

Agenda Item #

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PATTON CORMIER & ASSOCIATES LAWYERS

Alan R. Patton, B.A., LL.B.

Elizabeth K. Cormier, B.A., LL.B.

Analee J.M. Fernandez, B.A., LL.B.

R. Arti Sanichara, Hons. B.E.S., LL.B.

December 20, 2011

file no.: **32917**

hand delivered

The Corporation of the City of London

City Hall

300 Dufferin Avenue

London, ON N6A

Attention: **Councillor Bud Polhill, Chair Planning and Environment Committee
and Heather Lysynski, Clerk's Office
(Secretary, Planning and Environment Committee)**

Dear Sirs/Madam:

Re: **1152587 Ontario Limited**
Zoning By-law Amendment Application, 783 Richmond Street

We are the solicitors for 1152587 Ontario Limited ("1152") the owner of property municipally known as 783 Richmond Street, London. This property is located at the southeast corner of Richmond Street and Sydenham Street.

On July 25, 2011, in accordance with the City's requirement, we submitted by email to the City's Planning and Development Department a Proposal Summary for a Zoning By-law Amendment, a copy of which is attached at **Tab 1**. The Zoning Amendment proposed was to amend Key Map 51, Schedule B, of Zoning By-law No. Z-1 to include only 1152's land in Parking Standard Area 1 in place of the present zoning of Parking Standard Area 2. As set forth in the Proposal Summary, this amendment would place 1152's land in the same Parking Standard Area as the lands to the south, which lands share identical Official Plan policies and Zoning.

On July 27, 2011 we were advised that the next step in the process, a pre-consultation meeting with a City Planner, would be handled by Alanna Riley.

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Ms. Riley and I agreed to meet at the Planning Department's office, 11:00 a.m. on Wednesday, August 10, 2011 for the required pre-consultation meeting. As soon as this meeting started, Ms. Riley informed me that she had just returned from holidays, been handed the file, and began to read from notes in the file. Ms. Riley informed me that Planning Staff would not support the rezoning. This was, of course, astounding since there had been no step taken in the process such as circulation of the Application either internally or to the public. There was no indication given, nor statement made that the Proposal Summary was inadequate or deficient in any manner. Ms. Riley did state that John Fleming would not support the rezoning. I was advised that if the Applicant wished to continue with "the matter" that the Planning Department would require a Planning Justification Report and a Parking Study.

I asked Ms. Riley to have the Planning Department provide to me the Parking Study, or any Study available at the time of passing By-law No. Z-1, which had been relied upon to justify placing 783 Richmond Street in Parking Standard Area 2 while Parking Standard Area 1 was applied to all properties in the block of land other than 783 Richmond Street and the property immediately adjacent to the south.

I was told a Record of the Pre-Application Consultation would be completed and sent by email. Eventually a Record of Pre-Application Consultation, prepared by the Planning Staff arrived, it was signed and returned, a copy of which is at **Tab 2**. Please note in this Record what Mr. Fleming and the Planning Staff identified as a major issue, "*Parking Area 1 meant for commercial land uses*". This is factually incorrect and as can easily be determined from the Official Plan and from the Zoning By-law.

Also note the statement by Staff that "*A change in the parking area will reduce the amount of required parking for a high turn over business*". This is a surprising statement since no change in the permitted uses in the Zoning By-law was requested by the amendment and the same zoning applies to the properties in Parking Standard Area 1.

By September 16, 2011 the City had not provided any Parking Study in its possession which had addressed the zoning of 783 Richmond Street in Parking Standard Area 2 while other properties were in Parking Standard Area 1.

On September 16, 2011 our office filed a Zoning By-law Amendment Application with a Planning Justification Report, a copy of which is attached at **Tab 3**.

On September 21, 2011 a letter was received from the Planning Department providing Notice of Incomplete Application returning all material filed with the Department, a copy of which is at **Tab 4**.

Due to my absence out of the office for a number of weeks at an extended Ontario Municipal Board Hearing in Huron County I did not immediately request Mr. Frank Berry of F.R. Berry & Associates, Transportation Planning Consultants, to undertake a Parking Study. On November 17, 2011 Mr. Berry, after reviewing the relevant material, provided a clear and compelling professional opinion letter.

On November 21, 2011 a Zoning By-law Amendment Application was again submitted, a complete copy of which is at **Tab 5**. This Application contained Mr. Berry's opinion on a parking study and other matters relevant to the rezoning application.

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On November 28, 2011 I received an email from James Yanchula of the Planning Department, and provided my response the same day, a copy of which is at **Tab 6**.

Mr. Yanchula was away from the office until December 6, 2011. Mr. Yanchula and I spoke on December 6, 2011 and during that telephone conversation he confirmed that a decision to reject the November 21, 2011 Zoning By-law Amendment Application as Incomplete had been made by Mr. Fleming. Mr. Yanchula wanted to meet to "discuss other ideas". Attached at **Tab 7** is a copy of my email to Mr. Yanchula on December 7, 2011. Finally on December 12, 2011 a letter was received from Mr. Yanchula returning the Amendment Application as Incomplete. The letter states that "*The November 17, 2011 letter from F.R. Berry does not meet this requirement.*", in other words, it is *not* a Parking Study. Please see **Tab 8**.

On December 5, 2011 a Freedom of Information Request was submitted to the City, a copy of which is attached at **Tab 9**.

Council's policies on Complete Applications are contained in Section 19.16 of the Official Plan, a copy of which is found at **Tab 10**. It is important to read Section 19.16.2, Reports and Studies, of the Official Plan in the context of this specific matter.

1. Council *may* require reports and studies as part of a *comprehensive* planning application. Reports and studies are intended to provide *additional* information pertaining to a specific site and the *areas* adjacent to it to assist Council. (emphasis added)
2. Council may require a person requesting an amendment to provide any other information or material *that Council consider they may need*. (emphasis added)
3. A Parking Study is *not* listed in Section 19.16.2, subsection i) to viii), inclusive. (emphasis added)

It is interesting to note that a Parking Study is not a stated requirement within Policy 19.16.2 ii) "Reports/Studies to Address Transportation Matters".

Can it be fairly and realistically stated that a "Parking Study", the scope and breadth of which is completely undefined by the Planning Staff to be a fair, sound, and reasonable request?

Does either the Planning Staff or Council require an undefined "Parking Study" under 19.16.2 vi) "Planning Matters" when 783 Richmond Street has the *identical* Official Plan policies, the *identical* zoning provisions and identical locational attributes as the adjacent lands in Parking Standard Area 1?

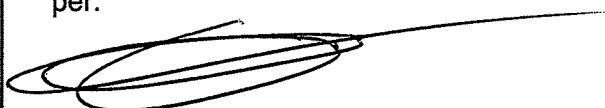
On December 19, 2011 Mr. Fleming concurred that the Planning and Environment Committee should consider this matter.

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On behalf of 1152 we request delegation status at the January 16, 2012 meeting of the Planning and Environment Committee. The request will be for the Committee to consider this letter, further submissions as may be fair and reasonable in response to any written or oral submissions to the Committee by your Planning Staff, and to recommend to Council that 1152's Zoning By-law Amendment Application of November 21, 2011 be accepted as complete.

Yours truly
PATTON CORMIER & ASSOCIATES
per:



Alan R. Patton
ARP/dr
Encl.
apatton@pattoncormier.ca

cc: *1152587 Ontario Limited - Via Regular Mail (With Encl.)*
Mayor Fontana - Hand Delivered (With Encl.)
John Fleming - Hand Delivered (With Encl.)

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PATTON CORMIER & ASSOCIATES
LAWYERS

Alan R. Patton, B.A., LL.B. Elizabeth K. Cormier, B.A., LL.B.
Analee J.M. Fernandez, B.A., LL.B. R. Arti Sanichara, Hons. B.E.S., LL.B.

July 25, 2011
file no.: 32917
via fax and email: mheffert@london.ca

The Corporation of the City of London
Planning and Development Department
206 Dundas Street
London, ON

Attention: Mark Hefferton

Re: **Proposal Summary - Zoning By-law Amendment**
Owner / Applicant: 1152587 Ontario Limited
Property: 783 Richmond Street, London

1.0 Introduction

Patton Cormier & Associates, 1512-140 Fullarton Street, London, Ontario N6A 5P2, Alan R. Patton, tel: 519-432-8282, fax: 519-432-7285, e-mail: apatton@pattoncormier.ca are lawyers for the Owner / Applicant, 1152587 Ontario Limited.

The subject land is municipally known as 783 Richmond Street which is located on the west side of Richmond Street, south of Sydenham Street. The property is regular in shape with a frontage of fifty-five (55) feet and a depth of one hundred ten (110) feet.

2.0 Summary Proposal

Pursuant to Key Map 51, Schedule A, of By-law No. Z-1, the existing zoning is R9-7 H15 / OR2 / RO2 / OC6 / R3-1. This zoning applies to the subject land and to the balance of the lands located west of Richmond Street and south of Sydenham Street to Oxford Street East. This zoning is in conformity with the Official Plan designation of multi-family, high density residential.

Key Map 51, Schedule B, of By-law No. Z-1, zones our client's property as Parking Standard Area 2, however, lands to the south of our client's property are zoned in Parking Standard Area 1. The use of Parking Standard Area 2 on our client's land is inconsistent with the Official Plan designation and the zoning of our client's property.

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Page 1 of 1

Pam Hall

From: "Pam Hall" <phall@pattoncormier.ca>
To: "Mark Hefferton" <mheffert@london.ca>
Cc: "ARP" <apatton@pattoncormier.ca>
Sent: July 25, 2011 11:23 AM
Attach: DOC072511-002.pdf
Subject: 783 Richmond Street

Attached please find our Proposal Summary in connection with a Zoning By-law Amendment for the subject property.

Pam Hall
on behalf of Alan R. Patton
PATTON CORMIER & ASSOCIATES, Lawyers
1512-140 Fullarton Street, London, ON N6A 5P2
tel: 519 432-8282 fax: 519 432-7285
phall@pattoncormier.ca

25/07/2011

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London
CANADA

RECORD OF PRE-APPLICATION CONSULTATION

The following form is to be completed and signed off at the Pre-application Consultation Meeting (PACM).

Date: Wednesday, August 10, 2011

TO: Alan Patton

FROM: Alanna Riley

RE: 783 Richmond Street

List all those in attendance at the PACM:

- Alan Patton
- Alanna Riley

City staff have reviewed your Proposal Summary (dated July 25, 2011) at an Internal Review Meeting dated August 4, 2011 and identified the issues to be considered during processing of your formal application. We have also determined the materials that you must submit along with the completed application form, required fees and this Record of Pre-Application Consultation before your application will be accepted as complete for processing.

Major issues identified

<ul style="list-style-type: none"> • Property designated Multi Family High Density Residential • Property was a church and converted to a law office • There is currently very little parking on the subject site
<ul style="list-style-type: none"> • A change in the parking area will reduce the amount of required parking for a high turnover business
<ul style="list-style-type: none"> • Visitors to the site would be required to parking on Sydenham Street, a narrow residential street – busy to date
<ul style="list-style-type: none"> • Would not support a spot rezoning for parking • Parking Area one meant for commercial land uses • No justification for change in boundary

Studies, Reports, Background or Information to be completed and submitted with the application form

<ul style="list-style-type: none"> • Application for Zoning By-law amendment
<ul style="list-style-type: none"> • Parking Study
<ul style="list-style-type: none"> • Planning Justification Report to include, but not limited to: <ul style="list-style-type: none"> ○ Discuss the reasons to moving the boundary ○ Provide any justification for variances to the policies/by-law requirements ○ Impact mitigation

Agents Comments (Alan Patton)

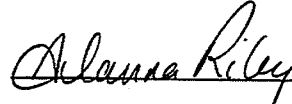
<ul style="list-style-type: none"> • There is no justification for the line to begin with • Property is designated MFHDR • Will not provide a parking study • Would like an explanation why the parking boundary is where it is • City needs to explain why clients property was left out of parking standard one when the designation and zone are the same as the properties to the south included in parking standard one.
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THE PROPONENT AND MUNICIPAL STAFF HAVE SATISFIED THE PRE -APPLICATION CONSULTATION PROCESS

YES NO

PLANNER: Alanna Riley



PROPONENT: Alan Patton



DATE:

August 16, 2011

Disclaimer

The pre-application consultation process is intended to identify issues early in the process and to identify the reports, studies and information required to be submitted as part of a complete application. A complete application enables Council to make informed decisions within a reasonable period of time and ensures that the public and other stakeholders have access to the relevant information early in the process. While every effort has been made to identify information needs at this stage, additional issues and/or information needs may be identified through the application review process and may be requested at that time.

The Corporation of the City of London
Office: 519-661-4980
Direct Line: 519-661-2500 ext. 4579
ariley@london.ca
www.london.ca

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PATTON CORMIER & ASSOCIATES
LAWYERS

TAB 3

Alan R. Patton, B.A., LL.B.

Elizabeth K. Cormier, B.A., LL.B.

Analee J.M. Fernandez, B.A., LL.B.

R. Arti Sanichara, Hons. B.E.S., LL.B.

September 16, 2011

file no.: 32917

Hand Delivered

The Corporation of the City of London
Planning and Development Department
204 Dundas Street
London, ON N6A 1H4

CITY OF LONDON
PLANNING DIRECTOR
SEP 16 2011
RECEIVED TO
FREQUENT REFERRALS
ACTION
FORMAT

Re: 1152587 Ontario Limited, 783 Richmond Street, London

We are the solicitors for 1152587 Ontario Limited the owner of property municipally known as 783 Richmond Street, London.

Enclosed please find the following:

1. Zoning By-law Amendment Application;
2. Site and Location Plan;
3. Application fee payable to the Treasurer, City of London;
4. Record of Pre-Application Consultation;
5. Planning Justification Report, attached to the Zoning By-law Amendment Application form.

Our client looks forward to the processing of this Amendment on a timely basis and scheduling of the public meeting before the Built and Natural Environment Committee.

Yours truly

PATTON CORMIER & ASSOCIATES

per:



Alan R. Patton
ARP/dr

apatton@pattoncormier.ca

cc: 1152587 Ontario Limited

1512-140 Fullarton Street, London, ON N6A 5P2

tel: 519.432.8282

fax: 519.432.7285



**THE CITY OF LONDON
ZONING BY-LAW AMENDMENT APPLICATION FORM**

FOR APPLYING FOR APPROVAL UNDER SECTION 34 OF THE PLANNING ACT

London

CONCURRENT APPLICATIONS FILED
 Note to Applicant: For each application that is filed concurrently, complete and attach the appropriate application form and fees.

Official Plan Amendment (see combined OPA/ZBA application form)

Subdivision/Consent

Minor Variance

Site Plan

Other (Specify): _____

OFFICE USE ONLY
 Date Stamp – Date Received

CITY OF LONDON
 PLANNING DIVISION
 2011

FOR REFERENCE PURPOSES

Municipal address: _____

REQUIREMENTS FOR A COMPLETE APPLICATION INCLUDE:

Note: Until the City of London, Planning Division has received the information and material requested herein (as required under subsections (10.1) and (10.2) of Section 34 and any fee under Section 69(1) of the *Planning Act*), the application will be deemed incomplete, the time periods referred to in sections 34(10.7) and 34(11) will not begin and the application will be returned to the applicant.

X	The completed application form and declarations as required under subsection 34 (10.1) (10.2) of the <i>Planning Act</i> .
X	1 copy of sketch/plan showing EXISTING and PROPOSED building(s) and structure(s) on subject lands, where applicable. Sketch is to include the following for each existing and proposed building or structure: location including setbacks from lot lines, height and dimensions (or floor areas) in metric units, on 8 ½ x 14" paper, minimum. See Section 10 of this application for more detail.
X	Application Fee(s) made payable to the Treasurer, City of London
X	A Letter of Authorization from the Owner (with dated, original signature) OR completion of the Owner's Authorization on page 9 (item 22), if the Owner is not filing the application.
X	Record of Pre-application Consultation (see Schedule 'A')
X	Other information identified at Pre-application consultation meeting.

PLEASE LIST THE REPORTS OR STUDIES THAT ACCOMPANY THIS APPLICATION (supply two copies of each):

Note: This section applies to all reports that were identified at the pre-application consultation meeting as studies required for a complete application. Refer to Schedule "B" for reference.

Planning Justification Report

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

City of London, Planning & Development Department, Implementation
 204 Dundas Street, London, Ontario N6A 1H3

Telephone: 519-661-4980
 Facsimile: 519-661-5397

PLEASE REFER TO ONTARIO REGULATION 545/06 FOR ITEM REFERENCES 1 THROUGH 23

1) Applicant Information:

Complete the information below. All communications will be directed to the **Primary Contact** with a copy to the Owner.

Note: If additional space is required for Owner(s) information, please attach a separate sheet containing said information.

Registered Owner(s):

Name: 1152587 Ontario Limited

Address: 783 Richmond Street

City: London

Postal Code: N6A 3H4

Phone: 519-434-7371

Cell/Pager:

Fax:

Email:

Applicant (complete if the Applicant is not the Owner):

Name:

Address:

City:

Postal Code:

Phone:

Cell/Pager:

Fax:

Email:

Agent Authorized by the Owner to file the Application (if applicable):

Name: Alan R. Patton, Patton Cormier & Associates

Address: #1512 – 140 Fullarton Street

City: London

Postal Code: N6A 5P2

Phone: 519-432-8282

Cell/Pager:

Fax: 519-432-7285

Email: apatton@pattoncormier.ca

1 b) Which of the above is the Primary Contact?

Owner

Applicant

Agent

2) Date Application Submitted to the City of London: October, 2011

3) Please list the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land.

(Please use a separate sheet if needed)

n/a

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<p>4) What is the current zoning of the subject land?</p>	<p>5) What zone or zones are you seeking?</p>
<p>R9-7 H15/OR2/R02/OC6/R3-1</p>	<p>Amendment to Key May 51, Schedule B of By-law No. Z-1 to zone land Parking Standard Area 1</p>

6) CURRENT OFFICIAL PLAN DESIGNATION: Please indicate what the current designation is;

Multi Family High Density Residential

6 b) Describe how the requested zone conforms to the current Official Plan designation?

(Please use a separate sheet if needed)

Parking Standard Area 1 conforms to Official Plan, see lands located at 753-761 Richmond Street

CITY OF LONDON
 PLANNING DEPARTMENT
 1 2 2011
 REFERRED TO
 CLIENT REFERRALS
 SECTION

7) What are the reasons (purpose) for the requested zoning change?*

(Please use a separate sheet if needed)

The Official Plan designation and the uses permitted in the zoning of the subject and adjacent land clearly intend for a coordinated and comprehensive approach to the lands west of Richmond and south of Sydenham Street. Exclusion of the subject land from Parking Standard Area 1 is inconsistent with the planned function of the land and area. There is no rationale provided by the City within the Official Plan or any other Council approved policy for the exclusion of the subject lands from Parking Standard Area 1.

7. b) Are the subject lands a suitable site and location for the requested zone(s) and what are the physical characteristics of the subject land?*

(Please use a separate sheet if needed)

The subject lands are suitable for Parking Standard Area 1. There is no physical difference in the characteristics of the subject land from those lands at 753-761 Richmond Street presently within Parking Standard Area 1. The subject land is well serviced by public transit and there is significant residential uses in the immediate area.

7. c) Is the requested zone compatible with surrounding land uses? In what way?*

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(Please use a separate sheet if needed)

Yes. Parking Standard Area 1 is compatible with land uses in the same block of land and is compatible with Parking Standard Area 1 established on the lands within the same block.

*** Note: The applicant may be required and is welcome to submit a separate justification report.**

8) Description of land:

Geographic Township / Planning Area: **City of London**

Lot(s): **5**

Part Lot(s):

Concession(s):

Registered Plan No.: **162**

Municipal Street Address (if applicable): **783 Richmond Street**

Assessment Roll Number:

9) Land use, existing and proposed:

Frontage (m): **16.72 m. 55 ft.**

Depth (m): **33.44 m. 110 ft.**

Area (m² or ha): **559 m.sq. 6,050 sq. ft.**

9 b) Existing use(s) of the land: **Office**

9 c) The date the subject land was acquired: **1960 +/-**

9 d) Number of existing buildings/structures: **One**

9 e) Use of existing buildings/structures (specify): **Office**

9 f) The date any existing buildings or structures on the subject land were constructed: **1930+/-**

9 g) The length of time that the existing uses of the subject land have continued: **50 years +/-**

9 h) The current and previous use(s) of the subject lands: **Office, Church**

9 i) If known, the number of proposed buildings/structures: **One**

9 j) If known, the proposed use of buildings/structures (specify):
A use permitted in the present, R9-7H15 / 0R2 / R02 / 0C6 / R3-1 Zone

10) A sketch illustrating the following, in metric units, is required:

Please include the above noted existing and proposed buildings on this sketch.

- o The boundaries and dimensions of the subject land;
- o The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines as well as their heights, building dimensions and floor areas;
- o The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that;
 - are located on the subject and adjacent lands, and;
 - in the applicant's opinion, may affect the application;
- o The current land uses on and adjacent to the subject lands;
- o The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
- o If access to the subject land will be by water only, the location of the parking and docking facilities to be used; and;
- o The location and nature of any easement or restrictive covenant affecting the subject land.

11) Access: Access to the subject lands will be provided by:

<input type="checkbox"/> Private Street (not usually permitted)	<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> Right of Way (not permitted)	<input checked="" type="checkbox"/> Assumed Municipal Street	

12) Water Supply: Water supply to the subject lands shall be provided by:

<input checked="" type="checkbox"/> Municipal piped water	<input type="checkbox"/> Privately owned and operated individual wells for each lot
<input type="checkbox"/> Privately owned an operated communal well	<input type="checkbox"/> Other (specify)

13) Sewage Disposal: Sewage disposal on the subject lands will be provided by:

<input checked="" type="checkbox"/> Municipal sanitary sewers	<input type="checkbox"/> Privately owned individual septic system for each lot
<input type="checkbox"/> Privately owned communal collection	<input type="checkbox"/> Other (specify)

14) If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent produced per day as a result of the development being completed, you are required to provide:

- a) a servicing options report, and;
- b) a hydrogeological report.

15) Storm Drainage: Storm drainage on the subject lands will be provided by:

CITY OF LONDON – ZONING BY-LAW AMENDMENT APPLICATION FORM

<input checked="" type="checkbox"/> Municipal sewers	<input type="checkbox"/> Ditches or Swales	<input type="checkbox"/> Other (specify)
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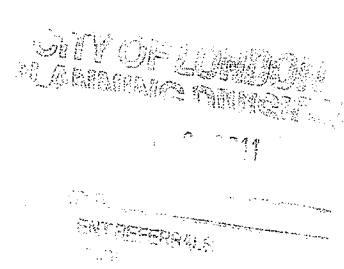
16) Height and Density

Is the subject property located in an area of the City which has pre determined minimum and maximum requirements for height and density? YES NO

16. b) If the answer to Section 16 is yes, provide a statement of those requirements:

(Please use a separate sheet if needed)

See provisions of R9-7 H15/0R2/R02/0C6/R3-1 zones.



17) Area of Settlement: **

Does the zoning amendment alter the boundaries of an existing area of settlement or require a new area of settlement to be implemented? YES NO

***this includes both rural settlement areas and alterations to the Urban Growth Boundary*

17 b) If the answer to Section 17 is yes, provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement: (please use separate sheet)

18) Employment Areas:

Does the zoning amendment remove land from an area of employment? YES NO

18 b) If the answer to section 18 is yes, provide the current Official Plan policies, if any, dealing with the removal of land from an area of employment: (Please use a separate sheet)

19) Lands Subject to Zoning with Conditions:

Are the subject lands within an area where zoning with conditions applies? YES NO

19 b) If the answer to section 19 is yes, provide an explanation of how the proposed amendment complies with the Official Plan Policy relating to the zoning with conditions:

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(Please use a separate sheet if needed)

20) Other Applications Under Planning Act:

Is the subject land, or land within 120m of the subject lands, the focus of any other application under the Planning Act?

YES

NO

20 b) If the answer to Section 20 was 'yes', please indicate below which applications are being undertaken:

<input type="checkbox"/>	Draft Plan of Subdivision	File No.:	Status:
<input type="checkbox"/>	Consent or Variance	File No.:	Status:
<input type="checkbox"/>	Zoning By-law Amendment	File No.:	Status:
<input type="checkbox"/>	Official Plan Amendment	File No.:	Status:
<input type="checkbox"/>	Minister's Zoning Order	Ontario Regulation No.:	Status:
<input type="checkbox"/>	Site Plan	File No.:	Status:
<input type="checkbox"/>	Other (Specify)	File No.:	Status:

20 c) If you answered 'yes' to any of Section 20, please describe the land the "other" application affects, the purpose of that application, and the effect that application will have on the amendment requested through this application.

(Please use a separate sheet if needed)

21) Is the application consistent with policy statements issued under subsection 3(1) of the *Planning Act*?

Identify policies from the Provincial Policy Statement (PPS) that you intend to use to support your application.

Note: If additional space is required, please attach a separate sheet containing this information.

Yes. It is consistent. Policies 1.1, 1.6, 1.6.5

[]

[]

22) Owner's Authorization:

This must be completed by the Owner if the OWNER IS NOT FILING THE APPLICATION

Note: If there are multiple Owners, an authorization letter from each Owner (with dated, original signature) is required OR each Owner must sign the following authorization.

1152587 Ontario Limited being the

registered Owner(s) of the subject lands, hereby authorize Patton Cormier & Associates
Print name of agent and/or company (if applicable)
 to prepare and submit an Application for Zoning By-law amendment.

Mr J Buchner
Signature
 I have Authority to Bind the Corporation

16th
Day

September
Month

2011
Year

IMPORTANT:

If the Owner is an incorporated company, the company seal shall be applied in the signature block above (if there is one).

23) Applicant's Declaration:

This must be completed by the person filing the application for the proposed amendment and in the presence of a Commissioner of Oaths.

I, Alan R. Patton of the City of London
Print (name of applicant)

Print (Name of City, Town, Township, etc.)

in the County of Middlesex solemnly declare that all of the statements

contained in this Application for Zoning By-law Amendment at 783 Richmond Street
(description of subject land)

and all supporting documents and plans are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

Declared before me at the Region/County/District of Middlesex,

in the Municipality of The City of London, this

16th day of September 2011
(Day) (Month) (Year)

[Signature]
Signature
Alan R. Patton
Please Print name of Applicant

[Signature]
Commissioner of Oaths

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24) Municipal Freedom of Information Declaration:

In accordance with the provisions of the Planning Act, it is the policy of the City Planning Department to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I Alan R. Patton (please print name) the Owner/applicant/authorized agent, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the City of London to post a "Possible Land Use Change" sign and allow municipal staff to access to the subject lands for purposes of evaluation of the subject application.



Signature

16 09 2011
Day Month Year

OWNER/APPLICANT'S INFORMATION: (Mandatory, please print)

Name: Alan R. Patton

Mailing Address: #1512-140 Fullarton Street

Telephone No. 519-432-8282

London, ON N6A 5P2

E-mail Address: apatton@pattoncormier.ca

Fax No. 519-432-7285

NOTICE: Please be advised that in accordance with the Council resolution of December 6, 1999 and upon acceptance of a completed amendment application, the City of London may place a Standard Public Notice Sign on private lands subject to this application. The sign will be removed upon expiry of all available appeal procedures.

CITY OF LONDON
PLANNING DEPARTMENT
JAN 11 2011

FORWARDED TO:
FREQUENT REFERRALS
ACTION:

PROVINCIAL POLICY INFORMATION REQUIREMENTS

Schedule APP-1

Completion of the following will assist the municipality in performing a complete review of the subject proposal. *Please use a separate sheet if needed.*

1) What is the current and previous use of the subject land?

Current Use(s): Office
 All previous known uses: Church

2) Has there been an industrial, commercial use or a gas station on the subject land or adjacent land, any grading change of the property by adding fill or other material, any petroleum or other fuel stored on the subject land or land adjacent to the subject land or is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes No

If Yes, please be specific:

What information did you use to determine the answers to the above questions?

3) If Yes to 2, a soils investigation study including previous use inventory is required, showing all former uses of the subject land, or if appropriate, the adjacent land. This study must be prepared by a qualified consultant.

Report attached? YES NO

4) Subsurface Rights

Are the subsurface rights and the surface rights to the property held by the same Owner? YES NO

If the answer to 4 is No, who owns the subsurface rights? _____

If the answer to 4 is No, please have the Owner complete the following declaration.

AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS

(if subsurface rights different from the Owner of the lands)

I, _____, the Owner of the subsurface rights for the subject property, am aware of this application and consent to it. (please print)

 (signature) _____
 (date)

 (address)

 Telephone Number _____
 Facsimile Number

5) Significant Features Checklist
 Check through the following list. Indicate under YES, NO, or UNKNOWN if a listed feature is on-site or within 500 metres. Indicate under YES, NO, or UNKNOWN if a listed development circumstance applies. Be advised of the potential information requirements in noted sections.

FEATURES OR DEVELOPMENT CIRCUMSTANCES	YES	NO	UNKNOWN	IF FEATURE, SPECIFY DISTANCE IN METRES	POTENTIAL INFORMATION NEEDS
Non-farm development near designated urban areas or rural settlement areas		X			Demonstrate sufficient need within 20 year projections and that proposed development will not hinder efficient expansion of urban areas or rural settlement areas.
Class 1 Industry ¹		X		___ metres	Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry ²		X		___ metres	Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry ³ within 1000 metres		X		___ metres	Assess development for residential and other sensitive uses within 1000 metres.
Land Fill Site		X		___ metres	Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant		X		___ metres	Assess the need for a feasibility study for residential and other sensitive land uses.
Waste Stabilization Pond		X		___ metres	Assess the need for a feasibility study for residential and other sensitive land uses.
Active railway line		X		___ metres	Evaluate impacts within 300 metres.
Controlled access highways or freeways, including designated future ones		X		___ metres	Evaluate impacts within 100 metres.
Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater		X			Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted.
Electric transformer station		X		___ metres	Determine possible impacts within 200 metres.
High voltage electric transmission line		X		___ metres	Consult the appropriate electric power service.
Transportation and infrastructure corridors		X		___ metres	Will the corridor be protected? Noise Study prepared?
Mineral aggregate resource areas		X			Will development hinder access to the resource or the establishment of new resource operations?
Mineral aggregate operations		X		___ metres	Will development hinder continuation of extraction? Noise and Dust Study completed?
Mineral and petroleum resource areas		X			Will development hinder access to the resource or the establishment of new resource operations?
Existing pits and quarries		X		___ metres	Will development hinder continued operation or expansion? Noise and Dust Study completed?
Significant wetlands or potentially significant wetlands		X		___ metres	Provide Environmental Impact Study.
Significant ravine, valley, river and stream corridors and significant portions of habitat of endangered and threatened species		X		___ metres	Provide Environmental Impact Study.
Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and scientific interest.		X			Provide Environmental Impact Study.
Sensitive groundwater recharges areas, headwaters and aquifers.		X			Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected.
Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.		X			Development should conserve significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.
Significant archaeological resources		X			Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed. Catalogued and analyzed prior to development.
Erosion hazards		X			Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains		X			Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.
Hazardous sites ⁴		X		___ metres	Slope Study, Flood line Study
Contaminated sites		X			Assess an inventory of previous uses in areas of possible soil contamination.
Prime agricultural land		X			Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated.
Agricultural operations		X		___ metres	Development to comply with the Minimum Distance Separation Formulae and O. P. policies.

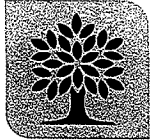
¹Class 1 Industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.
²Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.
³Class 3 Industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.
⁴Hazardous sites - property or lands that could be unsafe for development or alteration due to naturally occurring hazards. These hazards may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (Karst topography).

IMPLEMENTATION - CONTACT LIST

AGENCY	E-MAIL ADDRESS	TELEPHONE NUMBER	FAX NUMBER
London Hydro – M. Van Boxmeer	vanboxmm@londonhydro.com	(519) 661-5800 Ext. 5564	(519) 661-5812
Building Division – G. Kotsifas	gkotsifas@london.ca	(519) 661-4555	(519) 661-8427
London Economic Development Corporation – P. White	pwhite@ledc.com	(519) 661-4545	(519) 661-5331
Environmental and Ecological Planning Advisory Committee (EEPAC) - c/o L. Fisher	lfisher@london.ca	(519) 661-2500 Ext. 5417	(519) 661-4892
Finance Department – C. Resendes	cresende@london.ca	(519) 661-2500 Ext. 4714	(519) 661-6518
Middlesex-London Health Unit – I. Kalsi	iqbal.kalsi@mlhu.on.ca	(519) 663-5317 Ext. 2650	(519) 663-9276
Parks Planning & Design – B. Page	bpage@london.ca	(519) 661-4980	(519) 661-5397
Development Services Division – R. Kuehr	rkuehr@london.ca	(519) 661-2500 Ext. 8467	(519) 661-2355
London Advisory Committee on Heritage (LACH) -George Goodlet	goodlet@execulink.com	519-473-5171	
Thames Valley District School Board - G. Owens	g.owens@tvdsb.on.ca	(519) 452-2155	(519) 452-2485
London District Catholic School Board – R. McLean	r.mclean@ldcsb.on.ca	(519) 663-2088 Ext. 43203	(519) 663-9753
Conseil scolaire de district des ecoles catholiques du Su-Ouest – G. Groulx	7515 Promenade Forest Glade Windsor, ON. N8T 3P5	-	-
Scolaire de district du Centre-Sud-Ouest – F. Fournier	116 Cornelius Parkway Toronto, ON. M6L 2K5	-	-
London Police Service – S. Goodine	sgoodine@police.london.ca	(519) 661-8408	(519) 645-1908
Community Services – D. Baxter	dbaxter@london.ca	(519) 661-2500 Ext. 2430	(519) 661-5930
Municipal Affairs and Housing, Ministry - B. Curtis	bruce.curtis@ontario.ca	(519) 873-4026	(519) 873-4018
Transportation, Ministry – Tim A. Burns	tim.a.burns@ontario.ca	(519) 873-4210	(519) 873-4228
Environment , Ministry (MOE) - B. Armstrong	Bill.Armstrong@ontario.ca	(519) 873-5000	(519) 873-5020
Natural Resources, Ministry – D. Irving, District Planner	daraleigh.irving@ontario.ca	(519) 773-4750	(519) 773-9014
Ministry of Agriculture, Food and Rural Affairs - D. Crinklaw	drew.crinklaw@ontario.ca	(519) 873-4085	(519) 873-4062
Ministry of Culture – S. Prowse	shari.prowse@ontario.ca	(519) 675-6898	(519) 675-7777
Ontario Power Generation (OPG) – T. Laurenson	talitha.laurenson@opg.com	(416) 592-4154	(416) 592-8115
Conservation Authority - Upper Thames - J. Shaughnessy	shaughnessyj@thamesriver.org	(519) 451-2800 Ext. 253	(519) 451-1188
Conservation Authority - Lower Thames - J. Campbell	ltvca@mnsi.net	(519) 354-7310	(519) 352-3435
Conservation Authority - Kettle Creek - J. Gordon	joe@kettlecreekconservation. on.ca	(519) 631-1270	(519) 631-5026
Hydro One Networks – Laura Giunta	laura.giunta@HydroOne.com	(905) 946-6235	(905) 946-6286
Canadian National Railway – N. Coleman	nick.coleman@cn.ca	(905) 760-5007	(905) 760-5010
Canadian Pacific Railway - O. Rojik	orest_rojik@cpr.ca	905-803-3425	905-803-3228
Union Gas – J. Van Praet	jvanpraet@uniongas.com	(519) 436-4600	(519) 358-4005
Esso Petroleum Canada Pipeline – C. Mitchell	colleen.m.mitchell@esso.com	(905) 689-6652 Ext.242	(905) 689-3553
Bell Canada – W.C. Willsie	b.willsie@bell.ca	(519) 663-6243	(519) 438-5934
London Transit Commission – S. McNally	smcnally@londontransit.ca	(519) 451-1340 Ext. 327	(519) 451-4411
Canada Post Corporation – Bruno DeSando	bruno.desando@canadapost.ca	(519) 494-1596	(519) 439-9646

**PLANNING JUSTIFICATION REPORT
783 Richmond Street, London, Ontario**

1. 783 Richmond Street is designated Multi-Family High Density Residential. The same designation applies to all properties fronting on the west side of Richmond Street, south of Sydenham Street to Oxford Street.
2. 783 Richmond Street is zoned R9-7H15/OR2/RO2/OC6/R3-1. The same zoning applies to all properties fronting on the west side of Richmond Street, south of Sydenham Street to Oxford Street.
3. On Schedule B of the Zoning By-law the majority of the properties are within Parking Standard Area 1. The subject property is in Parking Standard Area 2. This was done in an arbitrary and unjustified manner. There was a lack of proper and sufficient planning rationale for the City to place the subject land in Parking Standard Area 2. This lack of proper sufficient planning rationale continues to the present.
4. 783 Richmond Street is zoned for the same permitted commercial uses as those properties located in Parking Standard Area 1. It is disingenuous for Planning Staff to assert that Parking Standard Area 1 is meant for "commercial land uses" but not include 783 Richmond Street in Parking Standard Area 1.
5. 783 Richmond Street is served in exactly the same manner by the London Transit Commission as the adjacent lands zoned in the same manner but within Parking Standard Area 1.
6. The City does not explain the process and rationale for excluding 783 Richmond Street from Parking Standard Area 1 although requested to do so by the Applicants.
7. Parking of motor vehicles is permitted on Sydenham Street.
8. 783 Richmond Street was used as a place of worship and other church purposes for many years. It was subsequently owned by a busy medium sized law firm with many employees for greater than 35 years without adverse impacts on adjoining lands arising from the number of parking spaces on the property.
9. A Parking Standard Area 1 Zone conforms to the Official Plan, is sound land use planning, is fair and equitable, and will not cause unacceptable adverse impact.



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

Agenda Item #	Page #

TAB 4

September 21, 2011

Attention: Alan Patton
Patton, Cormier & Associates
1512 – 140 Fullarton Street
London ON N6A 5P2

Dear: Mr. Patton

RE: Notice of Incomplete Application for Amendment Application
Location: 783 Richmond Street
Applicant: 1152587 Ontario Limited

This is to confirm that the application for a Zoning By-law amendment submitted on September 20, 2011 to the City of London has been deemed incomplete pursuant to subsection 22(6) and Ontario Regulation 543/06 of the *Planning Act*, and Section 19.16 of the City of London Official Plan.

Your application cannot be deemed complete until such time as the information and material indicated below have been completed and submitted to the Planning Division, (206 Dundas Street)

1. A parking study as discussed during required Consultation and as indicated on the Record of Pre-Application Consultation dated August 16, 2011.

Your application and accompanying material and fees are being returned to you at this time so that all of the required information and materials can be submitted to the City as a complete package, at which time the application will be reviewed for completeness as per the contents of this letter.

If you have any questions, please contact Alanna Riley of this office.

Yours truly,

Jim Yanchula
Manager of Community Planning and Urban Design
Planning Division

JY/ar
Attach.

cc: Alanna Riley – Planner II
Community Planning and Urban Design
Planning Division

PATTON CORMIER & ASSOCIATES
LAWYERS

Alan R. Patton, B.A., LL.B.

Elizabeth K. Cormier, B.A., LL.B.

Analee J.M. Fernandez, B.A., LL.B.

R. Arti Sanichara, Hons. B.E.S., LL.B.

November 21, 2011

file no.: 32917

Via Courier

TAB 5**The Corporation of the City of London**
Planning and Development Department
204 Dundas Street
London, ON N6A 1H4Attention: **James Yanchula**

Dear Sir:

Re: **1152587 Ontario Limited, 783 Richmond Street, London**

We are the solicitors for 1152587 Ontario Limited the owner of property municipally known as 783 Richmond Street, London.

Enclosed please find the following:

1. Zoning By-law Amendment Application;
2. Site and Location Plan;
3. Application fee payable to the Treasurer, City of London;
4. Record of Pre-Application Consultation;
5. Planning Justification Report, attached to the Zoning By-law Amendment Application form;
6. Opinion letter of F.R. Berry & Associates Transportation Planning Consultants regarding Parking Study.

1512-140 Fullarton Street, London, ON N6A 5P2

tel: 519.432.8282

fax: 519.432.7285

If this Application is deemed incomplete for any reason whatsoever please advise immediately by email with reasons for your opinion that the Application is incomplete. If the Application is returned incomplete my client has instructed me to make submissions to the Built and Natural Environment Committee and City Council regarding your Division's requirements for a complete Application in this matter.

Yours truly
PATTON CORMIER & ASSOCIATES
per:



Alan R. Patton
ARP/dr
Encl.

apatton@pattoncormier.ca

cc: *1152587 Ontario Limited (Without Encl.)*
Councillor Bud Polhill, Chair Built and Natural Environment Committee (Without Encl.)
Mayor Fontana (Without Encl.)
F.R. Berry & Associates (Without Encl.)



London

THE CITY OF LONDON ZONING BY-LAW AMENDMENT APPLICATION FORM

FOR APPLYING FOR APPROVAL UNDER SECTION 34 OF THE PLANNING ACT

Agenda Item #	Page #

CONCURRENT APPLICATIONS FILED
 Note to Applicant: For each application that is filed concurrently, complete and attach the appropriate application form and fees.

- Official Plan Amendment (see combined OPA/ZBA application form)
- Subdivision/Consent
- Minor Variance
- Site Plan
- Other (Specify): _____

OFFICE USE ONLY
 Date Stamp – Date Received

FOR REFERENCE PURPOSES
 Municipal address: _____

REQUIREMENTS FOR A COMPLETE APPLICATION INCLUDE:

Note: Until the City of London, Planning Division has received the information and material requested herein (as required under subsections (10.1) and (10.2) of Section 34 and any fee under Section 69(1) of the *Planning Act*), the application will be deemed incomplete, the time periods referred to in sections 34(10.7) and 34(11) will not begin and the application will be returned to the applicant.

<input checked="" type="checkbox"/>	The completed application form and declarations as required under subsection 34 (10.1) (10.2) of the <i>Planning Act</i> .
<input checked="" type="checkbox"/>	1 copy of sketch/plan showing EXISTING and PROPOSED building(s) and structure(s) on subject lands, where applicable. Sketch is to include the following for each existing and proposed building or structure: location including setbacks from lot lines, height and dimensions (or floor areas) in metric units, on 8 ½ x 14" paper, minimum. See Section 10 of this application for more detail.
<input checked="" type="checkbox"/>	Application Fee(s) made payable to the Treasurer, City of London
<input checked="" type="checkbox"/>	A Letter of Authorization from the Owner (with dated, original signature) OR completion of the Owner's Authorization on page 9 (item 22), if the Owner is not filing the application.
<input checked="" type="checkbox"/>	Record of Pre-application Consultation (see Schedule 'A')
<input checked="" type="checkbox"/>	Other information identified at Pre-application consultation meeting.

PLEASE LIST THE REPORTS OR STUDIES THAT ACCOMPANY THIS APPLICATION (supply two copies of each):

Note: This section applies to all reports that were identified at the pre-application consultation meeting as studies required for a complete application – Refer to Schedule "B" for reference.

Planning Justification Report

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

City of London, Planning & Development Department, Implementation 204 Dundas Street, London, Ontario N6A 1H3	Telephone: 519-661-4980 Facsimile: 519-661-5397
---	--

PLEASE REFER TO ONTARIO REGULATION 545/06 FOR ITEM REFERENCES 1 THROUGH 23

1) Applicant Information:Complete the information below. All communications will be directed to the **Primary Contact** with a copy to the Owner.

Note: If additional space is required for Owner(s) information, please attach a separate sheet containing said information.

Registered Owner(s):

Name: 1152587 Ontario Limited

Address: 783 Richmond Street

City: London

Postal Code: N6A 3H4

Phone: 519-434-7371

Cell/Pager:

Fax:

Email:

Applicant (complete if the Applicant is not the Owner):

Name:

Address:

City:

Postal Code:

Phone:

Cell/Pager:

Fax:

Email:

Agent Authorized by the Owner to file the Application (if applicable):

Name: Alan R. Patton, Patton Cormier & Associates

Address: #1512 – 140 Fullarton Street

City: London

Postal Code: N6A 5P2

Phone: 519-432-8282

Cell/Pager:

Fax: 519-432-7285

Email: apatton@pattoncormier.ca

1 b) Which of the above is the Primary Contact?

 Owner Applicant Agent**2) Date Application Submitted to the City of London: October, 2011****3) Please list the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land.***(Please use a separate sheet if needed)*

n/a

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4) What is the current zoning of the subject land?	5) What zone or zones are you seeking?
R9-7 H15/OR2/R02/OC6/R3-1	Amendment to Key May 51, Schedule B of By-law No. Z-1 to zone land Parking Standard Area 1

6) CURRENT OFFICIAL PLAN DESIGNATION: Please indicate what the current designation is;

Multi Family High Density Residential

6 b) Describe how the requested zone conforms to the current Official Plan designation?

(Please use a separate sheet if needed)

Parking Standard Area 1 conforms to Official Plan, see lands located at 753-761 Richmond Street

7) What are the reasons (purpose) for the requested zoning change?*

(Please use a separate sheet if needed)

The Official Plan designation and the uses permitted in the zoning of the subject and adjacent land clearly intend for a coordinated and comprehensive approach to the lands west of Richmond and south of Sydenham Street. Exclusion of the subject land from Parking Standard Area 1 is inconsistent with the planned function of the land and area. There is no rationale provided by the City within the Official Plan or any other Council approved policy for the exclusion of the subject lands from Parking Standard Area 1.

7. b) Are the subject lands a suitable site and location for the requested zone(s) and what are the physical characteristics of the subject land?*

(Please use a separate sheet if needed)

The subject lands are suitable for Parking Standard Area 1. There is no physical difference in the characteristics of the subject land from those lands at 753-761 Richmond Street presently within Parking Standard Area 1. The subject land is well serviced by public transit and there is significant residential uses in the immediate area.

7. c) Is the requested zone compatible with surrounding land uses? In what way?*

--

--

(Please use a separate sheet if needed)

Yes. Parking Standard Area 1 is compatible with land uses in the same block of land and is compatible with Parking Standard Area 1 established on the lands within the same block.

*** Note: The applicant may be required and is welcome to submit a separate justification report.**

8) Description of land:	
Geographic Township / Planning Area: City of London	
Lot(s): 5	Part Lot(s):
Concession(s):	Registered Plan No.: 162
Municipal Street Address (if applicable): 783 Richmond Street	
Assessment Roll Number:	

9) Land use, existing and proposed:		
Frontage (m): 16.72 m. 55 ft.	Depth (m): 33.44 m. 110 ft.	Area (m ² or ha): 559 m.sq. 6,050 sq. ft.
9 b) Existing use(s) of the land: Office		
9 c) The date the subject land was acquired: 1960 +/-		
9 d) Number of existing buildings/structures: One		
9 e) Use of existing buildings/structures (specify): Office		
9 f) The date any existing buildings or structures on the subject land were constructed: 1930+/-		

<input checked="" type="checkbox"/>	Municipal sewers	<input type="checkbox"/> Ditches or Swales	<input type="checkbox"/> Other (specify)
-------------------------------------	------------------	--	--

16) Height and Density

Is the subject property located in an area of the City which has pre determined minimum and maximum requirements for height and density? YES NO

16. b) If the answer to Section 16 is yes, provide a statement of those requirements:

(Please use a separate sheet if needed)

See provisions of R9-7 H15/0R2/R02/0C6/R3-1 zones.

17) Area of Settlement: **

Does the zoning amendment alter the boundaries of an existing area of settlement or require a new area of settlement to be implemented? YES NO

***this includes both rural settlement areas and alterations to the Urban Growth Boundary*

17 b) If the answer to Section 17 is yes, provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement: *(please use separate sheet)*

18) Employment Areas:

Does the zoning amendment remove land from an area of employment? YES NO

18 b) If the answer to section 18 is yes, provide the current Official Plan policies, if any, dealing with the removal of land from an area of employment:
(Please use a separate sheet)

19) Lands Subject to Zoning with Conditions:

Are the subject lands within an area where zoning with conditions applies? YES NO

19 b) If the answer to section 19 is yes, provide an explanation of how the proposed amendment complies with the Official Plan Policy relating to the zoning with conditions:

--

--

(Please use a separate sheet if needed)

20) Other Applications Under Planning Act:

Is the subject land, or land within 120m of the subject lands, the focus of any other application under the Planning Act?

YES

NO

20 b) If the answer to Section 20 was 'yes', please indicate below which applications are being undertaken:

<input type="checkbox"/>	Draft Plan of Subdivision	File No.:	Status:
<input type="checkbox"/>	Consent or Variance	File No.:	Status:
<input type="checkbox"/>	Zoning By-law Amendment	File No.:	Status:
<input type="checkbox"/>	Official Plan Amendment	File No.:	Status:
<input type="checkbox"/>	Minister's Zoning Order	Ontario Regulation No.:	Status:
<input type="checkbox"/>	Site Plan	File No.:	Status:
<input type="checkbox"/>	Other (Specify)	File No.:	Status:

20 c) If you answered 'yes' to any of Section 20, please describe the land the "other" application affects, the purpose of that application, and the effect that application will have on the amendment requested through this application.

(Please use a separate sheet if needed)

21) Is the application consistent with policy statements issued under subsection 3(1) of the *Planning Act*?

Identify policies from the Provincial Policy Statement (PPS) that you intend to use to support your application.

Note: If additional space is required, please attach a separate sheet containing this information.

Yes. It is consistent. Policies 1.1, 1.6, 1.6.5

22) Owner's Authorization:

This must be completed by the Owner if the OWNER IS NOT FILING THE APPLICATION

Note: If there are multiple Owners, an authorization letter from each Owner (with dated, original signature) is required OR each Owner must sign the following authorization.

1152587 Ontario Limited being the

registered Owner(s) of the subject lands, hereby authorize Patton Cormier & Associates
Print name of agent and/or company (if applicable)
 to prepare and submit an Application for Zoning By-law amendment.



 Signature
 I have Authority to Bind the Corporation

16th
 Day

September
 Month

2011
 Year

IMPORTANT:

If the Owner is an incorporated company, the company seal shall be applied in the signature block above (if there is one).

23) Applicant's Declaration:

This must be completed by the person filing the application for the proposed amendment and in the presence of a Commissioner of Oaths.

I, Alan R. Patton of the City of London
Print (name of applicant)

Print (Name of City, Town, Township, etc.)

in the County of Middlesex solemnly declare that all of the statements

contained in this Application for Zoning By-law Amendment at 783 Richmond Street
(description of subject land)

and all supporting documents and plans are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

Declared before me at the Region/County/District of Middlesex,

in the Municipality of The City of London, this

16th day of September 2011
(Day) (Month) (Year)



Signature

Alan R. Patton

Please Print name of Applicant



Commissioner of Oaths

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24) Municipal Freedom of Information Declaration:

In accordance with the provisions of the Planning Act, it is the policy of the City Planning Department to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I Alan R. Patton (please print name) the Owner/applicant/authorized agent, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the City of London to post a "Possible Land Use Change" sign and allow municipal staff to access to the subject lands for purposes of evaluation of the subject application.



Signature

16
Day

09
Month

2011
Year

OWNER/APPLICANT'S INFORMATION: (Mandatory, please print)

Name: Alan R. Patton

Mailing Address: #1512-140 Fullarton Street

Telephone No. 519-432-8282

London, ON N6A 5P2

E-mail Address: apatton@pattoncormier.ca

Fax No. 519-432-7285

NOTICE: Please be advised that in accordance with the Council resolution of December 6, 1999 and upon acceptance of a completed amendment application, the City of London may place a Standard Public Notice Sign on private lands subject to this application. The sign will be removed upon expiry of all available appeal procedures.

PROVINCIAL POLICY INFORMATION REQUIREMENTS

Schedule APP-1

Completion of the following will assist the municipality in performing a complete review of the subject proposal. *Please use a separate sheet if needed.*

1) What is the current and previous use of the subject land?

Current Use(s): Office
 All previous known uses: Church

2) Has there been an industrial, commercial use or a gas station on the subject land or adjacent land, any grading change of the property by adding fill or other material, any petroleum or other fuel stored on the subject land or land adjacent to the subject land or is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes No

If Yes, please be specific:

What information did you use to determine the answers to the above questions?

3) If Yes to 2, a soils investigation study including previous use inventory is required, showing all former uses of the subject land, or if appropriate, the adjacent land. This study must be prepared by a qualified consultant.

Report attached? YES NO

4) Subsurface Rights

Are the subsurface rights and the surface rights to the property held by the same Owner? YES NO

If the answer to 4 is No, who owns the subsurface rights? _____

If the answer to 4 is No, please have the Owner complete the following declaration.

AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS

(If subsurface rights different from the Owner of the lands)

I, _____, the Owner of the subsurface rights for the subject property, am aware of this application and consent to it. (please print)

 (signature)

 (date)

 (address)

 Telephone Number

 Facsimile Number

5) Significant Features Checklist

Check through the following list. Indicate under YES, NO, or UNKNOWN if a listed feature is on-site or within 500 metres. Indicate under YES, NO, or UNKNOWN if a listed development circumstance applies. Be advised of the potential information requirements in noted sections.

FEATURES OR DEVELOPMENT CIRCUMSTANCES	YES	NO	UNKNOWN	IF FEATURE, SPECIFY DISTANCE IN METRES	POTENTIAL INFORMATION NEEDS
Non-farm development near designated urban areas or rural settlement areas		X			Demonstrate sufficient need within 20 year projections and that proposed development will not hinder efficient expansion of urban areas or rural settlement areas.
Class 1 Industry ¹		X		___ metres	Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry ²		X		___ metres	Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry ³ within 1000 metres		X		___ metres	Assess development for residential and other sensitive uses within 1000 metres.
Land Fill Site		X		___ metres	Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant		X		___ metres	Assess the need for a feasibility study for residential and other sensitive land uses.
Waste Stabilization Pond		X		___ metres	Assess the need for a feasibility study for residential and other sensitive land uses.
Active railway line		X		___ metres	Evaluate impacts within 300 metres.
Controlled access highways or freeways, including designated future ones		X		___ metres	Evaluate impacts within 100 metres.
Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater		X			Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted.
Electric transformer station		X		___ metres	Determine possible impacts within 200 metres.
High voltage electric transmission line		X		___ metres	Consult the appropriate electric power service.
Transportation and infrastructure corridors		X		___ metres	Will the corridor be protected? Noise Study prepared?
Mineral aggregate resource areas		X			Will development hinder access to the resource or the establishment of new resource operations?
Mineral aggregate operations		X		___ metres	Will development hinder continuation of extraction? Noise and Dust Study completed?
Mineral and petroleum resource areas		X			Will development hinder access to the resource or the establishment of new resource operations?
Existing pits and quarries		X		___ metres	Will development hinder continued operation or expansion? Noise and Dust Study completed?
Significant wetlands or potentially significant wetlands		X		___ metres	Provide Environmental Impact Study.
Significant ravine, valley, river and stream corridors and significant portions of habitat of endangered and threatened species		X		___ metres	Provide Environmental Impact Study.
Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and scientific interest.		X			Provide Environmental Impact Study.
Sensitive groundwater recharges areas, headwaters and aquifers.		X			Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected.
Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.		X			Development should conserve significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.
Significant archaeological resources		X			Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed. Catalogued and analyzed prior to development.
Erosion hazards		X			Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains		X			Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.
Hazardous sites ⁴		X		___ metres	Slope Study, Flood line Study
Contaminated sites		X			Assess an inventory of previous uses in areas of possible soil contamination.
Prime agricultural land		X			Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated.
Agricultural operations		X		___ metres	Development to comply with the Minimum Distance Separation Formulae and O. P. policies.

¹Class 1 Industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

²Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

³Class 3 Industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

⁴Hazardous sites - property or lands that could be unsafe for development or alteration due to naturally occurring hazards. These hazards may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (Karst topography).



IMPLEMENTATION - CONTACT LIST

Schedule APP-2

AGENCY	E-MAIL ADDRESS	TELEPHONE NUMBER	FAX NUMBER
London Hydro – M. Van Boxmeer	vanboxmm@londonhydro.com	(519) 661-5800 Ext. 5564	(519) 661-5812
Building Division – G. Kotsifas	gkotsifas@london.ca	(519) 661-4555	(519) 661-8427
London Economic Development Corporation – P. White	pwhite@ledc.com	(519) 661-4545	(519) 661-5331
Environmental and Ecological Planning Advisory Committee (EEPAC) - c/o L. Fisher	lfisher@london.ca	(519) 661-2500 Ext. 5417	(519) 661-4892
Finance Department – C. Resendes	cresende@london.ca	(519) 661-2500 Ext. 4714	(519) 661-6518
Middlesex-London Health Unit – I. Kalsi	iqbal.kalsi@mlhu.on.ca	(519) 663-5317 Ext. 2650	(519) 663-9276
Parks Planning & Design – B. Page	bpage@london.ca	(519) 661-4980	(519) 661-5397
Development Services Division – R. Kuehr	rkuehr@london.ca	(519) 661-2500 Ext. 8467	(519) 661-2355
London Advisory Committee on Heritage (LACH) -George Goodlet	goodlet@execulink.com	519-473-5171	
Thames Valley District School Board - G. Owens	g.owens@tvdsb.on.ca	(519) 452-2155	(519) 452-2485
London District Catholic School Board – R. McLean	r.mclean@ldcsb.on.ca	(519) 663-2088 Ext. 43203	(519) 663-9753
Conseil scolaire de district des ecoles catholiques du Su-Ouest – G. Groulx	7515 Promenade Forest Glade Windsor, ON. N8T 3P5	-	-
Scolaire de district du Centre-Sud-Ouest – F. Fournier	116 Cornelius Parkway Toronto, ON. M6L 2K5	-	-
London Police Service – S. Goodine	sgoodine@police.london.ca	(519) 661-8408	(519) 645-1908
Community Services – D. Baxter	dbaxter@london.ca	(519) 661-2500 Ext. 2430	(519) 661-5930
Municipal Affairs and Housing, Ministry - B. Curtis	bruce.curtis@ontario.ca	(519) 873-4026	(519) 873-4018
Transportation, Ministry – Tim A. Burns	tim.a.burns@ontario.ca	(519) 873-4210	(519) 873-4228
Environment , Ministry (MOE) - B. Armstrong	Bill.Armstrong@ontario.ca	(519) 873-5000	(519) 873-5020
Natural Resources, Ministry – D. Irving, District Planner	daraleigh.irving@ontario.ca	(519) 773-4750	(519) 773-9014
Ministry of Agriculture, Food and Rural Affairs - D. Crinklaw	drew.crinklaw@ontario.ca	(519) 873-4085	(519) 873-4062
Ministry of Culture – S. Prowse	shari.prowse@ontario.ca	(519) 675-6898	(519) 675-7777
Ontario Power Generation (OPG) – T. Laurenson	talitha.laurenson@opg.com	(416) 592-4154	(416) 592-8115
Conservation Authority - Upper Thames - J. Shaughnessy	shaughnessyj@thamesriver.org	(519) 451-2800 Ext. 253	(519) 451-1188
Conservation Authority - Lower Thames - J. Campbell	ltvca@mnsi.net	(519) 354-7310	(519) 352-3435
Conservation Authority - Kettle Creek - J. Gordon	joe@kettlecreekconservation. on.ca	(519) 631-1270	(519) 631-5026
Hydro One Networks – Laura Giunta	laura.giunta@HydroOne.com	(905) 946-6235	(905) 946-6286
Canadian National Railway – N. Coleman	nick.coleman@cn.ca	(905) 760-5007	(905) 760-5010
Canadian Pacific Railway - O. Rojik	orest_rojik@cpr.ca	905-803-3425	905-803-3228
Union Gas – J. Van Praet	jvanpraet@uniongas.com	(519) 436-4600	(519) 358-4005
Esso Petroleum Canada Pipeline – C. Mitchell	colleen.m.mitchell@esso.com	(905) 689-6652 Ext.242	(905) 689-3553
Bell Canada – W.C. Willsie	b.willsie@bell.ca	(519) 663-6243	(519) 438-5934
London Transit Commission – S. McNally	smcnally@londontransit.ca	(519) 451-1340 Ext. 327	(519) 451-4411
Canada Post Corporation – Bruno DeSando	bruno.desando@canadapost.ca	(519) 494-1596	(519) 439-9646

PLANNING JUSTIFICATION REPORT 783 Richmond Street, London, Ontario

1. 783 Richmond Street is designated Multi-Family High Density Residential. The same designation applies to all properties fronting on the west side of Richmond Street, south of Sydenham Street to Oxford Street.
2. 783 Richmond Street is zoned R9-7H15/OR2/RO2/OC6/R3-1. The same zoning applies to all properties fronting on the west side of Richmond Street, south of Sydenham Street to Oxford Street.
3. On Schedule B of the Zoning By-law the majority of the properties are within Parking Standard Area 1. The subject property is in Parking Standard Area 2. This was done in an arbitrary and unjustified manner. There was a lack of proper and sufficient planning rationale for the City to place the subject land in Parking Standard Area 2. This lack of proper sufficient planning rationale continues to the present.
4. 783 Richmond Street is zoned for the same permitted commercial uses as those properties located in Parking Standard Area 1. It is disingenuous for Planning Staff to assert that Parking Standard Area 1 is meant for "commercial land uses" but not include 783 Richmond Street in Parking Standard Area 1.
5. 783 Richmond Street is served in exactly the same manner by the London Transit Commission as the adjacent lands zoned in the same manner but within Parking Standard Area 1.
6. The City does not explain the process and rationale for excluding 783 Richmond Street from Parking Standard Area 1 although requested to do so by the Applicants.
7. Parking of motor vehicles is permitted on Sydenham Street.
8. 783 Richmond Street was used as a place of worship and other church purposes for many years. It was subsequently owned by a busy medium sized law firm with many employees for greater than 35 years without adverse impacts on adjoining lands arising from the number of parking spaces on the property.
9. A Parking Standard Area 1 Zone conforms to the Official Plan, is sound land use planning, is fair and equitable, and will not cause unacceptable adverse impact.

F.R. Berry & Associates

TRANSPORTATION PLANNING CONSULTANTS

660 Inverness Avenue
London, Ontario N6H 5R4
Tel: (519) 474 2527 Fax: (519) 474 1728

Agenda Item #	Page #

November 17, 2011

Our Ref. 1168

Mr. A. Patton
Patton Cormier & Associates
1512 - 140 Fullarton Street
London ON
N6A 5P2

Dear Mr. Patton:

RE: 783 RICHMOND STREET, LONDON

I have reviewed the material you sent to me with respect to the rezoning application for the property at 783 Richmond Street in London. I noted particularly the request from City Planning staff that a parking study be completed and submitted along with the application.

Given the nature of the application, a parking study, in my opinion, is not appropriate. Parking studies are typically carried out to determine a realistic quantity of parking when the applicable zoning by-law does not take into account unusual circumstances or uses, or to justify a minor variation in the by-law requirements. In this case, the application is intended to rectify what appears to be an incorrect classification for two adjacent properties, including 783 Richmond Street.

I examined the key maps which outline the boundaries of Parking Standard Areas 1 and 2. In the Richmond Street corridor, in most cases, the boundary of Parking Standard Area 1 follows street allowances or rear lot lines. On side streets, the line is drawn between properties which are oriented towards the adjacent arterial street and those which have their orientation to the side street. Typically, on these side streets, curb parking is provided.

North of Oxford Street (Key Maps 51 and 52), two small areas have been designated as being within Parking Standard Area 1. To the east of Richmond Street, the area is bounded by Oxford Street, Wellington Street, Richmond Street and an interior laneway running parallel to Oxford Street. On the west side of Oxford Street, if the same logic is applied, one would expect Parking Standard Area 1 to be bounded by Oxford Street, Richmond Street, Sydenham Street and the rear laneway running parallel to Richmond Street. Instead, the commercial



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-2-

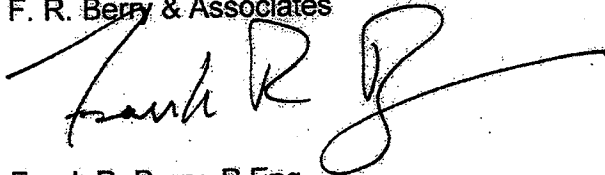
property on Oxford Street to the west of the laneway has been included while the two commercial properties on the west side of Richmond Street immediately south of Sydenham Street have been excluded.

If it has been deemed appropriate to include the property west of the laneway on Oxford Street in Parking Standard Area 1, there is no justification to exclude the two properties on Richmond Street south of Sydenham Street. All three properties are office uses, all front on major arterials, all have off-street parking and all have access to public transit.

On the last point, 48 regularly scheduled transit buses pass through the intersection of Oxford and Richmond in the morning peak hour and 50 pass through in the afternoon peak hour. Extra buses (trippers) are frequently added to some of these routes to deal with peak period demand. The properties in question are well within walking distance of all of the stops at Richmond and Oxford. In addition, it should be noted that Richmond Street has been designated as one of the corridors for implementation of bus rapid transit (BRT).

In summary, it is my opinion that the property at 783 Richmond Street should be included in Parking Standard Area 1. The property meets all of the criteria which appear to have been applied in designating uses within this area. The location of the boundary on a lot line between two commercial properties does not conform to the logic which appears to have been applied in other parts of the area.

Very truly yours
F. R. Berry & Associates



Frank R. Berry, P.Eng.
Principal



Alan Patton

From: Alan Patton [apatton@pattoncormier.ca]
Sent: Monday, November 28, 2011 4:04 PM
To: 'Yanchula, James'
Cc: 'Fontana, Joe'; 'Polhill, Bud'
Subject: RE: 1152587 Ontario Limited, 783 Richmond Street

Jim, I'm not clear on your answers to my two questions.

You state that a planner has been assigned to the Application, who is the same planner assigned to the file in August, 2011 when that Zoning Application was returned as "deemed incomplete". My client is entitled to an answer to two very basic questions arising from your email.

First, although a very clear opinion has been expressed by Mr. Berry in his letter of November 17, 2011, why is a Parking Study a requirement for a complete Application? I have asked to be provided with any Parking Study relied upon by the City when Council chose to exclude my client's land from parking Standard Area 1. This has not been provided. Is the City in possession of a Parking Study? If so please confirm.

Second, is Staff rejecting Mr. Berry's letter of November 17, 2011 and opinion therein on a Parking Study? If that is so please advise.

Further, I am uncertain what you mean by being "confident we can move this matter forward well within the legislated timeline that applies." If you are referring to the November 17, 2011 Application as now having been accepted as complete please confirm. If, on the other hand, you are saying that staff have yet to decide if the November 17, 2011 Application is complete then likewise please confirm immediately. As you know it is for Council to make the determination of completeness and Council after receiving all relevant information must consider the matter in public and provide written notification to the Applicant of its requirement for a Parking Study and of the scope, information and material required therein on or before December 17, 2011. If Council is to require a Parking Study beyond the professional opinion provided by Mr. Berry for this Application to be accepted then Council must attend to these matters forthwith.

Please advise as to these matters as it is imperative in the event that my client must address the Planning and Environment Committee on December 12, 2011.

Alan,

From: Yanchula, James [mailto:jyanchul@london.ca]
Sent: Monday, November 28, 2011 2:55 PM
To: 'Alan Patton'
Cc: Fontana, Joe; Polhill, Bud
Subject: RE: 1152587 Ontario Limited, 783 Richmond Street

Alan:

The planner assigned to the file is Alanna Riley. We'll have our reply on the application's acceptance as soon as we can complete the internal circulation process and meet internally Thursday morning to discuss the application. I am confident we can have this matter move forward well within the legislated timeline that applies.

Agenda Item #	Page #
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I also received your vmail today. Was it in relation to this application?
JIM

From: Alan Patton [<mailto:apatton@pattoncormier.ca>]
Sent: Monday, November 28, 2011 12:16 PM
To: Yanchula, James
Cc: Fontana, Joe; Polhill, Bud
Subject: 1152587 Ontario Limited, 783 Richmond Street

James, a Zoning Bylaw Amendment Application was filed with you Monday November 21. Please advise that the Application is accepted and the planner assigned to the file. Given the previous action on this matter my client is looking to have this matter move forward as soon as possible.
Alan,

Alan R. Patton
Patton Cormier & Associates
Lawyers
1512-140 Fullarton Street
London, ON N6A 5P2

apatton@pattoncormier.ca
Tel: 519-432-8282
Fax: 519-432-7285

Agenda Item # Page #

TAB 7

Alan Patton

From: Alan Patton [apatton@pattoncormier.ca]
Sent: Wednesday, December 07, 2011 11:49 AM
To: 'Yanchula, James'
Subject: RE 1152587 Ontario Limited

Further to our telephone conversation of yesterday afternoon, I confirm that upon the instructions of John Fleming, this Zoning Bylaw Amendment Application, filed Nov 21/11 is considered incomplete. Please have Mr. Fleming state the specific reason for his determination of incompleteness.

Alan R. Patton
Patton Cormier & Associates
Lawyers
1512-140 Fullarton Street
London, ON N6A 5P2

apatton@pattoncormier.ca
Tel: 519-432-8282
Fax: 519-432-7285



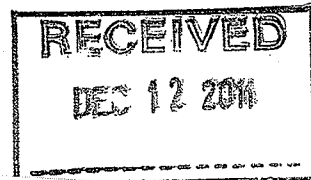
300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

Agenda Item # Page #

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December 6, 2011

TAB 8

Attention: Alan Patton
Patton, Cormier & Associates
1512 – 140 Fullarton Street
London ON N6A 5P2

Dear: Mr. Patton

RE: Notice of Incomplete Application for Amendment Application
Location: 783 Richmond Street
Applicant: 1152587 Ontario Limited

This is to confirm that the application for a Zoning By-law amendment submitted on November 23, 2011 to the City of London has been deemed incomplete pursuant to subsection 22(6) and Ontario Regulation 543/06 of the *Planning Act*, and Section 19.16 of the City of London Official Plan.

Your application cannot be deemed complete until such time as the information and material indicated below have been completed and submitted to the Planning Division, (206 Dundas Street)

1. The requirement for a parking study as discussed during required Consultation on August 10, 2011 as discussed with staff on August 4, 2011, and as indicated on the Record of Pre-Application Consultation dated August 16, 2011 has still not been submitted. The November 17, 2011 letter from F.R. Berry & Associates does not meet this requirement.

Your application and accompanying material and fees are being returned to you at this time so that all of the required information and materials can be submitted to the City as a complete package, at which time the application will be reviewed for completeness as per the contents of this letter.

If you have any questions, please contact Alanna Riley of this office.

Yours truly,

Jim Yanchula, MCIP, RPP
Manager of Community Planning and Urban Design
Planning Division

JY/ar
Attach.

cc: Alanna Riley, MCIP, RPP – Planner II
Community Planning and Urban Design
Planning Division

1.	CUSTOMER SERVICE REPRESENTATIVE / PLANNING SUPPORT REPRESENTATIVE		
	Date Application Received	Fee Submitted \$	5000-
2.	PLANNING ADMINSTRATOR	PLANNER	DATE
	Assign to Planner	A. Riley	Nov 23/11
3.	ASSIGNED TO PLANNER		
	Pull Pre-consultation File from Stacks		
	Date Proposal Summary Received		
	Date of Pre-consultation Initial Review		
	Date of Pre-consultation Meeting		
	Date of Record of Pre-consultation (signed as complete by Planner)		
	Review for Completeness		
	Further information needed		
	Date Accepted as Complete Application (all information received to meet complete application requirements)		
4.	PLANNING ADMINISTRATION & TECHNICAL SUPPORT REP		
	a) Assign File Number, Assemble File, Enter data from Application form into Amanda. b) Process fees associated with file. c) Prepare assignment letter and forward to assigned planner.	Important - use Date Accepted as Complete from Planner.	
5.	ASSIGNED PLANNER		
	Request Maps		
	Prepare Liaisons		
	Request Sign		
	Notify Councillor		

ENTER AMANDA INFORMATION FOR ALL FOLDER TYPES (MANDATORY)

Circle Folder type: O (Z) OZ H T

CITY OF LONDON
PLANNING DIVISION
NOV 21 2011

Description	Date/Value
Extension of Temporary Use By-law	Yes / No (circle one)
Total Land Area (Hectares)	
Policy Change	Yes / No (circle one)
Nature of Requested Policy Change	
Existing Official Plan Designation	
Requested Official Plan Designation	
Existing Zone(s)	
Requested Zone(s)	
Existing Use of Property	
Planning District Name	
Comments:	

REFERRED TO
SEQUENT REFERRALS
FOR ACTION
INFORMATION
REPORT
OTHER

Alan R. Patton, B.A., LL.B.

Elizabeth K. Cormier, B.A., LL.B.

Analee J.M. Fernandez, B.A., LL.B.

R. Arti Sanichara, Hons. B.E.S., LL.B.

November 21, 2011

file no.: 32917

Via Courier

The Corporation of the City of London
Planning and Development Department
204 Dundas Street
London, ON N6A 1H4

Attention: **James Yanchula**

Dear Sir:

Re: **1152587 Ontario Limited, 783 Richmond Street, London**

We are the solicitors for 1152587 Ontario Limited the owner of property municipally known as 783 Richmond Street, London.

Enclosed please find the following:

1. Zoning By-law Amendment Application;
2. Site and Location Plan;
3. Application fee payable to the Treasurer, City of London;
4. Record of Pre-Application Consultation;
5. Planning Justification Report, attached to the Zoning By-law Amendment Application form;
6. Opinion letter of F.R. Berry & Associates Transportation Planning Consultants regarding Parking Study.

**CITY OF LONDON
PLANNING DIVISION**

RECEIVED NOV 21 2011

FILE NO. _____

REFERRED TO _____

SEQUENT REFERRALS

ACTION

INFORMATION

SECRET

1512-140 Fullarton Street, London, ON N6A 5P2

tel: 519.432.8282 fax: 519.432.7285

If this Application is deemed incomplete for any reason whatsoever please advise immediately by email with reasons for your opinion that the Application is incomplete. If the Application is returned incomplete my client has instructed me to make submissions to the Built and Natural Environment Committee and City Council regarding your Division's requirements for a complete Application in this matter.

Yours truly
PATTON CORMIER & ASSOCIATES
per:



Alan R. Patton
ARP/dr
Encl.

apatton@pattoncormier.ca

cc: 1152587 Ontario Limited (Without Encl.)
Councillor Bud Polhill, Chair Built and Natural Environment Committee (Without Encl.)
Mayor Fontana (Without Encl.)
F.R. Berry & Associates (Without Encl.)



THE CITY OF LONDON
ZONING BY-LAW AMENDMENT APPLICATION FORM

Dundas Item # Page #

FOR APPLYING FOR APPROVAL UNDER SECTION 34 OF THE PLANNING ACT

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London

CONCURRENT APPLICATIONS FILED

Note to Applicant: For each application that is filed concurrently, complete and attach the appropriate application form and fees

- Official Plan Amendment (see combined OPA/ZBA application form)
- Subdivision/Consent
- Minor Variance
- Site Plan
- Other (Specify): _____

OFFICE USE ONLY

Date Stamp – Date Received

CITY OF LONDON
PLANNING DIVISION
NOV 21 2011
FILE NO. _____
REFERRED TO _____
REQUEST FOR COMMENTS
ACTION
INFORMATION
REPORT

FOR REFERENCE PURPOSES

Municipal address: _____

REQUIREMENTS FOR A COMPLETE APPLICATION INCLUDE:

Note: Until the City of London, Planning Division has received the information and material requested herein (as required under subsections (10.1) and (10.2) of Section 34 and any fee under Section 69(1) of the *Planning Act*), the application will be deemed incomplete, the time periods referred to in sections 34(10.7) and 34(11) will not begin and the application will be returned to the applicant.

- The completed application form and declarations as required under subsection 34 (10.1) (10.2) of the *Planning Act*.
- 1 copy of sketch/plan showing **EXISTING** and **PROPOSED** building(s) and structure(s) on subject lands, where applicable. Sketch is to include the following for each existing and proposed building or structure: location including setbacks from lot lines, height and dimensions (or floor areas) in metric units, on 8 1/2 x 14" paper, minimum. See Section 10 of this application for more detail.
- Application Fee(s) made payable to the Treasurer, City of London
- A Letter of Authorization from the Owner (with dated, original signature) **OR** completion of the Owner's Authorization on page 9 (item 22), **if the Owner is not filing the application.**
- Record of Pre-application Consultation (see Schedule 'A')
- Other information identified at Pre-application consultation meeting.

PLEASE LIST THE REPORTS OR STUDIES THAT ACCOMPANY THIS APPLICATION (supply two copies of each):

Note: This section applies to all reports that were identified at the pre-application consultation meeting as studies required for a complete application – Refer to Schedule "B" for reference.

Planning Justification Report

[Empty space for listing reports and studies]

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

City of London, Planning & Development Department, Implementation
204 Dundas Street, London, Ontario N6A 1H3

Telephone: 519-661-4980
Facsimile: 519-661-5397

1) Applicant Information:

Complete the information below. All communications will be directed to the **Primary Contact** with a copy to the Owner.

Note: If additional space is required for Owner(s) information, please attach a separate sheet containing said information.

Registered Owner(s):

Name: 1152587 Ontario Limited

Address: 783 Richmond Street

City: London

Postal Code: N6A 3H4

Phone: 519-434-7371

Cell/Pager:

Fax:

Email:

Applicant (complete if the Applicant is not the Owner):

Name:

Address:

City:

Postal Code:

Phone:

Cell/Pager:

Fax:

Email:

Agent Authorized by the Owner to file the Application (if applicable):

Name: Alan R. Patton, Patton Cormier & Associates

Address: #1512 – 140 Fullarton Street

City: London

Postal Code: N6A 5P2

Phone: 519-432-8282

Cell/Pager:

Fax: 519-432-7285

Email: apatton@pattoncormier.ca

1 b) Which of the above is the Primary Contact?

Owner

Applicant

Agent

2) Date Application Submitted to the City of London: October, 2011

3) Please list the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land.

(Please use a separate sheet if needed)

n/a



<p>4) What is the current zoning of the subject land?</p>	<p>5) What zone or zones are you seeking?</p>
<p>R9-7 H15/OR2/R02/OC6/R3-1</p>	<p>Amendment to Key May 51, Schedule B of By-law No. Z-1 to zone land Parking Standard Area 1</p>

<p>6) CURRENT OFFICIAL PLAN DESIGNATION: Please indicate what the current designation is;</p>
<p>Multi Family High Density Residential</p>
<p>6 b) Describe how the requested zone conforms to the current Official Plan designation?</p>
<p><i>(Please use a separate sheet if needed)</i></p> <p>Parking Standard Area 1 conforms to Official Plan, see lands located at 753-761 Richmond Street</p>
<p> </p>

7) What are the reasons (purpose) for the requested zoning change?*

(Please use a separate sheet if needed)

The Official Plan designation and the uses permitted in the zoning of the subject and adjacent land clearly intend for a coordinated and comprehensive approach to the lands west of Richmond and south of Sydenham Street. Exclusion of the subject land from Parking Standard Area 1 is inconsistent with the planned function of the land and area. There is no rationale provided by the City within the Official Plan or any other Council approved policy for the exclusion of the subject lands from Parking Standard Area 1.

7. b) Are the subject lands a suitable site and location for the requested zone(s) and what are the physical characteristics of the subject land?*

(Please use a separate sheet if needed)

The subject lands are suitable for Parking Standard Area 1. There is no physical difference in the characteristics of the subject land from those lands at 753-761 Richmond Street presently within Parking Standard Area 1. The subject land is well serviced by public transit and there is significant residential uses in the immediate area.

7. c) Is the requested zone compatible with surrounding land uses? In what way?*

(Please use a separate sheet if needed)

Yes. Parking Standard Area 1 is compatible with land uses in the same block of land and is compatible with Parking Standard Area 1 established on the lands within the same block.

*** Note: The applicant may be required and is welcome to submit a separate justification report.**

8) Description of land:	
Geographic Township / Planning Area: City of London	
Lot(s): 5	Part Lot(s):
Concession(s):	Registered Plan No.: 162
Municipal Street Address (if applicable): 783 Richmond Street	
Assessment Roll Number:	

9) Land use, existing and proposed:		
Frontage (m): 16.72 m. 55 ft.	Depth (m): 33.44 m. 110 ft.	Area (m ² or ha): 559 m.sq. 6,050 sq. ft.
9 b) Existing use(s) of the land: Office		
9 c) The date the subject land was acquired: 1960 +/-		
9 d) Number of existing buildings/structures: One		
9 e) Use of existing buildings/structures (specify): Office		
9 f) The date any existing buildings or structures on the subject land were constructed: 1930+/-		

9 g) The length of time that the existing uses of the subject land have continued: **50 years +/-**

9 h) The current and previous use(s) of the subject lands: **Office, Church**

9 i) If known, the number of proposed buildings/structures: **One**

9 j) If known, the proposed use of buildings/structures (specify):

A use permitted in the present, R9-7H15 / OR2 / R02 / OC6 / R3-1 Zone

10) A sketch illustrating the following, in metric units, is required:

Please include the above noted existing and proposed buildings on this sketch.

- o The boundaries and dimensions of the subject land;
- o The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines as well as their heights, building dimensions and floor areas;
- o The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that:
 - are located on the subject and adjacent lands, and;
 - in the applicant's opinion, may affect the application;
- o The current land uses on and adjacent to the subject lands;
- o The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
- o If access to the subject land will be by water only, the location of the parking and docking facilities to be used; and;
- o The location and nature of any easement or restrictive covenant affecting the subject land.

11) Access: Access to the subject lands will be provided by:

<input type="checkbox"/> Private Street (not usually permitted)	<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> Right of Way (not permitted)	<input checked="" type="checkbox"/> Assumed Municipal Street	

12) Water Supply: Water supply to the subject lands shall be provided by:

<input checked="" type="checkbox"/> Municipal piped water	<input type="checkbox"/> Privately owned and operated individual wells for each lot
<input type="checkbox"/> Privately owned an operated communal well	<input type="checkbox"/> Other (specify)

13) Sewage Disposal: Sewage disposal on the subject lands will be provided by:

<input checked="" type="checkbox"/> Municipal sanitary sewers	<input type="checkbox"/> Privately owned individual septic system for each lot
<input type="checkbox"/> Privately owned communal collection	<input type="checkbox"/> Other (specify)

14) If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent produced per day as a result of the development being completed, you are required to provide:

- a) a servicing options report, and;
- b) a hydrogeological report.

15) Storm Drainage: Storm drainage on the subject lands will be provided by:

<input checked="" type="checkbox"/> Municipal sewers	<input type="checkbox"/> Ditches or Swales	<input type="checkbox"/> Other (specify)
--	--	--

16) Height and Density

Is the subject property located in an area of the City which has pre determined minimum and maximum requirements for height and density? YES NO

16. b) If the answer to Section 16 is yes, provide a statement of those requirements:

(Please use a separate sheet if needed)

See provisions of R9-7 H15/OR2/R02/OC6/R3-1 zones.

17) Area of Settlement: **

Does the zoning amendment alter the boundaries of an existing area of settlement or require a new area of settlement to be implemented? YES NO

***this includes both rural settlement areas and alterations to the Urban Growth Boundary*

17 b) If the answer to Section 17 is yes, provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement: *(please use separate sheet)*

18) Employment Areas:

Does the zoning amendment remove land from an area of employment? YES NO

18 b) If the answer to section 18 is yes, provide the current Official Plan policies, if any, dealing with the removal of land from an area of employment: *(Please use a separate sheet)*

19) Lands Subject to Zoning with Conditions:

Are the subject lands within an area where zoning with conditions applies? YES NO

19 b) If the answer to section 19 is yes, provide an explanation of how the proposed amendment complies with the Official Plan Policy relating to the zoning with conditions:

(Please use a separate sheet if needed)

20) Other Applications Under Planning Act:

Is the subject land, or land within 120m of the subject lands, the focus of any other application under the Planning Act?

YES

NO

20 b) If the answer to Section 20 was 'yes', please indicate below which applications are being undertaken:

<input type="checkbox"/>	Draft Plan of Subdivision	File No.:	Status:
<input type="checkbox"/>	Consent or Variance	File No.:	Status:
<input type="checkbox"/>	Zoning By-law Amendment	File No.:	Status:
<input type="checkbox"/>	Official Plan Amendment	File No.:	Status:
<input type="checkbox"/>	Minister's Zoning Order	Ontario Regulation No.:	Status:
<input type="checkbox"/>	Site Plan	File No.:	Status:
<input type="checkbox"/>	Other (Specify)	File No.:	Status:

20 c) If you answered 'yes' to any of Section 20, please describe the land the "other" application affects, the purpose of that application, and the effect that application will have on the amendment requested through this application.

(Please use a separate sheet if needed)

21) Is the application consistent with policy statements issued under subsection 3(1) of the *Planning Act*?

Identify policies from the Provincial Policy Statement (PPS) that you intend to use to support your application.

Note: If additional space is required, please attach a separate sheet containing this information.

Yes. It is consistent. Policies 1.1, 1.6, 1.6.5

22) Owner's Authorization:

This must be completed by the Owner if the **OWNER IS NOT FILING THE APPLICATION**

Note: If there are multiple Owners, an authorization letter from each Owner (with dated, original signature) is required OR each Owner must sign the following authorization.

1152587 Ontario Limited being the

registered Owner(s) of the subject lands, hereby authorize Patton Cormier & Associates
Print name of agent and/or company (if applicable)
to prepare and submit an Application for Zoning By-law amendment.

Wm J Bushner
Signature
I have Authority to Bind the Corporation

16th
Day

September
Month

2011
Year

IMPORTANT:

If the Owner is an incorporated company, the company seal shall be applied in the signature block above (if there is one).

23) Applicant's Declaration:

This must be completed by the **person filing the application** for the proposed amendment and in the presence of a Commissioner of Oaths.

I, Alan R. Patton of the City of London
Print (name of applicant)

Print (Name of City, Town, Township, etc.)

in the County of Middlesex solemnly declare that all of the statements

contained in this Application for Zoning By-law Amendment at 783 Richmond Street
(description of subject land)

and all supporting documents and plans are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

Declared before me at the Region/County/District of Middlesex,

in the Municipality of The City of London, this

16th day of September 2011
(Day) (Month) (Year)

[Signature]

Signature

Alan R. Patton

Please Print name of Applicant

[Signature]
Commissioner of Oaths

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24) Municipal Freedom of Information Declaration:

In accordance with the provisions of the Planning Act, it is the policy of the City Planning Department to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I Alan R. Patton (please print name) the Owner/applicant/authorized agent, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the City of London to post a "Possible Land Use Change" sign and allow municipal staff to access to the subject lands for purposes of evaluation of the subject application.

Handwritten signature of Alan R. Patton

Signature

16th 09 2011
Day Month Year

OWNER/APPLICANT'S INFORMATION: (Mandatory, please print)

Name: Alan R. Patton

Mailing Address: #1512-140 Fullarton Street

Telephone No. 519-432-8282

London, ON N6A 5P2

E-mail Address: apatton@pattoncormier.ca

Fax No. 519-432-7285

NOTICE: Please be advised that in accordance with the Council resolution of December 6, 1999 and upon acceptance of a completed amendment application, the City of London may place a Standard Public Notice Sign on private lands subject to this application. The sign will be removed upon expiry of all available appeal procedures.

CITY OF LONDON PLANNING DIVISION NOV 9 1 2011

Handwritten notes and lines at the bottom of the page

PROVINCIAL POLICY INFORMATION REQUIREMENTS

Completion of the following will assist the municipality in performing a complete review of the subject proposal. *Please use a separate sheet if needed.*

1) What is the current and previous use of the subject land?
 Current Use(s): Office
 All previous known uses: Church

2) Has there been an industrial, commercial use or a gas station on the subject land or adjacent land, any grading change of the property by adding fill or other material, any petroleum or other fuel stored on the subject land or land adjacent to the subject land or is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
 Yes No
 If Yes, please be specific:

What information did you use to determine the answers to the above questions?

3) If Yes to 2, a soils investigation study including previous use inventory is required, showing all former uses of the subject land, or if appropriate, the adjacent land. This study must be prepared by a qualified consultant.
 Report attached? YES NO

4) Subsurface Rights
 Are the subsurface rights and the surface rights to the property held by the same Owner? YES NO
 If the answer to 4 is No, who owns the subsurface rights? _____
 If the answer to 4 is No, please have the Owner complete the following declaration.

AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS
 (if subsurface rights different from the Owner of the lands)

I, _____, the Owner of the subsurface rights for the subject property, am aware of this application and consent to it. (please print)

 (signature) _____
 (date)

 (address)

 Telephone Number _____
 Facsimile Number

5) Significant Features Checklist

Check through the following list. Indicate under YES, NO, or UNKNOWN if a listed feature is on-site or within 500 metres. Indicate under YES, NO, or UNKNOWN if a listed development circumstance applies. Be advised of the potential information requirements in noted sections.

FEATURES OR DEVELOPMENT CIRCUMSTANCES	YES	NO	UNKNOWN	IF FEATURE, SPECIFY DISTANCE IN METRES	POTENTIAL INFORMATION NEEDS
Non-farm development near designated urban areas or rural settlement areas		X			Demonstrate sufficient need within 20 year projections and that proposed development will not hinder efficient expansion of urban areas or rural settlement areas.
Class 1 Industry ¹		X		___ metres	Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry ²		X		___ metres	Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry ³ within 1000 metres		X		___ metres	Assess development for residential and other sensitive uses within 1000 metres.
Land Fill Site		X		___ metres	Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant		X		___ metres	Assess the need for a feasibility study for residential and other sensitive land uses.
Waste Stabilization Pond		X		___ metres	Assess the need for a feasibility study for residential and other sensitive land uses.
Active railway line		X		___ metres	Evaluate impacts within 300 metres.
Controlled access highways or freeways, including designated future ones		X		___ metres	Evaluate impacts within 100 metres.
Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater		X			Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted.
Electric transformer station		X		___ metres	Determine possible impacts within 200 metres.
High voltage electric transmission line		X		___ metres	Consult the appropriate electric power service.
Transportation and infrastructure corridors		X		___ metres	Will the corridor be protected? Noise Study prepared?
Mineral aggregate resource areas		X			Will development hinder access to the resource or the establishment of new resource operations?
Mineral aggregate operations		X		___ metres	Will development hinder continuation of extraction? Noise and Dust Study completed?
Mineral and petroleum resource areas		X			Will development hinder access to the resource or the establishment of new resource operations?
Existing pits and quarries		X		___ metres	Will development hinder continued operation or expansion? Noise and Dust Study completed?
Significant wetlands or potentially significant wetlands		X		___ metres	Provide Environmental Impact Study.
Significant ravine, valley, river and stream corridors and significant portions of habitat of endangered and threatened species		X		___ metres	Provide Environmental Impact Study.
Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and scientific interest.		X			Provide Environmental Impact Study.
Sensitive groundwater recharges areas, headwaters and aquifers.		X			Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected.
Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.		X			Development should conserve significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.
Significant archaeological resources		X			Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed. Catalogued and analyzed prior to development.
Erosion hazards		X			Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains		X			Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.
Hazardous sites ⁴		X		___ metres	Slope Study, Flood line Study
Contaminated sites		X			Assess an inventory of previous uses in areas of possible soil contamination.
Prime agricultural land		X			Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated.
Agricultural operations		X		___ metres	Development to comply with the Minimum Distance Separation Formulae and O. P. policies.

¹Class 1 Industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

²Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

³Class 3 Industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

⁴Hazardous sites - property or lands that could be unsafe for development or alteration due to naturally occurring hazards. These hazards may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (Karst topography).

IMPLEMENTATION - CONTACT LIST

Agenda Item #

Page #

Schedule APP-2

AGENCY	E-MAIL ADDRESS	TELEPHONE NUMBER	FAX NUMBER
London Hydro – M. Van Boxmeer	vanboxmm@londonhydro.com	(519) 661-5800 Ext. 5564	(519) 661-5812
Building Division – G. Kotsifas	gkotsifas@london.ca	(519) 661-4555	(519) 661-8427
London Economic Development Corporation – P. White	pwhite@ledc.com	(519) 661-4545	(519) 661-5331
Environmental and Ecological Planning Advisory Committee (EEPAC) - c/o L. Fisher	lfisher@london.ca	(519) 661-2500 Ext. 5417	(519) 661-4892
Finance Department – C. Resendes	cresende@london.ca	(519) 661-2500 Ext. 4714	(519) 661-6518
Middlesex-London Health Unit – I. Kalsi	iqbal.kalsi@mlhu.on.ca	(519) 663-5317 Ext. 2650	(519) 663-9276
Parks Planning & Design – B. Page	bp@london.ca	(519) 661-4980	(519) 661-5397
Development Services Division – R. Kuehr	rkuehr@london.ca	(519) 661-2500 Ext. 8467	(519) 661-2355
London Advisory Committee on Heritage (LACH) -George Goodlet	goodlet@execulink.com	519-473-5171	
Thames Valley District School Board - G. Owens	g.owens@tvdsb.on.ca	(519) 452-2155	(519) 452-2485
London District Catholic School Board – R. McLean	r.mclean@ldcsb.on.ca	(519) 663-2088 Ext. 43203	(519) 663-9753
Conseil scolaire de district des ecoles catholiques du Su-Ouest – G. Groulx	7515 Promenade Forest Glade Windsor, ON. N8T 3P5	-	-
Scolaire de district du Centre-Sud-Ouest – F. Fournier	116 Cornelius Parkway Toronto, ON. M6L 2K5	-	-
London Police Service – S. Goodine	sgoodine@police.london.ca	(519) 661-8408	(519) 645-1908
Community Services – D. Baxter	dbaxter@london.ca	(519) 661-2500 Ext. 2430	(519) 661-5930
Municipal Affairs and Housing, Ministry - B. Curtis	bruce.curtis@ontario.ca	(519) 873-4026	(519) 873-4018
Transportation, Ministry – Tim A. Burns	tim.a.burns@ontario.ca	(519) 873-4210	(519) 873-4228
Environment , Ministry (MOE) - B. Armstrong	Bill.Armstrong@ontario.ca	(519) 873-5000	(519) 873-5020
Natural Resources, Ministry – D. Irving, District Planner	daraleigh.irving@ontario.ca	(519) 773-4750	(519) 773-9014
Ministry of Agriculture, Food and Rural Affairs - D. Crinklaw	drew.crinklaw@ontario.ca	(519) 873-4085	(519) 873-4062
Ministry of Culture – S. Prowse	shari.prowse@ontario.ca	(519) 675-6898	(519) 675-7777
Ontario Power Generation (OPG) – T. Laurenson	talitha.laurenson@opg.com	(416) 592-4154	(416) 592-8115
Conservation Authority - Upper Thames - J. Shaughnessy	shaughnessyj@thamesriver.org	(519) 451-2800 Ext. 253	(519) 451-1188
Conservation Authority - Lower Thames - J. Campbell	ltvca@mnsi.net	(519) 354-7310	(519) 352-3435
Conservation Authority - Kettle Creek - J. Gordon	joe@kettlecreekconservation.on.ca	(519) 631-1270	(519) 631-5026
Hydro One Networks – Laura Giunta	laura.giunta@HydroOne.com	(905) 946-6235	(905) 946-6286
Canadian National Railway – N. Coleman	nick.coleman@cn.ca	(905) 760-5007	(905) 760-5010
Canadian Pacific Railway - O. Rojik	orest_rojik@cpr.ca	905-803-3425	905-803-3228
Union Gas – J. Van Praet	jvanpraet@uniongas.com	(519) 436-4600	(519) 358-4005
Esso Petroleum Canada Pipeline – C. Mitchell	colleen.m.mitchell@esso.com	(905) 689-6652 Ext.242	(905) 689-3553
Bell Canada – W.C. Willsie	b.willsie@bell.ca	(519) 663-6243	(519) 438-5934
London Transit Commission – S. McNally	smcnally@londontransit.ca	(519) 451-1340 Ext. 327	(519) 451-4411
Canada Post Corporation – Bruno DeSando	bruno.desando@canadapost.ca	(519) 494-1596	(519) 439-9646

**PLANNING JUSTIFICATION REPORT
783 Richmond Street, London, Ontario**

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1. 783 Richmond Street is designated Multi-Family High Density Residential. The same designation applies to all properties fronting on the west side of Richmond Street, south of Sydenham Street to Oxford Street.
2. 783 Richmond Street is zoned R9-7H15/OR2/RO2/OC6/R3-1. The same zoning applies to all properties fronting on the west side of Richmond Street, south of Sydenham Street to Oxford Street.
3. On Schedule B of the Zoning By-law the majority of the properties are within Parking Standard Area 1. The subject property is in Parking Standard Area 2. This was done in an arbitrary and unjustified manner. There was a lack of proper and sufficient planning rationale for the City to place the subject land in Parking Standard Area 2. This lack of proper sufficient planning rationale continues to the present.
4. 783 Richmond Street is zoned for the same permitted commercial uses as those properties located in Parking Standard Area 1. It is disingenuous for Planning Staff to assert that Parking Standard Area 1 is meant for "commercial land uses" but not include 783 Richmond Street in Parking Standard Area 1.
5. 783 Richmond Street is served in exactly the same manner by the London Transit Commission as the adjacent lands zoned in the same manner but within Parking Standard Area 1.
6. The City does not explain the process and rationale for excluding 783 Richmond Street from Parking Standard Area 1 although requested to do so by the Applicants.
7. Parking of motor vehicles is permitted on Sydenham Street.
8. 783 Richmond Street was used as a place of worship and other church purposes for many years. It was subsequently owned by a busy medium sized law firm with many employees for greater than 35 years without adverse impacts on adjoining lands arising from the number of parking spaces on the property.
9. A Parking Standard Area 1 Zone conforms to the Official Plan, is sound land use planning, is fair and equitable, and will not cause unacceptable adverse impact.

Riley, Alanna

From: Couvillon, Andrew
Sent: Thursday, December 01, 2011 8:07 AM
To: Riley, Alanna
Subject: RE: Letter

Alanna,

The letter provided by Frank Berry is not a parking study. It is an opinion regarding the relocation of the parking area in the zoning by-law. Without knowing the reasons why the line is drawn where it is, it is difficult to argue one way or the other. It could be argued that the line be moved to include or exclude various properties anywhere between area 1 & 2 as the boundary splits blocks over its entire length. The line could have been drawn based on land use at the time but that should be determined by Planning. The line could easily have been drawn along Oxford St between Richmond St and Wellington St to exclude everything north of Oxford St. The reasons why the line can or cannot be moved north to include this building lies in land use planning not transportation engineering.

FYI - below are our comments regarding the pre consultation for zoning amendment

- There is currently no parking on site as the building covers the majority of the property.
- Based on aerial photos & Google Street view parking for the property is on the boulevard for Sydenham St. A boulevard parking agreement will be required.
- Based on the existing zoning which permits medical/dental offices the change in parking areas will reduce the amount of parking required for a high turnover business use. Visitors to the site would be required to park on Sydenham St which is a narrow residential street.

As discussed, based on parking area 1 requirements this site could be redeveloped with no on-site parking if the property is rezoned to parking area 1. Parking for visitors and workers will be provided on Sydenham St, a narrow residential street with limited parking opportunities.

Andy Couvillon

Senior Transportation Technologist
Transportation Planning & Design Division
City of London
Phone: (519) 661-2500 Ext. 4738
Fax: (519) 661-4734
e-mail: acouvill@london.ca

From: Riley, Alanna
Sent: Tuesday, November 29, 2011 11:01 AM
To: Couvillon, Andrew
Subject: Letter

Hi Andy,

As per our discussion , could you please take a look at this letter and provide me with your comments?

Thanks,
Alanna

F.R. Berry & Associates

TRANSPORTATION PLANNING CONSULTANTS

660 Inverness Avenue
London, Ontario N6H 5R4
Tel: (519) 474 2527 Fax: (519) 474 1728

Agenda Item #	Page #

November 17, 2011

Our Ref. 1168

Mr. A. Patton
Patton Cormier & Associates
1512 - 140 Fullarton Street
London ON
N6A 5P2

Dear Mr. Patton:

RE: 783 RICHMOND STREET, LONDON

I have reviewed the material you sent to me with respect to the rezoning application for the property at 783 Richmond Street in London. I noted particularly the request from City Planning staff that a parking study be completed and submitted along with the application.

Given the nature of the application, a parking study, in my opinion, is not appropriate. Parking studies are typically carried out to determine a realistic quantity of parking when the applicable zoning by-law does not take into account unusual circumstances or uses, or to justify a minor variation in the by-law requirements. In this case, the application is intended to rectify what appears to be an incorrect classification for two adjacent properties, including 783 Richmond Street.

I examined the key maps which outline the boundaries of Parking Standard Areas 1 and 2. In the Richmond Street corridor, in most cases, the boundary of Parking Standard Area 1 follows street allowances or rear lot lines. On side streets, the line is drawn between properties which are oriented towards the adjacent arterial street and those which have their orientation to the side street. Typically, on these side streets, curb parking is provided.

North of Oxford Street (Key Maps 51 and 52), two small areas have been designated as being within Parking Standard Area 1. To the east of Richmond Street, the area is bounded by Oxford Street, Wellington Street, Richmond Street and an interior laneway running parallel to Oxford Street. On the west side of Oxford Street, if the same logic is applied, one would expect Parking Standard Area 1 to be bounded by Oxford Street, Richmond Street, Sydenham Street and the rear laneway running parallel to Richmond Street. Instead, the commercial



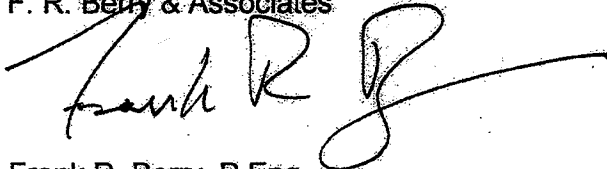
property on Oxford Street to the west of the laneway has been included while the two commercial properties on the west side of Richmond Street immediately south of Sydenham Street have been excluded.

If it has been deemed appropriate to include the property west of the laneway on Oxford Street in Parking Standard Area 1, there is no justification to exclude the two properties on Richmond Street south of Sydenham Street. All three properties are office uses, all front on major arterials, all have off-street parking and all have access to public transit.

On the last point, 48 regularly scheduled transit buses pass through the intersection of Oxford and Richmond in the morning peak hour and 50 pass through in the afternoon peak hour. Extra buses (trippers) are frequently added to some of these routes to deal with peak period demand. The properties in question are well within walking distance of all of the stops at Richmond and Oxford. In addition, it should be noted that Richmond Street has been designated as one of the corridors for implementation of bus rapid transit (BRT).

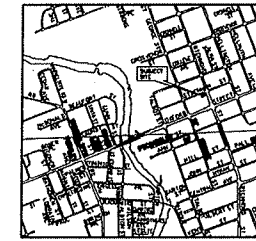
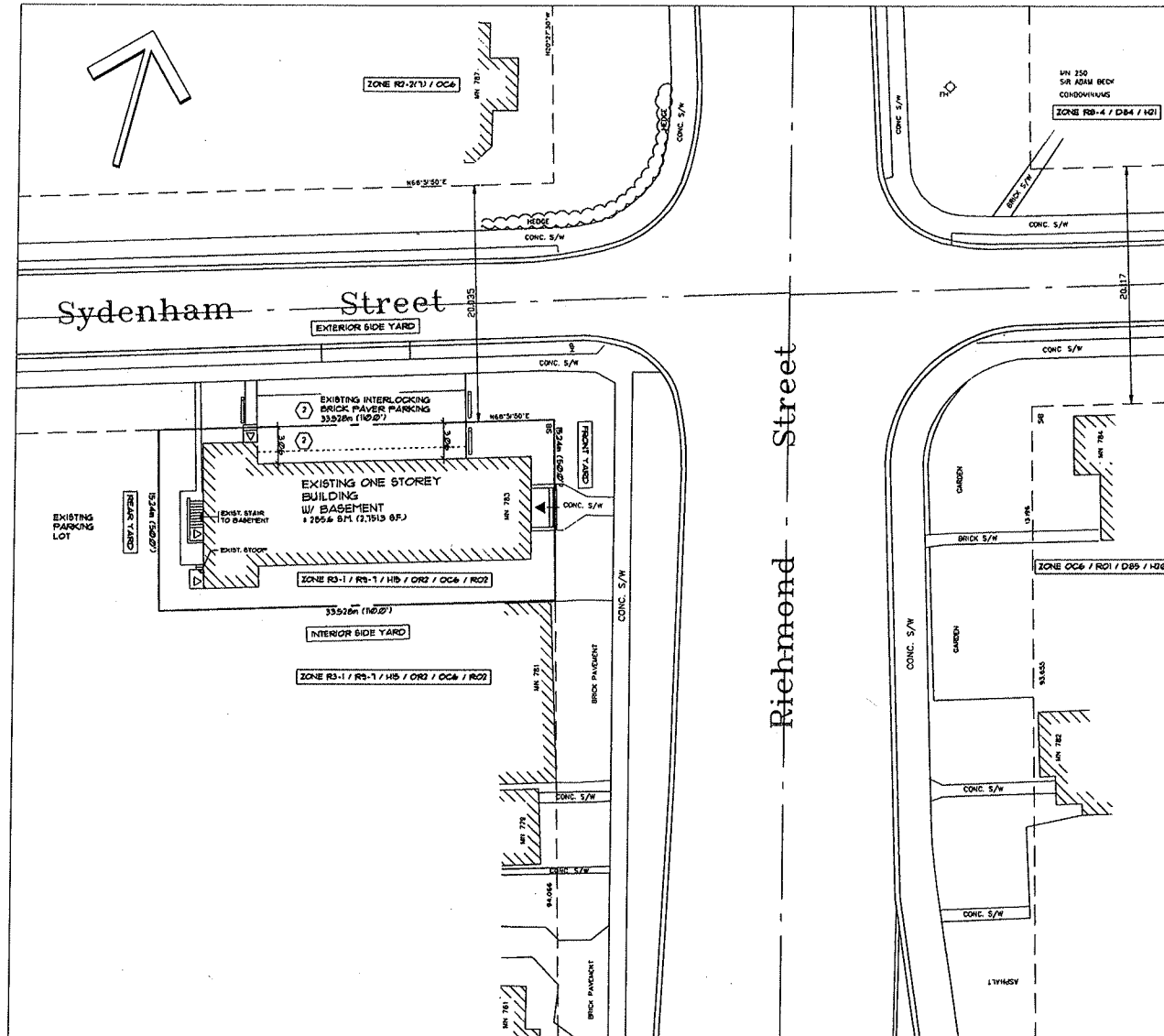
In summary, it is my opinion that the property at 783 Richmond Street should be included in Parking Standard Area 1. The property meets all of the criteria which appear to have been applied in designating uses within this area. The location of the boundary on a lot line between two commercial properties does not conform to the logic which appears to have been applied in other parts of the area.

Very truly yours
F. R. Berry & Associates



Frank R. Berry, P.Eng.
Principal





Key Map ↑

Legal Description

PART LOT 5
 REGISTERED PLAN No. 162(u)
 in the
 CITY OF LONDON
 COUNTY OF MIDDLESEX



Existing Site Photo

SITE PLAN

Site Legend

- ▲ PRINCIPAL FIRE-FIGHTER'S ENTRANCE AND BARRIER-FREE ENTRANCE
- △ SECONDARY ENTRANCE

1 : 200



BUILDING DATA
 1 STOREY WITH BASEMENT
 GROUP "D"
 PART 5
 FACING 2 STREETS
 UNSPRINKLERED
 MAX. BUILDING AREA ALLOWABLE = 600 SQM.

"PLANS AND RELATED DOCUMENTS ARE 'INSTRUMENTS OF SERVICE'. THE INFORMATION CONTAINED HEREON IS THE PROPERTY OF THE CONSULTING AND DESIGN PROFESSIONAL AND MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE CONSULTING AND DESIGN PROFESSIONAL.

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date	item	by

ZONING CONFORMANCE



PROJECT:
EXISTING COMMERCIAL BUILDING
 183 RICHMOND STREET
 LONDON ONTARIO

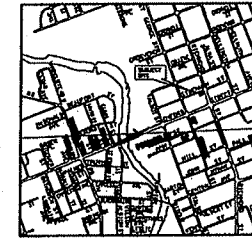
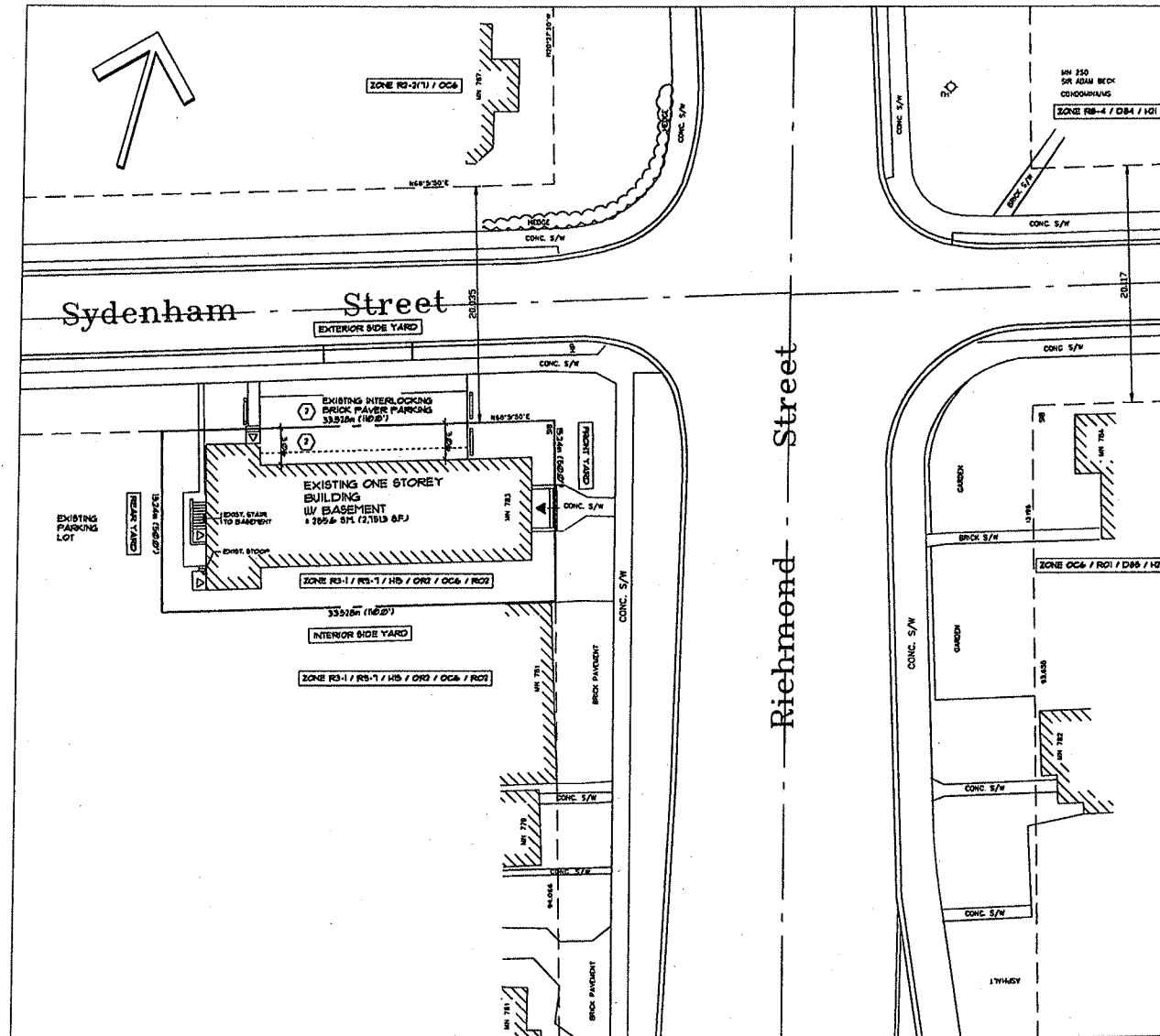
SHEET TITLE:
SITE PLAN

DATE: JUNE / 10 DRAWN: M.S.

SP:1

SHEET No.
 SCALE: 1:200 COMP. REF.
 /183RICHMOND/SITE4

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 Page #



Key Map ↑

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THE CONSULTANT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED AND DOES NOT INCLUDE CONSEQUENTIAL DAMAGES, LOSS OF PROFITS, BUSINESS INTERRUPTION, OR OTHER SPECIAL DAMAGES.

BUILDING FOUNDATION LAYOUT MUST BE VERIFIED BY A SURVEYOR.

PLEASE ADVISE CONSULTANT IF YOU NEED CLARIFICATION OF INFORMATION FROM INSTRUMENTS OF SERVICE.

IT IS THE RESPONSIBILITY OF THE CLIENT, VENDOR, CONTRACTOR AND OTHERS TO BE AWARE OF THE PROJECT AS A WHOLE AND TO OBTAIN ALL NECESSARY PERMITS, APPROVALS AND REGULATORY REQUIREMENTS FROM THE APPROPRIATE AGENCIES AND TO COMPLY WITH ALL APPLICABLE REGULATIONS AND STANDARDS.

date	item	by

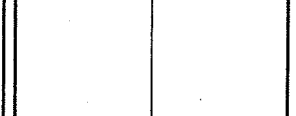
ZONING CONFORMANCE

STANFORD CONSULTING & DESIGN LTD.
 625 EAST STREET EAST • LONDON • ONTARIO • N6C 2G3
 TEL. (519) 679-8889 FAX (519) 679-8885

PROJECT:
EXISTING COMMERCIAL BUILDING
 183 RICHMOND STREET
 LONDON ONTARIO

SHEET TITLE:
SITE PLAN

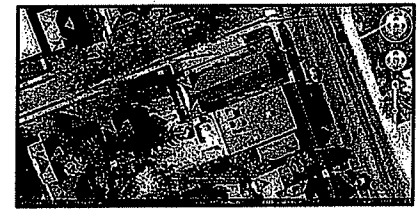
DATE: JUNE / 10 DRAWN: M.S.



SP:1

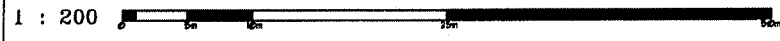
SHEET No.
 SCALE: 1:200 COMP. REF. /183RICHMOND/SITE4

Legal Description
 PART LOT 5
 REGISTERED PLAN No. 162(w)
 in the
 CITY OF LONDON
 COUNTY OF MIDDLESEX.



Existing Site Photo

Site Legend
 ▲ PRINCIPAL FIRE-FIGHTER'S ENTRANCE AND BARRIER-FREE ENTRANCE
 △ SECONDARY ENTRANCE



SITE PLAN

BUILDING DATA
 1 STOREY WITH BASEMENT
 GROUP "D"
 PART 5
 FACING 2 STREETS
 UNSPRINKLERED
 MAX. BUILDING AREA ALLOWABLE = 600 SQ.M.

Agenda Item #
 Page #

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Alan R. Patton, B.A., LL.B.

Elizabeth K. Cormier, B.A., LL.B.

Analee J.M. Fernandez, B.A., LL.B.

R. Arti Sanichara, Hons. B.E.S., LL.B.

December 5, 2011

file no.: 32917

hand delivered

TAB 9

The Corporation of the City of London
Planning and Development Department
204 Dundas Street
London, ON N6A 1H4

Attention: **James Purser**

Dear Sir:

Re: **1152587 Ontario Limited, 783 Richmond Street**
Municipal Freedom of Information Request

We are the solicitors for 1152587 Ontario Limited the owner of property municipally known as 783 Richmond Street, London. This property is located on the west side of Richmond Street at the intersection of Sydenham Street.

In the City of London's Official Plan the property is designated High Density Residential and by Zoning By-law No. Z-1 the subject land is zoned R9-7/H15/OR2/OC6/R3-1. This Official Plan designation and this zoning also applies to the land south of the subject lands to Oxford Street. However, pursuant to Schedule B of Zoning By-law Z-1 the subject land is in Parking Standard Area 2. Aside from the property abutting immediately to the south of 783 Richmond Street all other properties south of Sydenham to Oxford Street the west side of Richmond Street are zoned Parking Standard Area 1. We enclose herewith a copy of Key Map 51 from the City of London Zoning By-law detailing the subject area and the difference in Parking Standard Areas applied.

Pursuant to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* we require the following:

1. Copies of all studies and reports which studied and recommended that Parking Standard Area 2 zoning be placed on our client's lands but that Parking Standard Area 1 zoning be placed on the lands south of the subject lands to Oxford Street having the same Official Plan designation and zoning;
2. Copies of all correspondence, emails, letters, memos between City employees dealing with the zoning of 783 Richmond Street as Parking Standard Area 2;

3. Copies of all correspondence, emails, letters, memos between City Employees and City Agencies, traffic and/or parking consultants and third parties dealing with the zoning of 783 Richmond Street at Parking Standard Area 2.

The standard provincial fee of five dollars is enclosed.

Yours truly
PATTON CORMIER & ASSOCIATES
per:



Alan R. Patton
ARP/dr
Encl.

apatton@pattoncormier.ca



cc: 1152587 Ontario Limited - Via Regular Mail
Mayor Fontana - Via Email
Councillor Bud Polhill - Via Email

CITY OF LONDON
ZONING
BY-LAW NO. Z.-1

SCHEDULE B

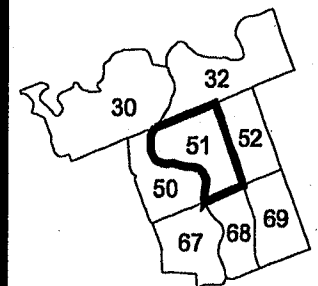
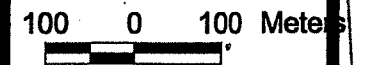
as of 2003/01/09



-  Parking Standard Area 1
-  Parking Standard Area 2

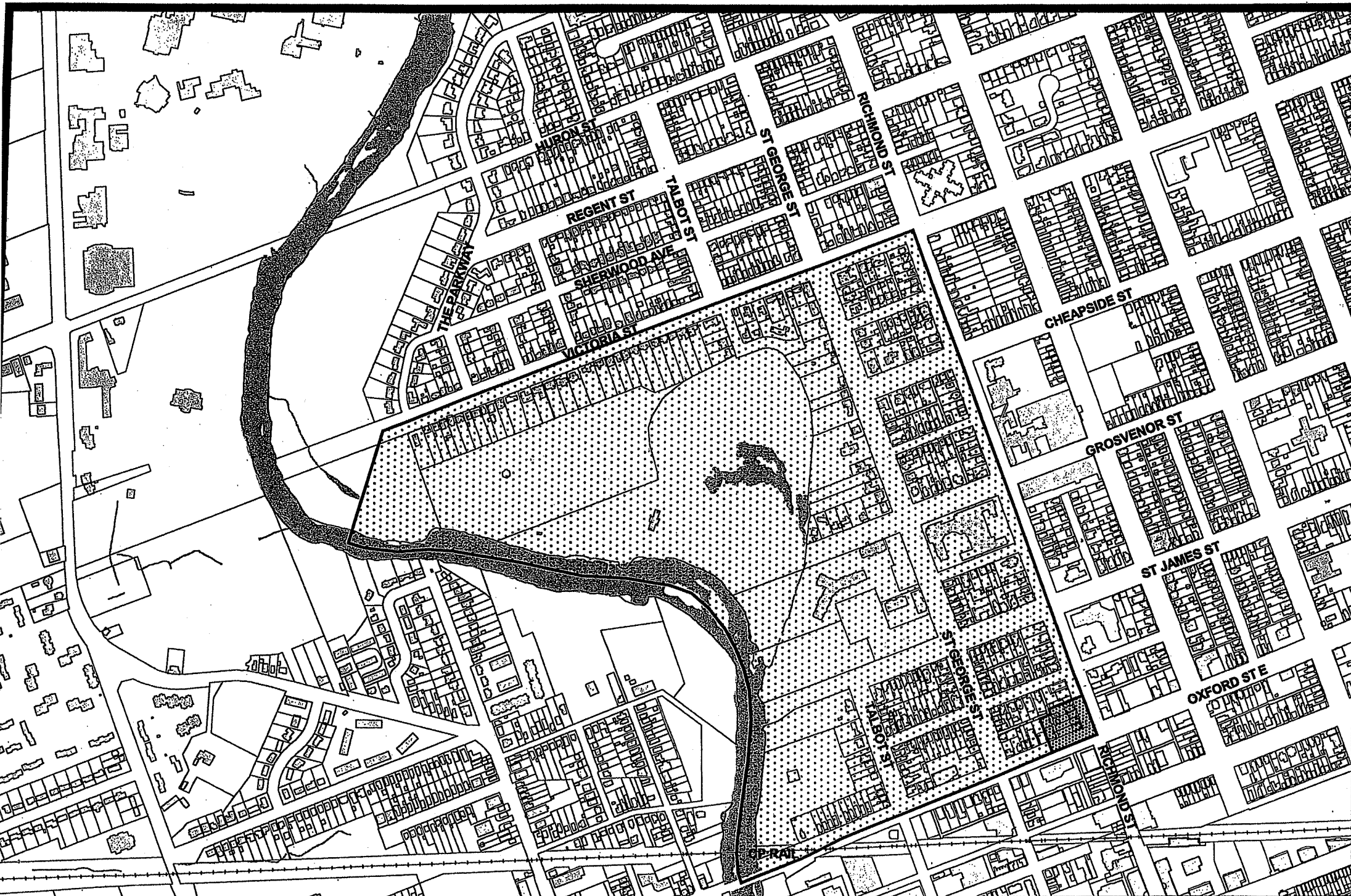
KEY MAP
51

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KEY MAP
51

Agenda Item #



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**19.16
Complete
Application**

The Planning Act permits a Council or a delegated approval authority to require that a person, public body or applicant who apply, submit or make requests or applications for consents, amendments to the Official Plan, amendments to the Zoning By-law, and approval of plans of subdivision, provide any "other information or material" that Council or the approval authority considers it may need to provide a basis for sound land use planning decisions in addition to the requirements of the policies of the Official Plan and the Provincial Policy Statement.

**19.16.1
Complete
Application
Provisions**

In order to ensure that all the relevant and required information pertaining to a planning application is available at the time of submission of the application to enable Council and its delegated approval authorities to make informed decisions within the prescribed period of time and to ensure that the public and other stakeholders have access to the relevant information earlier in the planning process, any or all the following provisions may be requested from applicants who apply, submit or make requests or applications for consents, amendments to the Official Plan, amendments to the Zoning By-law, and approvals of plans of subdivision, including condominiums.

In all instances the number and the scope of studies to be required for the submission of a complete application should be appropriate and in keeping with the scope and complexity of the application. For applications that may be considered simple or minor in nature, little, if any, additional information may be required. (OPA 430/November 5, 2007)

**19.16.2
Reports and
Studies**

Council and its delegated approval authorities may require reports and studies as part of a comprehensive planning application package referred to as a complete application. The reports and studies are intended to provide additional information pertaining to a subject site and the areas adjacent to it to assist Council and its delegated approval authorities to evaluate an application.

Council and its delegated approval authorities may require that a person requesting an amendment to the Official Plan, applying for an amendment to the Zoning By-law, applying for approval of a plan subdivision, or makes an application for a consent to sever, provide any other information or material that Council or its delegated approval authorities consider they may need. Therefore, these broad categories of reports and studies are not intended to preclude Council and its delegated approval authorities from requiring additional reports and studies that may be identified during the planning process if circumstances necessitate the need for such information as part of the decision making process.

The more specific scoping of reports and studies to be submitted by an applicant will be identified at the Consultation Meeting.

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Reports/Studies
to address
Environmental
and Natural
Matters

- i) The submission of reports and studies related to environmental and natural matters is to identify and assess the environments and natural features and functions related to the subject site, including surface and subsurface features, and to ensure that any potential impacts resulting from a proposed development and/or change in land use on the identified environmental and natural features and functions are mitigated, and to demonstrate consistency with the policies of Chapter 8 – Open Land Use Designation and/or Chapter 15 – Environmental Policies of this Plan.

The required reports/studies are to identify the environmental and natural features and functions which may be affected by the proposed development and/or change in land use; identify the areas that are to be employed as a buffer to protect the environmental and/or natural features and functions from the proposed development and/or change in land use; and identify any other mitigative measures to be undertaken to protect the environmental and natural features and functions from any potential impacts associated with the proposed development and/or change in land use.

Reports/Studies
to address
Transportation
Matters

- ii) The submission of reports and studies related to transportation matters is to determine if a proposed development and/or change in land use can be accommodated by the transportation network, what changes to the transportation network, if any, are required to accommodate the proposed development and/or change in land use, and to ensure that any potential impacts on the surrounding land uses are mitigated, and demonstrate consistency with the policies of Chapter 18 – Transportation of this Plan.

The required reports/studies are to determine what potential impacts may be associated with a proposed development and/or change in land use on the transportation network or an surrounding land uses, whether it can be accommodated within the design parameters of the transportation network, and to identify any new transportation infrastructure and lands that may be required external to the proposed site. The require report/studies must also identify whether, and if so, how, the proposed development and/or change in land use will be serviced by transit including an analysis of the implications to London Transit Commission. Where new transportation infrastructure and/or lands are required or an expansion of the existing transportation infrastructure is necessary to accommodate a proposed development and/or change in land use, the transportation reports/studies will demonstrate that the improved transportation infrastructure will be adequate to accommodate all modes of transportation in efficient manner and minimizes potential impacts on surrounding uses.

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Reports/Studies
to address
Servicing and
Infrastructure
Matters

- iii) The submission of reports and studies related to servicing and infrastructure matters is to ensure that a proposed development and/or change in land use can be supported by adequate municipal water, sanitary sewer, and stormwater management services, and must also demonstrate consistency with the policies of Chapter 17 – Services and Utilities of this Plan.

The required reports/studies are to demonstrate that the existing servicing infrastructure is sufficient to accommodate the proposed development and/or change in land use or that the lands can be reasonably serviced by the extension of existing infrastructure and to identify any new servicing infrastructure and lands that may be required external to the proposed site. Where new servicing infrastructure and or lands are required or an expansion of the existing infrastructure is necessary, the servicing and infrastructure reports/studies must also identify how the requirements, if any, under the environmental Assessment Act are to be addressed. The initiation of the Integration Provision of the MEA Municipal class Environmental Assessment may also be required.

Reports/Studies
to address
Financial Matters

- iv) The submission for reports and studies related to financial matters is to demonstrate that a proposed development and/or change in land use will not have an undesirable or unanticipated financial impact on the City of London.

The required reports/studies are to identify the short-term and long-term costs to the City of London for the provision of municipal infrastructure and services required to support a proposed development and /or change in land use and an estimate of anticipated revenues arising from a proposed development and /or change in land use.

Reports/Studies
to address
Cultural and
Design Matters

- v) The submission of reports and studies related to cultural and design matters are to demonstrate that a proposed development and/or change in land use will have a positive impact on the City's public realm, and must demonstrate consistency with the policies of Chapter 11 – Urban Design Principles and Chapter 13 – Heritage resources Policies of this Plan.

The required reports/studies are to demonstrate how a proposed development and/or change in land use will have a positive impact on neighbouring built heritage, is sensitive to archaeological issues, is designed in a manner that enhances the local built form and/or natural environment, and is consistent with approved urban Design Guidelines.

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Reports/Studies
to address
Planning Matters

- vi) The submission of reports and studies related to local and provincial planning matters is to ensure that a proposed development and/or change in land use is consistent with Council Policies and the Provincial Policy Statement and provides an integrated approach to land use planning.

The required reports/studies are to specifically address how a proposed development and/or a change in land use is consistent with the Provincial Policy Statement. The reports/studies must also demonstrate that the proposed development and/or a change in land use is consistent with Official Plan policies.

Where applicable, the reports/studies will also address consistency with an Area Plan and Guideline Documents that have been adopted by City Council.

Reports/Studies
to address
Nuisance and
Hazard Matters

- vii) The submission of reports and studies related to nuisance and hazard matters is to demonstrate that residents or users of a proposed development and/or change in land use are buffered from nuisances related to noise, dust, odour, vibration, and contamination/fill, and to reduce the potential for public cost or risk to future residents resulting from natural and human-made hazards. The reports/studies must also demonstrate consistency with the policies of Chapter 15 – Environmental Policies and Chapter 19 – Implementation of this Plan.

The required reports/studies are to identify all of the potential nuisance issues and natural/human-made hazards which may impact the proposed development and/or change in land use, identify the areas that area to be employed as a buffer between the nuisance issues and natural-human-made hazards and the proposed development and/or change in land use, and identify any other measures to be undertaken to mitigate the impacts associated with the nuisance issues and natural/human-made hazards from the proposed development and/or change in land use.

Reports/Studies
to address
Agricultural
Matters

- viii) The submission of reports and studies related to agricultural matters is to identify and assess any agricultural features that may be affected by a proposed development and/or change in land use, including surface and subsurface features, and to ensure that any potential impacts resulting from a proposed development and/or change in land use on the surrounding agricultural features are mitigated. The reports/studies must also demonstrate consistency with the policies of Chapter 9 – Agricultural, Rural Settlement and Urban Reserve Land Use Designations of this Plan.

The required reports/studies are to identify the agricultural features which may be affected by the proposed development and/or change in land use; identify the areas that are to be

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employed as a buffer between the proposed development and/or change in land use and adjacent agricultural features; demonstrate that the proposed development and/or change in land use will be accommodated in an efficient manner; and identify any other mitigative measures to be undertaken to ensure minimal potential impacts on surrounding agricultural features.

**19.16.3
Bibliography of
Resources**

All information and material that was provided to the municipality in support of an application must be listed in a Bibliography of Resources to clearly outline what information was made available to Council prior to a decision being made.

**19.16.4
Record of
Consultation**

Council may, by by-law, require a Consultation Meeting. The purpose of the Consultation Meeting is to allow the applicant to discuss with Municipal Staff matters pertaining to the application. Through these discussions, Municipal Staff will have the opportunity, in consultation with the applicant, to outline the information and materials that the applicant will be required to submit concurrently with the application. If a Consultation Meeting occurs, it shall be completed prior to the submission of an application. The specific reports/studies that are required to be submitted together with the application will be identified at the Consultation Meeting.

**19.16.5
Application
Information
Requirements**

In addition to the prescribed information required by the *Planning Act*, and the other information outlined in Section 19.6. of this Plan, additional information and materials may be required by the City to assist in understanding, evaluating and making recommendations on the application, and to ensure that sufficient information in an appropriate format can be made available to the commenting agencies and the public, and to the Council and its delegated approval authorities. Detailed information requirements will be as set out in the relevant application forms.

**19.16.6
Concurrent
Application
Provisions**

In addition to the prescribed information required by the *Planning Act*, and the other information outlined in Section 19.16. of this Plan the City may, through the Consultation Meeting, identify applications that are required to be submitted concurrently, to ensure that Council and its delegated approval authorities can properly evaluate the applications and make consistent and appropriate decisions.

**19.16.7
Electronic
Submissions**

All information must be submitted in both electronic format and hard copy format so that it may be more easily made available for review.
(OPA 430)