point out that transit is readily available on Southdale Road and the site is within walking distance to many commercial uses, services, medical and dental offices. On slide three of our presentation we just provided an overview of the technical reports and studies that were included with our submission. These dealt with servicing, transportation, parking, tree preservation and as you can appreciate this being a former gas station, a brown field site. Environmental and soil testing was also conducted. I would like to stress that all of the study's support the proposed mid-rise residential use there really are no technical issues, no technical concerns that would not cause this to be an appropriate form of development. Members of Committee on slide four it just provides a summary of the application process. I would like to commend planning staff, the application was deemed complete in middle of September last year, here it is in the middle of a pandemic and it's only ten months and we have a positive staff report and it's gone through a number of revisions and all of the revisions I should stress were meant to address public concerns and public issues. When the matter was before your Urban Design Peer Review Panel I can also point out that this Panel was extremely excited about this project, they liked the design, they liked the placement on the site. As Ms. Riley pointed out, the main mass is focused at the corner, we have a very strong street edge, it's a very exciting design. Two revisions have been made from ten storeys to eight storeys. Working with Councillor Pelosa, we entertained a developers open house meeting. A number of residents attended and, as a result of that meeting, the original proposal was actually mixed use with commercial on the ground floor and that has been removed and

another floor has been removed so we're now at a seven-storey step design and I will turn over to Julia to just give you a brief description of the project.

- Julia Redfearn, IBI Group: Can you hear me alright?
- Councillor Squire: Yes.
- Julia Redfearn, IBI Group: The proposed site plan and building elevation can be found on slide five and six. LJM Development is proposing a seven storey apartment building that steps down to six and four as it approaches the north and east property boundaries. The development comprises one hundred eighty-one dwelling units, two levels of underground parking one hundred ninety-three parking spaces and two hundred six bicycle parking spaces. Vehicular access and the building lobby entrance are proposed off the Dundalk Drive whereas ground floor patios and residential amenity space primarily front on to Southdale Road East. We received public concern forwarded by the City and during our open house pertaining to height, parking, density, massing, sun shadow, traffic and zoning non-compliance. The presentation in the agenda goes through each of these concerns to explain how we have addressed them.
- John Ariens, IBI Group: If we look at slide number eight this is an example of a very important planning tool that we use as a guideline. This is called angular plane analysis and I'm sure most members of Planning Committee are familiar with this and, and as Planners we use this as a guideline to reduce privacy and overview issues and when we apply angular plane analysis on to this project as shown on slide number nine you'll see that there is a minor encroachments within the angular plane for the upper floors of the building and this really is supportable for a number of reasons. First and foremost is the existing treed buffer that we have along our residential interface with the low-density area and that tree planting buffer will be enhanced through the site plan process with additional plantings. There are existing homes to the north also enjoy a significant setback of over twenty meters from the property line so there is a substantial separation distance that isn't really captured or reflected in the angular plane analysis and because of the encroachment that that is proposed the minor encroachment at the public information meeting that we hosted we made a commitment to the residents that through the site plan process those upper balconies that encroach would be treated with opaque or frosted glass and then that will further enhance the compatibility and together with the shadow analysis which Julia will explain we believe we have a compatible interface.
- Julia Redfearn, IBI Group: Sun shadow studies were completed for March, June, September and December to ensure there are no significant adverse impacts on adjacent properties throughout the year. The dark blue outline on slide ten and eleven show the as of right six storey building permission shadow versus the proposed seven storey building shadow. Evidently, they are comparable and there are negligible shadows cast on the adjacent property. Slide twelve, slide twelve shows the preliminary landscape plan. There's also a three-meter-wide landscape strip filled with trees to provide privacy purposes and the one point eight-meter-high wood fence between the proposed apartment building and existing dwelling to the north. There is also an approximately ten-meter yard setback proposed from the new building to the northerly property line. Currently there are several low-quality shrubs within the boulevard, soft landscaping that directly interacts with the street is proposed to create a enhance view streetscape at the intersection.
- John Ariens, IBI Group: On slide thirteen we deal with one of the other key issues that was raised at our open house and that of course is transportation and parking supply and the studies that were prepared with the original submission and following the public open house clearly demonstrated that sufficient parking is going to be provided and on top of that alternative transportation would reduce the demand for

automobiles. We have transit right on Southdale, we have biking, we have bike parking, we have walking, all these forms of active transportation would reduce the use of automobiles and also help us address climate change. Our transportation consultants looked at the level of service on neighboring intersections, they looked at the driveway locations, they analyzed and got all accident records over a five and ten year period and they concluded that no remedial measures were necessary the intersections are operating at a safe level of service and the driveway does not create.

- Councillor Squire: If I could just stop, I've been sort of indulging you've gone about eight minutes now and that's a little longer than we normally allow so I'm hoping you can wrap up fairly soon.
- John Ariens, IBI Group: I'll go right to my conclusion. How is that Mr. Chair?
- Councillor Squire: That would be great. Thank you.
- John Ariens, IBI Group: I, I appreciate your indulgence. The last slide more or less summarizes the development and staff have, have included a lot of these comments in there's. It's, it's more compact, it's more efficient, addresses climate change, it deals with alternate forms of traffic but I think one of the most important components is the density bonusing. The fact that this developer will be donating four dwelling units either to the City or to another non-profit affordable housing group I think is a significant contribution to affordable housing and I can honestly tell you as the former chair of the Hamilton affiliate of Habitat for Humanity I've been suggesting this type of density bonusing throughout Hamilton, Halton and Niagara for many, many years and now finally I have an example that I can use for other municipalities to follow. This is a great project in a great location, it's contributing to affordable housing and it's providing additional housing in, in a part of London that that really hasn't experienced the same development pressures but clearly this is an appropriate site. Those are comments and we'd be pleased to answer any questions.
- Councillor Squire: Thank you. Technical questions from the Committee?
Councillor Hopkins.
- Councillor Hopkins: Yes. Thank you and thank you to the applicant and to City staff. The technical question I have is around the affordable housing. My first thought was what is the percentage below market value and how long but as I continue to read the letter from HDC and maybe that's a question to HDC. If you could expand a little bit more as to how this affordable, or how these affordable housing units will operate moving forward as we approve the bonusing given that we really don't know how that looks like but I would like HDC to expand on that a little bit more.
- Councillor Squire: Go ahead staff.
- Steven Giustizia, HDC: Through you Mr. Chair it's Steven Giustizia speaking. I'm guessing that City staff will direct us over to myself but I just want to confirm that first. Okay. Through you Mr. Chair I understand the question was how will this work. Normally Council has seen affordable housing units that are negotiated through bonusing at a percentage of average market rent and for a certain number of years. Although the conveyance or transfer of ownership was certainly a potential and is certainly something that is doable within Section 37 so the normal process that we took was, of course, to confirm the lift we do not get involved or, or get involved in any judgments or merit related to the are proposed bonus or the proposed development at all but specific to this case as we were looking at the other bonusable elements and, and the focus on affordable housing it was through the open conversation with the developer that the option of a potential ownership would come up. What we also do is we make sure that the units and as you've seen with the other hundred and fifty plus units that we have negotiated through bonusing we always try to make sure that this

will fit directly with the people who are in greatest need in accordance with our Housing Stability Action Plan so in that respect I spoke to the Housing Stability Office of the City and confirmed that this was actually a, a very advantageous option for certain populations so I think it's important for Council to understand that we always try to align the bonus units with priority populations and that includes in these ownership ones. The mechanism then is that rather than getting units at a percentage of average market rent for a period of time you are getting a fewer number of units albeit but you're getting out of them at a much more tangible value for the proposed bonus first of all, secondly we would be using these as rental units but because there is no transfer costs then the rent would be established at a rate based on the needs of the population. What we did in our own modeling was we factored that the, the units would rent at a rate suitable for a population that would mix into the building of course and into the community because we always want that within our name list and our, our approaches there but more importantly that each unit would also provide the potential to subsidize a second unit so in that respect we did modeling, we ran that modeling by the City and then to the Councillors. I think final question within our recommendations and within our letter and then the recommendations before you the bonus would then be activated through a, what would be a purchase and sale agreement inclusive of all the security so standard purchase and sale agreement that would transfer the four units and that that would be done to the satisfaction of the City with legal noting that the rents for those units would still need to cover the costs that would be incurred by those units and including capital repair costs and then as a final comment the management of those units would be done in the same way as the City manages units that they have under supplement agreements so we already have the mechanism within the Housing Stability Office to do exactly that kind of work.

- Councillor Squire: Councillor?
- Councillor Hopkins: Thank you for that. Is it fair to say, just to follow up with that, is it fair to say that this is a new way of bonusing now? That we can see more of this kind, these kind of agreements coming forward and I guess some of the other part to that is I know the applicant said that the ownership could go to the City Of London or to a not for profit group but I just want to confirm it is to the City of London.
- Steven Giustizia, HDC: Through you Mr. Chair, it is to the City of London. The, the I will say this that the industry I believe, Council has asked us to look at innovation. Council has asked us to look at three thousand units. We know very well that bonusing has a significant benefit in its ability to integrate affordable housing across the community and secures a commitment very early on in the development cycle. When you're looking at options that are available within those parameters then yes, you will see this come forward but noting that bonusing has a potential limited lifespan this can also inform other planning tools that we will see as we move away from bonusing so the notion of a conveyance is not something that is unfamiliar to Council, not unfamiliar to the, to the industry and I think what we've seen here already, we have heard from other bonuses that we are negotiating interest in looking at this tool so I realize this is a new door that's open and I also greatly respect Council for having been with us as we've opened these doors and as we keep turning those dials. As you all know all units that we negotiate now are minimum fifty years, all units that we negotiate now are directly attached to the, the population in greatest need through the binding list and through the Housing Stability Office. We had to get to that point. To answer Councillors question I think this will actually encourage more innovation.
- Councillor Hopkins: Thank you for that and thank you for turning that dial.
- Councillor Squire: Are you finished Councillor?
- Councillor Hopkins: Yes.

- Councillor Squire: Okay. Any other comments or questions technical in nature? Alright. We'll go to the public at this point in time. Is somebody in the overflow room or we online? All online. Okay.
- Can everyone hear me?
- Councillor Squire: Yes. Can I get your name please?
- Absolutely. My name is Allison Zietsma and I live at 441 Stockton Street.
- Councillor Squire: Great. You have, despite the time that has been spent recently, you have five minutes so I will be timing you, I should have timed some other people but I didn't so you're going to be the first recipient of my stopwatch unfortunately. Go ahead.
- Allison Zietsma: I'll do my best. Good afternoon Mr Mayor, Members of Planning and Environment Committee, I'm speaking on behalf of myself, my husband and a group of concerned neighbors and residents living near the proposed development site. After reading the recommendations of the City Planning staff we're really frustrated to see that the plans they are planning to endorse this development as proposed and I'm appealing to the PEC to consider otherwise. While our concerns have been minimized both by IBI Group and the City Planning staff, these are legitimate concerns that deserve consideration and they are coming from lived experience. The amendments to the original proposal we don't feel sufficiently addressed the concerns submitted to the City since it was primarily just the removal of the commercial portion of the proposal along with some height and overall there's just too many amendments the Official Plan being requested by IBI and LJM. The prime concern for most of the residents the area is really the density proposed increase of which sets a dangerous precedent in the city and future proposed development. The increased density has a direct impact on the concerns brought up such as traffic, safety, noise, shape, parking and even privacy. If the proposed development is approved as planned safety becomes a very valid concern, in particular the Stockton Street corridor experiences heavy pedestrian traffic during rush hour when children are walking to and from nearby Cleardale school. Within about a hundred and fifty meters of the busy Southdale/Dundalk intersection there is the potential for nearly two hundred vehicles to be leaving this single proposed driveway at this development as well as the parking lot for the apartment building on the northwest corner, the townhouse development just north of that building, Stockton Street as well as bus stops for the LTC route that receives at Dundalk. Traffic at that intersection, the Dundalk/Southdale intersection is already a concern without this increase despite what the studies say both in speed and quantity. The reports presented to you today acknowledge that our neighborhood is already of mixed density housing but the difference the proposed development in existing multi density housing nearby is that the existing structures are set back from other residential homes, townhouses, etc., and they don't pose the same negative impact to its neighbors. Specifically, this project contains very little outdoor amenity space which is in direct contrast to the building mentioned on the northwest corner which has green space and parking lots surrounding it. IBI and LJM are asking for amendments to remove yard setbacks and therefore will not include that same space and this project is completely out of scale for the property size and compared with what's been approved to date. I'm also encouraging the PEC to consider that this developers not from the city and therefore does not have our city or residents best interest in mind with their proposal. This isn't exciting as has been suggested by our Councillor but demonstrates that they have no vested interest in the wellness of those directly affected by the project, in fact, the public meeting held with IBI Group they expressed disdain for our existing by-laws and Official Plan and they demonstrated a lack of knowledge in our neighborhood in response to our questions. We're well aware of the developer fees that are paid to the City for such projects and we're concerned that this is informing the Planning

department's endorsement since the number of amendments being requested is unusually large for such a project. Finally, according to our own inquiries, the shade studies included do not accurately reflect what might impact the semi-detached housing to the north on Stockton Street and some houses will find themselves in shade the majority of the day for three to four months of the year and will only experience full sunshine for seven months the year. In closing I just want to clarify we are not asking the PEC not to approve any development but to approve a development that is within the existing neighborhoods zoning of four storeys or up to six with bonusing. This proposal constitutes not only excessive requests for amendments but changes to the Official Plan as well. I'm hoping the PEC will consider this project is not consistent with positive development for the city and will have a negative impact on existing residents based on our concerns. Thank you very much.

- Councillor Squire: Thank you very much and you're, you're well ahead of schedule and, and staying within the five minutes which the Committee very much appreciates.
- Allison Zietsma: Excellent.
- Councillor Squire: Thank you very much.
- Allison Zietsma: Thank you.
- Councillor Squire: Next? Is the next person on the line?
- I can speak next.
- Councillor Squire: Okay.
- My name is Caroline McWhinney. I live at 442 Stockton Street.
- Councillor Squire: Great. You have five minutes and I will start the time right now.
- Caroline McWhinney: Okay. I previously had sent in in writing my concerns and commented that the file OZ-9261 is aptly named as only in the land of OZ would this be considered an acceptable application. In my world as a Nurse I wouldn't expect any of you today in this meeting to be able to care for my patients in ICU without extensive years of training so in return since I'm not an Architect or an Engineer I need help in understanding this proposal so please answer my questions. The conceptual rendering photo is a lovely picture of an apartment building but does state it may change. Help me understand what the special provisions mean for a minimum front yard set back of zero point zero meters whereas eleven meters is required, exterior side yard setback of zero point zero meters whereas nine meters is required, minimum landscaped open space fifteen percent where's twenty percent is required. Tell me how these requests that the drawing that shows a tree lined walkway. If I am correct does this mean the actual building is built right to the lot line? I question who would want to live in an apartment that it is just a few feet from a busy main thoroughfare with cars and motorcycles racing up and down the road day and night. Look around and show me any apartments that are built sitting on top of the busy streets. Neighboring apartments at 380 Southdale have berms or hills as sound buffers and they have been built years before the street became as busy as it is. Going along Southdale and Commissioners, I can't find any apartments that are so close to the road. Maybe those grand old apartments will be the free ones to the City for housing. That's sad to think that. The news reporter mentioned Councillor Pelozo stated that neighbours fretted about traffic privacy and hated the building. Wouldn't you too fret if you had concerns for safety in your neighborhood, having people on balconies now

peer into your backyard. An initial plan of a ten foot building on a lot made for a gas station and not one like Flying J, but a corner lot gas station. I spoke with the Principal at the school in the neighborhood and it's at max enrollment so it took many years to get a permanent addition to replace the many portables. Will it mean we're back to needing portables at Cleardale school? These presentations likely won't make a difference based on, we believe this is a done deal, but rest assured that we as a neighbourhood will voice our complaints to the City if issues present re noise, safety, traffic, etc. arise. Thank you.

- Councillor Squire: Thank you very much. Thanks for coming and thanks for staying well within the time parameters. Next person? We have two people. Could the gentleman go ahead and then we'll.

- Hi. It's Bruno DeSando.

- Councillor Squire: Okay.

- Bruno DeSando: I live at 9 Crawford Green.

- Councillor Squire: Alright.

- Bruno DeSando: Sorry. Go ahead.

- Councillor Squire: You have five minutes as I indicated and I will start your time now.

- Bruno DeSando: Just wanted to share with everybody where I live is closer to the intersection of Homeview Road and Crawford which is right adjacent to Nichols Arena. I've lived in this area for 31 years and am very familiar with that parcel of land including when it was a Petro Canada gas station. Although I appreciate the City of London's push for infill development I disagree with this particular choice of development for this parcel of land. Although there has been the amendments made and, and what have you, I still don't think that a seven storey hundred and eighty unit apartment building makes sense for that size of parcel of land. I know John shared about transit on Southdale, he failed to mention that Dundalk is a major transit line both on the east and west sides of the road, in fact, both bus stops at those locations on the northeast and the northwest corners are staging lanes where the buses wait when they're ahead of schedule. Now we have buses that are being staged, we have a new lane way for an apartment building with approximately a hundred and eighty units and this, this thought that, you know, with all the transit nearby that people aren't going to be driving vehicles isn't the reality that I know. Like I said I wanted to share with you as a thirty-one year resident of this neighborhood and probably about a two block radius from where this development occurs or is planned for, sorry. I disagree with the planned apartment building, I would have preferred to see some sort of stacked townhouse or additional semi-detached units or something low-rise. Those are my comments and I hope Committee takes not only mine but everyone else who's spoken previous to me and after me and consider our concerns with this application. Thank you.

- Councillor Squire: Thank you very much. Okay. Next speaker.

- Hi. I'm Claire Bertram. I live at 443 Stockton Street.

- Councillor Squire: Okay. Go ahead.

- Claire Bertram: Hi. I've been here since 1980 and I knew it when there was a Petro Canada station there and no other building. My main concerns have been voiced with everybody else, is the size of the building on the size of the lot. It's just too big for that size of a lot. I can't even imagine even though I keep looking at the diagram it doesn't make sense and I know one of the comments made to us in our community meeting was this is the new thing urban scape landscaping that's going to go right up to the sidewalk. There will be no green area well it doesn't fit in with anything else that's here already so I think my main concern is the size of the building and the size of the lot and the number of units and then how it impacts everything, not even just in the short term but infrastructure around. There's a lot of building going on in this area on Wharncliffe on Bradley on White Oaks Road, all these new housing developments. Do we have the infrastructure to even support them and then add another building and the buildings going up at Bradley and Wellington supposedly and that's what my concern is - it changes the whole thing and do we have all the infrastructure to support schools, roads and the comment about Southdale I can't even keep my window open anymore because of the amount of traffic on Southdale You add another hundred fifty car going up and down. Anyway that's my concerns along with both Allison and Caroline, the gentleman said along with those. Thank you .

- Councillor Squire: Thank you very much. Next please.

- Hello?

- Councillor Squire: Yes.

- Yes. My name is Joe DeSando. I'm representing the owner adjacent to the development at 456 Southdale Road East.

- Councillor Squire: Okay. Go ahead.

- Joe DeSando: Thank you Mr. Chair for letting me voice my concerns and the first concern I have was the sanitary sewer line which has been addressed and I thank you for that. You're all aware of what's going on over there. The second concern which is a major concern is the parking, okay, now we already have an issue with parking there for our tenants and the concern I see in the future there is a) with the construction vehicles parking and b) once this development is there with tenants and visitors parking over there as well. I mean, how do we police that? Like I can't be chasing people all the time not to be parking there. That, that is a major concern for myself okay and also thirdly I am, I would like to talk with regard to the dust and debris from the construction. Is the developer going to address that for all the neighbours and all the neighbouring properties because I mean that will be a messy project to do. Okay and lastly I just want to echo with every, what all the neighbours have said, I fully support them and I totally agree with all their concerns and I fully stand behind them. Those are basically the concerns I have.

- Councillor Squire: Thank you very much. Next please. Hello?

- Good evening everyone. My name is Dave Thompson. Sorry, can you hear me?

- Councillor Squire: I can. I can hear you, yes.

- Dave Thompson: I am not an immediate resident but I am a long-time resident of the Cleardale area and most of the concerns you've heard from the previous speakers I will echo, the, the density of this property or the units on the property is, is so inappropriate for this scale, for the size of the lot. The scale of the building and the size of the lot are just completely out of texture with the, with the neighborhood. The neighborhood does not have anything like this in it and, in fact, if you drive the Southdale corridor from one end to the other you will not find another property

designed in this manner and even developments that are currently in the application process are being under construction. Those are some issues that should be addressed. Some of the other things that I'd like to echo was well is and the previous, there was a gentleman on one of the previous items saying about the lack of communication with city staff and I also find the same thing, city staff not returning calls, they had to be coerced by former Council members to get back to me and also direct to me to, attempting to, they told me that information wasn't available when in fact it was and also, I'd also like to comment on the fact that whenever we had the meeting with, with IBM Group, sorry, we haven't got that right but the developer he, we had that meeting and none of this, none of this, the individuals there knew each other at all and over that time numerous other people have made comments on their concerns but they didn't get notification of this meeting, myself included. The only individuals that got notification of this meeting were the people within the hundred and twenty meter buffer and that to me is, is inappropriate when we had concerns and we were not told of this meeting, we had to be told by others. The City had our information and they didn't supply us with the meeting information so that is, is a major concern. As far as, as far as things go that one of the other things is that the, the people immediately to the north of this property are going to, are going to be really impacted way more than, than myself but the fact that they're going to have to live with this building looming over top of them for as long as they live there and the information provided to you by the, by the developer as far as a shadow impact studies, if you look back at that they strategically picked dates and times where the shadows minimized the effect that is happening there and if you were to do a study, I received information from someone who did a study to say as someone else mentioned there that these people are going to be in the shadow of this building three to four months of the year and that is inappropriate in my view and, and the other thing is the developer is going to gain from this, you've allowed him to go from to increase the number of units and it increases his profits. The City gets money for the units that they're going to inherit and I would estimate four units at the current market value is a million dollars. You're also going to get the ongoing, the increase in development fees for the extra units and the taxes for years to come and yet those residents immediately behind do not get any compensation whatsoever from this which is, it's just a travesty in my view. The other issue in my view is that during the construction phase there's going to be construction equipment here. They have to.

- Councillor Squire: You have about thirty seconds left, sir.
- Dave Thompson: They have to remove at least thirty feet of earth over the entire site and that's going to cause major issues with construction, they have to pour concrete and there's nowhere to put any of the trades vehicles and that's going to be a major issue just during construction and not to mention the noise construction for the immediate area. Thank you for your time.
- Councillor Squire: Thank you very much. Next speaker. Is there another speaker?
- Allison Zietsma: Mr. Chair, we did have one more speaker who had to leave for an appointment and she's on her way home, she's on her way home from Ernest as of six twenty so unfortunately I think she's just going to miss her opportunity but I thought I would let you know.
- Councillor Squire: Okay. I'm sorry to hear that. Is that it then Madam Clerk or do we have more speakers? Alright. That appears that is all the speakers. I want to thank them all for a) speaking and b) nicely staying within the time that they were provided that's appreciated. I just need a motion to close the public participation meeting.