

PATTON CORMIER & ASSOCIATES  
LAWYERS

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December 9, 2013  
File No. 33385  
Via Email: [mcorby@london.ca](mailto:mcorby@london.ca)

THE CORPORATION OF THE CITY OF LONDON  
204 / 206 Dundas Street, 2<sup>nd</sup> Floor  
London, ON

Attention: **MIKE CORBY**

Dear Sir:

Re: **City of London Application OZ-8271**  
**Applicant: City of London**

We are the lawyers for Clean Harbors Environmental Services, Great Lakes Copper Inc., and Mike Ansari, in Trust; (the "clients").

Each of our clients has received from the City of London's Planning Division a Notice of Application to Amend the Official Plan and Zoning By-law on lands which they own.

Our clients' lands are designated Industrial and zoned for Industrial uses, and in the case of Mike Ansari, in Trust, has a Draft Approved Plan of Subdivision. Our clients' lands are either boundary serviced or readily serviceable.

The proposed planning amendments in Application OZ-8271 are inconsistent with numerous Sections and subsections of the Provincial Policy Statement including Sections 1.1.1., 1.1.3., 1.2., 1.6., 1.7., and 1.8.

Further, the proposed amendments do not conform with numerous policies of the City's Official Plan including Sections 7.1., 7.1.2., 7.1.3., 7.1.5., 7.2., 7.3., and 7.5. The proposed planning amendments are counter to the Official Plan's Vision Statement and Planning Principles. The amendments do not conform with Section 2.4.1.(viii) and are inconsistent and lack conformity with Sections 2.4.1.(xi), (xvi), (xviii); 2.5.5.(ii); numerous policies of Section 2.6. including 2.6.2., 2.6.3., and 2.6.4.; as well as numerous policies of Section 2.7.

The proposed amendments neither further nor implement policies in Section 2.9 of the Official Plan.

The proposed amendments are inconsistent, indeed, unjustifiable in view of the City of London's present process to acquire, designate, and zone additional lands for industrial uses and economic development. In this regard, please advise as to the studies and analyses undertaken as to the impacts of the proposed amendments on the City's current plans and strategies for growth of the industrial land supply.

We point out that there will clearly be additional impacts on our clients' remaining lands for industrial uses because development for industrial purposes on any remaining lands will be subject to setbacks from the "woodlots" and thereby further decrease the supply of industrial land. In addition, it is obvious from the limited information so far available to the public and to my clients that there will be additional servicing costs as extensions of water and sewer lines will be interrupted and new methods or new routes for the extension of these services will need to be undertaken. We also point out that within the time available to comment on these matters it is possible that certain roads will become dead ends; this is particularly true of Scanlan Street and thus affect the lands of Mike Ansari, in Trust, and Clean Harbors.

The proposed amendments raise many concerns and questions. A fundamental question; why would the private sector, which is critical to the economic growth and development of the City, remain active in industrial land acquisition and development when the City conducts its "planning" in this manner? It is beyond doubt that the City requires serviced industrial land yet the proposed amendments would remove serviced or serviceable land from appropriate locations. The question then; why the City would acquire by purchase or other means more land for industrial purposes if it by the proposed policy the City must continue the same "leap frogging" type land use planning exercise which will clearly result from the proposed amendments?

Municipal Staff have recently advised Council that the supply of industrial land in the City is "critically low". As a result the City is now engaged in a process to identify, service and to assist in the marketing and development of more industrial land.

Certainly the City will have to abide by the policies and practices it will, by these proposed amendments, put in place.

We note that in a Report and Recommendation to the Planning and Environment Committee on December 10, 2013 that City Planning Officials provide rationale for restricting "non-supportive, non-industrial uses" on land designated Industrial. The Rationale include the following:

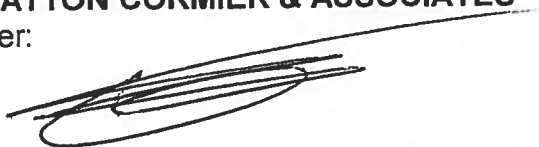

1. *Industrial lands as employment areas are to be protected in accordance with the Provincial Policy Statement (2005);*
2. *Policy changes are necessary to ensure the loss of industrial land to non-industrial uses, in particular sensitive uses are limited and where applicable removed from industrial areas;*

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3. *Further, policy changes are required to control where non-industrial uses locate when they do locate within industrial areas.*

We will, on behalf of our clients, be making further submissions to Staff and to the City's Planning and Environment Committee when the public meeting is held should all or any portions of our clients' lands be affected by amendments to the Official Plan and Zoning By-law.

Yours truly  
**PATTON CORMIER & ASSOCIATES**  
per:

  
**Alan R. Patton**  
ARP/dr  


cc: *Clients - via email*  
*Mayor and Councillors - via email*