

# PATTON CORMIER & ASSOCIATES

LAWYERS

Alan R. Patton, B.A., LL.B. Analee J.M. Fernandez, B.A., LL.B.

Elizabeth K. Cormier, 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:

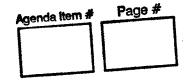
1152587 Ontario Limited

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.



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.

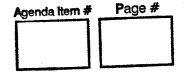
By September 16, 2011 the City had not provided any Parking Study in its possession which had addressed the zoning of 783 Richmond Street in Parking Standard Area 2 while other properties were in Parking Standard Area 1.

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.



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)

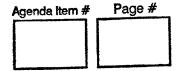
It is interesting to note that a Parking Study is not a stated requirement within Policy 19.16.2 ii) "Reports/Studies to Address Transportation Matters".

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.

tel: 519.432.8282 fax: 519.432.7285



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

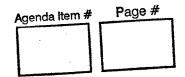
ARP/dr Encl.

apatton@pattoncormier.ca

cc:

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

fax: 519.432.7285



# 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

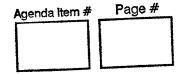
Patton Cormier & Associates, 1512-140 Fullarton Street, London, Ontario N6A 5P2, Alan R. Patton, tel: 519-432-8282, fax: 519-432-7285, e-mail: apatton@pattoncormier.ca are lawyers for the Owner / Applicant, 1152587 Ontario Limited.

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 fiftyfive (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.



Page 1 of 1

#### Pam Hall

From:

"Pam Hall" <phall@pattoncormier.ca>

To: Cc: "Mark Hefferton" <mheffert@london.ca>
"ARP" <apatton@pattoncormier.ca>
July 25, 2011 11:23 AM
DOC072511-002.pdf

Sent:

Attach:

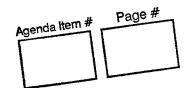
Subject:

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





#### **RECORD OF PRE-APPLICATION CONSULTATION**

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

Wednesday, August 10, 2011 Date: 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

- 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
- A change in the parking area will reduce the amount of required parking for a high turnover business
- Visitors to the site would be required to parking on Sydenham Street, a narrow residential street - busy to date
- 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

- Application for Zoning By-law amendment
- Parking Study
  - Planning Justification Report to include, but not limited to:

    o Discuss the reasons to moving the boundary

    - Provide any justification for variances to the policies/by-law requirements
    - Impact mitigation

#### Agents Comments (Alan Patton)

- 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.

| Agenda Item # | Page # |
|---------------|--------|
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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. 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

## PATTON CORMIER & ASSOCIATES

LAWYERS

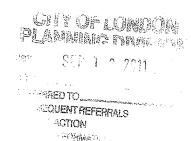
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Elizabeth K. Cormier, B.A., LL.B. Analee J.M. Fernandez, B.A., LL.B. R. Arti Sanichara, Hons. B.E.S., LL.B.

Macing irein

**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



1152587 Ontario Limited, 783 Richmond Street, London Re:

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

Enclosed please find the following:

- Zoning By-law Amendment Application; 1.
- 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** 

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

|             | CURRENT APPLICATIONS FILED   |  |  |  |  |
|-------------|--|--|--|--|--|
| Note:       | to Applicant: For each application that is filed concurrently, lete and attach the appropriate application form and fees.  | OFFICE USE ONLY Date Stamp = Date Received   |  |  |  |
|             | Official Plan Amendment (see combined OPA/ZBA application form)  |  |  |  |  |
|             | Subdivision/Consent  | PRIMIC DINGS   |  |  |  |
|             | Minor Variance   | 2011   |  |  |  |
|             | Site Plan  |  |  |  |  |
|             | Other (Specify):   | FOR REFERENCE PURPOSES  Municipal address:   |  |  |  |
| REQ         | UIREMENTS FOR A COMPLETE APPLICATION INCLUD  | The control of the co |  |  |  |
| Note        | e: Until the City of London, Planning Division has rec   | eived the information and material requested bearing   |  |  |  |
| Plan        | ning Act), the application will be deemed incom 0.7) and 34(11) will not begin and the application of the ap | ection 34 and any fee under Section 69(1) of the plete, the time periods referred to in sections will be returned to the applicant.  |  |  |  |
| ×           | The completed application form and declarations as red Act.  | quired under subsection 34 (10.1) (10.2) of the Planning   |  |  |  |
| x.          | 1 copy of sketch/plan showing <b>EXISTING</b> and <b>PROPOSE</b> applicable. Sketch is to include the following for each exis setbacks from lot lines, height and dimensions (or floor are Section 10 of this application for more detail.   | Ting and proposed building an attention to the contract of the |  |  |  |
| X_          | Application Fee(s) made payable to the Treasurer, City of London   |  |  |  |  |
| X           | A Letter of Authorization from the Owner (with dated, original signature) <b>OR</b> completion of the Owner's Authorization on page 9 (item 22), <b>if the Owner is not filing the application.</b>  |  |  |  |  |
| x           | Record of Pre-application Consultation (see Schedule 'A')  |  |  |  |  |
| x           | Other information identified at Pre-application consultation meeting.  |  |  |  |  |
| 12002222000 | ASE LIST THE REPORTS OR STUDIES THAT ACCOMP.  This section applies to all reports that were identified at the pre-application consultation reports.  |  |  |  |  |
| 3237        | ning Justification Report  |  |  |  |  |
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|             |  |  |  |  |  |
| THIS        | APPLICATION PACKAGE MUST BE SUBMITTED TO:  |  |  |  |  |
| City (      | of London, Planning & Development Department, Implementa<br>Dundas Street, London, Ontario N6A 1H3   | tion Telephone: 519-661-4980 Facsimile: 519-661-5397   |  |  |  |

|   |   | Agenda Item # | Page # |
|---|---|---------------|--------|
| CITY OF LONDON - ZONING BY-LAW AMENDMENT APPLICATION FORM | 1 |               |        |
| <b>t</b>  |   | 1             |        |

# 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                               |   |  |  |
| Registered Owner(s):  |   |  |  |
| Name: 1152587 Ontario Limited   |   |  |  |
| Address: 783 Richmond Street  | ·   |  |  |
|   |   |  |  |
| City: London  | Postal Code: N6A 3H4                                      |  |  |
| Phone: 519-434-7371   | 0.110   |  |  |
| 7.10.10. 010 404-7071   | Cell/Pager:   |  |  |
| Fax:  | Email:  |  |  |
|   |   |  |  |
| Applicant (complete if the Applicant is not the Owner):  Name:  |   |  |  |
| radiig.   |   |  |  |
| Address:  |   |  |  |
| City:   |   |  |  |
| Oky.  | Postal Code:  |  |  |
| Phone:  | Cell/Pager:   |  |  |
|   | Cenyr ager.   |  |  |
| Fax:  | Email:  |  |  |
| Agent Authorized by the Owner to the th   |   |  |  |
| Agent Authorized by the Owner to file the Application (if Name: Alan R. Patton, Patton Cormier & Associates | applicable);  |  |  |
|   |   |  |  |
| Address: #1512 – 140 Fullarton Street   |   |  |  |
| City: London  | Destrict the second                                       |  |  |
|   | Postal Code: N6A 5P2                                      |  |  |
| Phone: 519-432-8282   | Cell/Pager:   |  |  |
| Fax: 519-432-7285   |   |  |  |
|   | Email: apatton@pattoncormier.ca                           |  |  |
| b) Which of the above is the Primary Contact?   | Dwner ☐ Applicant X Agent                                 |  |  |
|   |   |  |  |
| ) Date Application Submitted to the City of London: C   | October, 2011   |  |  |
| Please list the names and addresses of the holders of the subject land.                                     | of any markages aboves                                    |  |  |
|   | any mortgages, charges or other encumbrances in           |  |  |
| Please use a separate sheet if needed)  |   |  |  |
| /a  |   |  |  |
|   |   |  |  |

| CITY OF LONDON – ZONING BY-LAW AMENDME   | NT APPLICATION FORM Agenda Item # Page #  |
|--|---|
| 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. Zone land Parking Standard Area 1 |
|  |   |
|  |   |
| 6) CURRENT OFFICIAL PLAN DESIGNATION: Please i   |   |
| Multi Family High Density Residential  | indicate what the current designation is;   |
| 6 b) Describe how the requested zone conforms to the (Please use a separate sheet if needed) | e current Official Plan designation?  |
| Parking Standard Area 1 conforms to Official Plan, see las                                   | nds located at 753-761 Richmond Street  |
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|  | ED TO SUBNIT REFEREALS STOR   |
|  |   |

|   | reasons (purpose) for the requested zoning change?*  |
|---|--|
| (Please use a separa  | te sheet if needed)  |
| subject land from rationale provided  | designation and the uses permitted in the zoning of the subject and adjacent land clearly intend for a mprehensive approach to the lands west of Richmond and south of Sydenham Street. Exclusion of Parking Standard Area 1 is inconsistent with the planned function of the land and area. There is not by the City within the Official Plan or any other Council approved policy for the exclusion of the subject Standard Area 1.  |
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| Characteristics   | oject lands a suitable site and location for the requested zone(s) and what are the physical of the subject land?*   |
| Characteristics   | or the subject land?*  |
| Characteristics (Please use a separa The subject land subject land from           | or the subject land?*  |
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CITY OF LONDON - ZONING BY-LAW AMENDMENT APPLICATION FORM

Agenda Item #

| ,  |   |                            |                                       |  |               |
|--|---|----------------------------|---------------------------------------|--|---------------|
| (Please use a separate sheet if needed)                                  |   |                            |                                       |  |               |
| Yes. Parking Standard Area 1 is co<br>Standard Area 1 established on the | empatible with land uses<br>lands within the same b | in the same block of lock. | land and is                           | s compatible wi  | th Parking    |
|  |   |                            |                                       |  |               |
|  |   |                            |                                       |  |               |
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|  |   |                            |                                       |  |               |
| <b>.</b>   |   |                            |                                       |  |               |
| * Note: The applicant may be requ  | ired and is welcome to                              | submit a separate j        | justificatio                          | n report.  |               |
| 8) Description of land:  | _   |                            |                                       |  |               |
| Geographic Township / Planning Are                                       | ea: City of London                                  |                            |                                       |  |               |
| Lot(s): 5  | ~   | Part Lot(s):               |                                       | - California de la companio del companio de la companio del companio de la companio della companio de la companio della compan |               |
| Concession (a)   |   |                            |                                       |  |               |
| Concession(s):   |   | Registered Plan No         | o.: <b>162</b>                        |  |               |
| Municipal Street Address (if applicable)                                 | : 783 Richmond Stree                                | l .                        | · · · · · · · · · · · · · · · · · · · |  |               |
| Assessment Roll Number:  |   |                            |                                       |  |               |
|  |   |                            |                                       |  |               |
| 9) Land use, existing and propos   | sed:  |                            |                                       |  |               |
| Frontage (m): <b>16.72 m. 55 ft.</b>                                     | Depth (m): <b>33.44 m.</b>                          | 110 ft.                    | Area (m² or                           | ha): <b>559 m.sq.</b>  | 6,050 sq. ft. |
|  |   |                            |                                       |  |               |
| 9 b) Existing use(s) of the land: Office                                 |   |                            |                                       |  | ***           |
|  | ,   |                            |                                       |  |               |
| 9 c) The date the subject land was acquired: 1                           | 1960 +/-  |                            |                                       |  |               |
|  |   |                            |                                       |  |               |
| 9 d) Number of existing buildings/structures: C                          | ne  |                            |                                       |  |               |
|  |   |                            |                                       | ***  |               |
| 9 e) Use of existing buildings/structures (specif                        | iy): Office   |                            |                                       |  |               |
| 9 f) The date any existing buildings or structure                        | s on the subject land were as                       | nstructori 1020 · /        |                                       |  |               |
|  | and omploor letter wets co                          | nouvelet: 1 <b>33U+/-</b>  |                                       |  |               |
|  |   |                            |                                       |  |               |

CITY OF LONDON - ZONING BY-LAW AMENDMENT APPLICATION FORM

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| CITY OF LONDON - ZONING BY-LAW AMEN  | IDMENT APPLICATION FORM  Agenda Item # Page #   |
|--|---|
| 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: Offi  | ce, Church  |
| 9 i) If known, the number of proposed buildings/structures: Or   | ne  |
| 9 j) if known, the proposed use of buildings/structures (specify): A use permitted in the present, R9-7H15 / 0R2 / F | R02 / 0C6 / R3-1 Zone   |
| 10) A sketch illustrating the following, in metric   | units, is required:   |
| Please include the above noted existing and propos   | sed buildings on this sketch.   |
| <ul> <li>The boundaries and dimensions of</li> </ul>   | the subject land:   |
| o The location, size and type of all   | existing and proposed buildings and structures on the subject land front lot line, rear lot line and side lot lines as well as their heights    |
| <ul> <li>The approximate location of all n<br/>watercourses, drainage ditches, b<br/>tanks) that;</li> </ul>         | atural and artificial features (for example, buildings, railways, roads<br>anks of rivers or streams, wetlands, wooded areas, wells and seption |
| - are located on the subject g   | und adjacent lands, and;  |
| - in the applicant's opinion, m  | nay affect the application;   |
| o The current land uses on and adjace  | cent to the subject lands;  |
| <ul> <li>The location, width and name of a<br/>unopened road allowance, a public</li> </ul>                          | ny roads within or abutting the subject land, indicating whether it is a traveled road, a private road or a right of way;                       |
| <ul> <li>If access to the subject land will b<br/>used; and;</li> </ul>  | e by water only, the location of the parking and docking facilities to be   |
| o The location and nature of any eas   | ement or restrictive covenant affecting the subject land.   |
|  |   |
| 11) Access: Access to the subject lands will be pro  | ovided by:  |
|  | Provincial Highway  |
| □ Right of Way (not permitted) X   | Assumed Municipal Street  |
| 12) Water Supply: Water supply to the subject lan  | ds shall be provided by:  |
| X Municipal piped water  | □ Privately owned and operated individual wells for each lot  |
| □ Privately owned an operated communal well  | □ Other (specify)   |
| 13) Sewage Disposal: Sewage disposal on the su   | bject lands will be provided by:  |
| X Municipal sanitary sewers  | □ Privately owned individual septic system for each lot   |
| □ Privately owned communal collection  | □ Other (specify)   |
| 14) If the application would permit development systems, and more than 4500 litres of effluent provide:              | on privately owned and operated individual or communal septic roduced per day as a result of the development being completed,                   |
| a) a servicing options report,   | and; b) a hydrogeological report.   |
| 15) Storm Drainage: Storm drainage on the subject  | et lands will be provided by:   |

| CITY OF LONDON – ZONING BY-LAW  | AMENDMENT APPLICATION  |                            | a ten m rayo m   |
|---|--|----------------------------|--|
| X Municipal sewers  | □ Ditches or Swales  | □ Other (spe               | cify)  |
| 16) Height and Density  |  |                            |  |
| Is the subject property located in an area of height and density?   | the City which has pre determined                                    | d minimum and max<br>X YES | mum requirements for NO  |
| 16. b) If the answer to Section 16 is yes,  | provide a statement of those rec                                     | quirements:                |  |
| (Please use a separate sheet if needed)   |  |                            |  |
| See provisions of R9-7 H15/0R2/R02/0C6  | R3-1 zones.  |                            |  |
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| 17) Area of Settlement: **  |  | -                          |  |
| Door the zening amendment alter the house   | ideales of an existing area of self-                                 |                            | Market Commence of the Commenc |
| Does the zoning amendment alter the bour be implemented?  | idanes of an existing area of settle                                 | ment or require a ne       | w area of settlement to<br>X NO  |
| **this includes both rural settlement areas a   | and alterations to the Urban Growtl                                  | h Boundary                 |  |
| 17 b) If the answer to Section 17 is yes, or establishment of an area of settlement                           | provide the current Official Plan<br>it: (please use separate sheet) | policies, if any, de       | aling with the alteration  |
| 18) Employment Areas:   |  |                            |  |
| Does the zoning amendment remove land   | from an area of employment?  | YES                        | X NO   |
| 18 b) If the answer to section 18 is yes, p of land from an area of employment: (Please use a separate sheet) | provide the current Official Plan                                    | policies, if any, dea      | aling with the removal   |
| 19) Lands Subject to Zoning with Condit   | tions:   |                            |  |
| Are the subject lands within an area where  | zoning with conditions applies?                                      | YES                        | X NO   |
| 19 b) If the answer to section 19 is yes, p<br>Official Plan Policy relating to the zoning                    | orovide an explanation of how the                                    | ne proposed amend          | lment complies with the  |

| CITY    | OF LONDON - ZONING B'           | Y-LAW AMENDMENT APPLICATION               | FORM   |
|---------|---------------------------------|---|--|
| (Please | use a separate sheet if needed) |   | Landau and American A |
|         |                                 |   |  |
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|         |                                 |   |  |
|         |                                 |   |  |
| 20), 0  | Other Applications Under Pla    | unning Agt                                |  |
|         |                                 |   | other application under the Planning Ast?  |
|         | -                               | Om of the subject lands, the focus of any | other application under the Planning Act?  |
| YE      |                                 |   |  |
| 20 b)   | If the answer to Section 20 v   | was 'yes', please indicate below which    | applications are being undertaken:   |
|         | Draft Plan of Subdivision       | File No.:                                 | Status:  |
|         | Consent or Variance             | File No.:                                 | Status:  |
|         |                                 |   |  |
|         | Zoning By-law Amendment         | File No.:                                 | Status:  |
|         |                                 | ·   |  |
|         | Official Plan Amendment         | File No.:                                 | Status:  |
|         |                                 |   |  |
|         | Minister's Zoning Order         | Ontario Regulation No.:                   | Status:  |
|         |                                 |   |  |
|         | Site Plan                       | File No.:                                 | Status:  |
|         |                                 |   |  |
|         | Other (Specify)                 | File No.:                                 | Status:  |

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| CITY OF LONDON – ZONING BY-LAW AMENDMENT APPLICATION FORM .  | gerida item # Page #                               |
|--|--|
| 20 a) If you appropriate (year) to any of Seption 20, places deposite the land the "other"   | application officets the                           |
| 20 c) If you answered 'yes' to any of Section 20, please describe the land the "other" purpose of that application, and the effect that application will have on the amendme application.    | application affects, the nt requested through this |
| (Please use a separate sheet if needed)  | 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -            |
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| 21) Is the application consistent with policy statements issued under subsection 3(1)  |  |
| Identify policies from the Provincial Policy Statement (PPS) that you intend to use to so Note: If additional space is required, please attach a separate sheet containing this information. | upport your application.                           |
| Yes. It is consistent. Policies 1.1, 1.6, 1.6.5  |  |
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|       |  | Anna Anticona |

#### 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.

I have Authority to Bind the Corporation

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

2011

Please Print name of Applicant

Commissioner of Oaths

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

**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.

Mailing Address: #1512-140 Fullarton Street

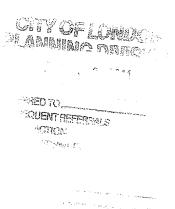
Name: Alan R. Patton

Fax No.

Telephone No. 519-432-8282

E-mail Address: <u>apatton@pattoncormier.ca</u>

519-432-7285



London, ON N6A 5P2

| CITY OF LONDON - | ZONING BY-LAW | AMENDMENT | APPLICATION FORM |
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## PROVINCIAL POLICY INFORMATION REQUIREMENTS

## Schedule APP-1

|        | pletion of the following will assist the municipality in performing a complete review of the subject osal. 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: <u>Church</u>  |
|        |   |
|        |   |
| 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?  I Yes X 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 X NO   |
|        |   |
| 4)     | Subsurface Rights   |
|        | Are the subsurface rights and the surface rights to the property held by the same Owner? X 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.   |
|        | HORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS sourface rights different from the Owner of the lands)   |
|        |   |
| l,     | , the Owner of the subsurface rights for the subject property, am aware of  |
| this a | pplication and consent to it. (please print)  |
|        |   |
|        | (signature) (date)  |
|        |   |
|        | (address)   |
|        |   |
| ****   | Telephone Number Facsimile Number   |
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#### CITY OF LONDON - ZONING BY-LAW AMENDMENT APPLICATION FORM

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#### 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.

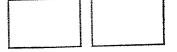
| requirements in noted se   | ctions.  |    | Para    |   | State   |
|--|--|----|---------|---|---|
| FEATURES OR DEVELOPMENT CIRCUMSTANCES  | YES  | NO | UNKNOWN | IF FEATURE;<br>SPECIFY<br>DISTANCE IN<br>METRES | <u>POTENTIAL</u> INFORMATION NEEDS  |
| Non-farm development near designated urban areas 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 <sup>1</sup>  |  | Х  |         | metres  | Assess development for residential and other sensitive uses within 70 metres.   |
| Class 2 Industry <sup>2</sup>  |  | Х  |         | metres  | Assess development for residential and other sensitive uses within 300 metres.  |
| Class 3 Industry <sup>3</sup> within 1000 metres   |  | Х  |         | 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   |  | Х  |         | 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  |  | Х  |         | metres  | Evaluate impacts within 300 metres.   |
| Controlled access highways or freeways, including designated future  |  | Х  |         |   | Evaluate impacts within 100 metres.   |
| ones   |  |    |         | metres  |   |
| Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater   |  | Х  |         |   | 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   |  | Х  |         | metres  | Determine possible impacts within 200 metres.   |
| High voltage electric transmission line  |  | Х  |         | metres  | Consult the appropriate electric power service.   |
| Transportation and infrastructure corridors  |  | х  |         | metres  | Will the corridor be protected? Noise Study prepared?   |
| Mineral aggregate resource areas   |  | х  |         |   | Will development hinder access to the resource or the establishment of new resource operations?   |
| Mineral aggregate operations   |  | х  |         | metres  | Will development hinder continuation of extraction?   |
| Mineral and petroleum resource areas   |  | x  |         | meacs   | Noise and Dust Study completed?  Will development hinder access to the resource or the establishment of new resource operations?  |
| Existing pits and quarries   |  | x  |         |   | Will development hinder continued operation or expansion?   |
| O'   | <del>                                     </del> | x  |         | metres  | Noise and Dust Study completed?   |
| Significant wetlands or potentially significant wetlands   |  | ^  |         | metres  | Provide Environmental Impact Study.   |
| Significant ravine, valley, river and<br>stream corridors and significant<br>portions of habitat of endangered and<br>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.                   |  | х  |         |   | Development should conserve significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.  |
| Significant archaeological resources   |  | х  |         |   | 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  |  | х  |         |   | Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.   |
| Floodplains  |  | ×  |         |   | Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.   |
| Hazardous sites <sup>4</sup>   |  | х  |         | metres  | Slope Study, Flood line Study   |
| Contaminated sites   |  | x  |         |   | Assess an inventory of previous uses in areas of possible soil  |
| Prime agricultural land  |  | x  |         |   | Contamination.  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.   |
| _  |  |    |         |   |   |

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

<sup>&</sup>lt;sup>2</sup>Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

<sup>&</sup>lt;sup>3</sup>Class 3 Industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

<sup>&</sup>lt;sup>4</sup>Hazardous 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<br>NUMBER          | FAX<br>NUMBER  |
|---|---|------------------------------|----------------|
| London Hydro – M. Van Boxmeer   | vanboxmm@londonhydro.com                            | (519) 661-5800<br>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<br>Committee (EEPAC) - c/o L. Fisher | lfisher@london.ca                                   | (519) 661-2500<br>Ext. 5417  | (519) 661-4892 |
| Finance Department – C. Resendes  | cresende@london.ca                                  | (519) 661-2500<br>Ext. 4714  | (519) 661-6518 |
| Middlesex-London Health Unit – I. Kalsi   | iqbal.kalsi@mlhu.on.ca                              | (519) 663-5317<br>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<br>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<br>Ext. 43203 | (519) 663-9753 |
| Conseil scolaire de district des ecoles catholiques du Su-<br>Ouest – G. Groulx     | 7515 Promenade Forest Glade<br>Windsor, ON. N8T 3P5 | *                            | -              |
| Scolaire de district du Centre-Sud-Ouest - F. Fournier                              | 116 Cornelius Parkway<br>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<br>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<br>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.<br>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<br>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<br>Ext. 327   | (519) 451-4411 |
| Canada Post Corporation - Bruno DeSando   | bruno.desando@canadapost.ca                         | (519) 494-1596               | (519) 439-9646 |

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# PLANNING JUSTIFICATION REPORT 783 Richmond Street, London, Ontario

- 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.
- 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.
- 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.

Page #

Agenda Item #



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

London

**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)

 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

Tankale

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

Elizabeth K. Cormier, B.A., LL.B. R. Arti Sanichara, Hons. B.E.S., LL.B.

November 21, 2011 file no.: 32917 Via Courier

**TAB 5** 

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Page #

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

Attention:

James Yanchula

Dear Sir:

1152587 Ontario Limited, 783 Richmond Street, London Re:

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

Enclosed please find the following:

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

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

tel: 519.432.8282 fax: 519.432.7285

| Agenda item # | , ugu |
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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

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.A. Berry & Associates (Without Encl.)



THE CITY OF LONDON
ZONING BY-LAW AMENDMENT APPLICATION FORM

FOR APPLYING FOR APPROVAL UNDER SECTION 34 OF THE PLANNING ACT

| Note to             | URRENT APPLICATIONS FILED Applicant: For each application that is filed concurrently, te and attach the appropriate application form and fees  |          | OFFICE USE ONLY<br>Date Stamp – Date Received  |
|---------------------|--|----------|--|
|                     | Official Plan Amendment (see combined OPA/ZBA application form)  |          |  |
|                     | Subdivision/Consent  |          |  |
|                     | Minor Variance   |          |  |
|                     | Site Plan  |          |  |
|                     | Other (Specify):   |          | FOR REFERENCE PURPOSES  Municipal address:   |
|                     | JIREMENTS FOR A COMPLETE APPLICATION INCLU   |          | E: eived the information and material requested herein   |
| (as r<br>Plani      | equired under subsections (10.1) and (10.2) of   | Se<br>om | ection 34 and any fee under Section 69(1) of the plete, the time periods referred to in sections                                     |
| x                   | The completed application form and declarations as <i>Act</i> .  | req      | juired under subsection 34 (10.1) (10.2) of the Planning   |
| x                   | 1 copy of sketch/plan showing <b>EXISTING</b> and <b>PROPOS</b> applicable. Sketch is to include the following for each e setbacks from lot lines, height and dimensions (or floor Section 10 of this application for more detail. | xis      | sting and proposed building or structure: location including   |
| x                   | Application Fee(s) made payable to the Treasurer, City   | of       | London   |
| X                   | A Letter of Authorization from the Owner (with dated, or Authorization on page 9 (item 22), if the Owner is not  |          |  |
| x                   | Record of Pre-application Consultation (see Schedule   | Α')      |  |
| x                   | Other information identified at Pre-application consultat  | ior      | n meeting.   |
| Note: 1<br>for refe | his section applies to all reports that were identified at the pre application consu   |          | ANY THIS APPLICATION (supply two copies of each):  on meeting as studies required for a complete application – Refer to Schedule "B" |
|                     |  |          |  |
|                     |  |          |  |
|                     |  |          |  |
|                     |  |          |  |
|                     |  |          |  |
|                     |  |          |  |
| 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

| CITY OF LONDON – ZONING BY-LAW AMENDMENT  | APPLICATION FORM  Agenda Item # Page #                         |
|---|--|
| PLEASE REFER TO ONTARIO REGULATION 545/06 FOR                                   | ITEM REFERENCES 1 THROUGH 23                                   |
| 1) Applicant Information:   |  |
| Complete the information below. All communications will be di                   | rected to the <b>Primary Contact</b> 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 a                     | pplicable):  |
| 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                                |
|   |  |

Phone: 519-432-8282

Cell/Pager:

Email: apatton@pattoncormier.ca

I b) Which of the above is the Primary Contact? Owner Applicant X 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

| 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. 1 to zone land Parking Standard Area 1 |
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| •  |  |
| AND THE RESERVE OF THE PROPERTY OF THE PROPERT |  |
| CURRENT OFFICIAL PLAN DESIGNATION: Please  | indicate what the current designation is;  |
| lulti Family High Density Residential  |  |
| isia . Salary i ngi. 2 olioky i tookooliisia   |  |
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|  |  |
| L. D   |  |
| 6 b) Describe now the requested zone conforms to t   | ne current Official Plan designation?  |
|  | he current Official Plan designation?  |
| (Please use a separate sheet if needed)  |  |
| Please use a separate sheet if needed)   |  |
| Please use a separate sheet if needed)   |  |
| Please use a separate sheet if needed)   |  |
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| Please use a separate sheet if needed)   |  |
| Please use a separate sheet if needed)   |  |
| Please use a separate sheet if needed)   |  |
| Please use a separate sheet if needed)   |  |
| Please use a separate sheet if needed)   | ands located at 753-761 Richmond Street  |
| Please use a separate sheet if needed)   |  |
| Please use a separate sheet if needed)   | ands located at 753-761 Richmond Street  |
| Please use a separate sheet if needed)  Parking Standard Area 1 conforms to Official Plan, see le  | ands located at 753-761 Richmond Street  |
| Please use a separate sheet if needed)   | ands located at 753-761 Richmond Street  |
| (Please use a separate sheet if needed) Parking Standard Area 1 conforms to Official Plan, see le  | ands located at 753-761 Richmond Street  |
| 6 b) Describe how the requested zone conforms to the (Please use a separate sheet if needed)  Parking Standard Area 1 conforms to Official Plan, see land to the conforms to Official Plan are land to the conforms to the conformation are land to the conformation to the conform | ands located at 753-761 Richmond Street  |

CITY OF LONDON - ZONING BY-LAW AMENDMENT APPLICATION FORM

Agenda Item #

| CITY OF LONDON – ZONING BY-LAW AMENDMENT APPLICATION FORM  | Agenda Item # Page #                                     |
|--|--|
| 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 adjac ordinated and comprehensive approach to the lands west of Richmond and south of Syder subject land from Parking Standard Area 1 is inconsistent with the planned function of the lands provided by the City within the Official Plan or any other Council approved policy lands from Parking Standard Area 1. | nham Street. Exclusion of the land and area. There is no |
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| 7. b) Are the subject lands a suitable site and location for the requested zone(s) and characteristics of the subject land?*   | what are the physical                                    |
| (Please use a separate sheet if needed)  | on in the characteristics of the                         |
| The subject lands are suitable for Parking Standard Area 1. There is no physical difference subject land from those lands at 753-761 Richmond Street presently within Parking Standawell serviced by public transit and there is significant residential uses in the immediate are   | ard Area 1. The subject land is                          |
| subject land from those lands at 753-761 Richmond Street presently within Parking Standa   | ard Area 1. The subject land is                          |
| subject land from those lands at 753-761 Richmond Street presently within Parking Standa   | ard Area 1. The subject land is                          |
| subject land from those lands at 753-761 Richmond Street presently within Parking Standa   | ard Area 1. The subject land is                          |
| subject land from those lands at 753-761 Richmond Street presently within Parking Standa   | ard Area 1. The subject land is                          |

| CITY OF LONDON - ZONING BY-  | LAW AMENDMENT  | APPLICATION FOR                 | M Agenda Item #                | Page #   |             |  |
|--|--|---------------------------------|--------------------------------|--|-------------|--|
|  |  |                                 |                                | And the state of t |             |  |
| (Please use a separate sheet if needed)  |  |                                 |                                | handa and a second  |             |  |
| Yes. Parking Standard Area 1 is comp<br>Standard Area 1 established on the lan | patible with land uses in<br>nds within the same blo | n the same block of lar<br>ock. | nd and is compatible           | with Parking   |             |  |
|  |  |                                 |                                |  |             |  |
|  |  |                                 |                                |  |             |  |
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|  |  |                                 |                                |  |             |  |
| Note: The applicant may be require   | ed and is welcome to                                 | submit a separate ju            | stification report.            |  |             |  |
| 8) Description of land:  |  |                                 |                                |  |             |  |
| Geographic Township / Planning Area  | : City of London                                     |                                 |                                |  |             |  |
| Lot(s): 5  |  |                                 | Part Lot(s):                   |  |             |  |
| Concession(s):   | ion(s):  |                                 | Registered Plan No.: 162       |  |             |  |
| Municipal Street Address (if applicable):                                      | 783 Richmond Street                                  | :                               |                                |  | ****        |  |
| Assessment Roll Number:  |  |                                 |                                |  |             |  |
| 9) Land use, existing and propose  | ed:  |                                 |                                | Military   |             |  |
| Frontage (m): <b>16.72 m. 55 ft.</b>   | Depth (m): <b>33.44 m.</b>                           | 110 ft.                         | Area (m² or ha): <b>559 m.</b> | sq. 6,050 sc   | ղ. ft       |  |
| 9 b) Existing use(s) of the land: <b>Office</b>                                |  | F) - (                          | ·                              |  | -           |  |
| 9 c) The date the subject land was acquired: 1                                 | 9 <b>60</b> +/-                                      |                                 |                                |  | <del></del> |  |
| 9 d) Number of existing buildings/structures: O                                | ne   |                                 | ,                              |  | •           |  |
| 9 e) Use of existing buildings/structures (specif                              | ly): Office  |                                 |                                |  |             |  |
| 9 f) The date any existing buildings or structure                              | es on the subject land were co                       | onstructed: 1930+/-             |                                |  |             |  |

|  |                 | Agenda Item # Page #  |
|--|-----------------|---|
| CITY OF LONDON - ZONING BY-LAW AM  | NENDM           | MENT APPLICATION FORM   |
| 9 g) The length of time that the existing uses of the subject  | land have       | ve continued: 50 years +/-  |
| 9 h) The current and previous use(s) of the subject lands:   | Office,         | e, Church   |
| 9 i) If known, the number of proposed buildings/structures:  | One             | ·   |
| 9 j) If known, the proposed use of buildings/structures (spe<br>A use permitted in the present, R9-7H15 / OF       |                 | 02 / 0C6 / R3-1 Zone  |
| 10) A sketch illustrating the following, in mo   | etric uni       | nits, is required:  |
| Please include the above noted existing and p  | roposed         | d buildings on this sketch.   |
| o The boundaries and dimensio  | ns of the       | ne subject land;  |
| o The location, size and type  | of all ex       | existing and proposed buildings and structures on the subject land, ront lot line, rear lot line and side lot lines as well as their heights, |
|  |                 | tural and artificial features (for example, buildings, railways, roads, nks of rivers or streams, wetlands, wooded areas, wells and septic    |
| - are located on the sub   | ject <u>and</u> | nd adjacent lands, and;   |
| - in the applicant's opin  | ion, may        | ay affect the application;  |
| o The current land uses on and   | adjacen         | ent to the subject lands;   |
|  |                 | ny roads within or abutting the subject land, indicating whether it is an traveled road, a private road or a right of way;                    |
| o If access to the subject land used; and;   | will be t       | by water only, the location of the parking and docking facilities to be   |
| o The location and nature of an  | ıy easem        | ement or restrictive covenant affecting the subject land.   |
|  | <del> </del>    |   |
| 11) Access: Access to the subject lands will   | be provi        | vided by:   |
| □ Private Street (not usually permitted)   | □ Pro           | Provincial Highway  |
| □ Right of Way (not permitted)   | X As            | Assumed Municipal Street  |
| 12) Water Supply: Water supply to the subje  | ect lands       | ds shall be provided by:  |
| X Municipal piped water  |                 | ☐ Privately owned and operated individual wells for each lot  |
| ☐ Privately owned an operated communal v   | well            | □ Other (specify)   |
| 13) Sewage Disposal: Sewage disposal on  | the subj        | bject lands will be provided by:  |
| X Municipal sanitary sewers  |                 | ☐ Privately owned individual septic system for each lot   |
| □ Privately owned communal collection  |                 | □ Other (specify)   |
| 14) If the application would permit develo systems, and more than 4500 litres of effluyou are required to provide: | pment o         | on privately owned and operated individual or communal septic roduced per day as a result of the development being completed,                 |
| a) a servicing options   | report, a       | , and; b) a hydrogeological report.   |
| 15) Storm Drainage: Storm drainage on the  | subject         | ct lands will be provided by:   |

| CITY OF LONDON - ZONING I   | BY-LAW AMENDMENT APPLICAT   | TION FORM Agenda It                  | rem# Page#                              |
|---|---|--------------------------------------|---|
| X Municipal sewers  | □ Ditches or Swales   | □ Other (specif                      | у)                                      |
| 16) Height and Density  |   |                                      |   |
| Is the subject property located in a height and density?                                      | n area of the City which has pre deter                                    | mined minimum and maxim X YES        | um requirements for<br>] NO             |
| ·   | 6 is yes, provide a statement of thos                                     | se requirements:                     |   |
| (Please use a separate sheet if needed)   |   |                                      |   |
| See provisions of R9-7 H15/0R2  | /R02/0C6/R3-1 zones.  |                                      |   |
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|   |   |                                      |   |
| 17) Area of Settlement: **  |   |                                      |   |
| Does the zoning amendment alte be implemented?  | r the boundaries of an existing area of                                   | f settlement or require a new<br>YES | v area of settlement to X NO            |
| **this includes both rural settleme   | ent areas and alterations to the Urban                                    | Growth Boundary                      |   |
| 17 b) If the answer to Section 1 or establishment of an area of                               | 7 is yes, provide the current Official settlement: (please use separate s |                                      | ling with the alteration                |
| 18) Employment Areas:   |   | ·                                    | *************************************** |
| Does the zoning amendment rem   | nove land from an area of employment                                      | ?  YES                               | X NO                                    |
| 18 b) If the answer to section 1 of land from an area of employ (Please use a separate sheet) | 8 is yes, provide the current Official ment:                              | l Plan policies, if any, deal        | ing with the removal                    |
| 19) Lands Subject to Zoning w   | ith Conditions:   |                                      |   |
| Are the subject lands within an a   | rea where zoning with conditions appli                                    | ies? YES                             | X NO                                    |
| 19 b) If the answer to section 1<br>Official Plan Policy relating to                          | 9 is yes, provide an explanation of the zoning with conditions:           | how the proposed amend               | ment complies with the                  |

| (Please use a separate sheet if needed)   |  |  |  |  |  |  |
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| 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 X NO  |  |  |  |  |  |  |
| 20 b) If the answer to Section 20 was 'yes', please indicate below which applications are being undertaken:               |  |  |  |  |  |  |
| ☐ Draft Plan of Subdivision File No.: Status:   |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
| Consent or Variance File No.: Status:   |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
| ☐ Zoning By-law Amendment File No.: Status:   |  |  |  |  |  |  |
| Zoning by-law Amendment The No  |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
| ☐ Official Plan Amendment File No.: Status:   |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
| ☐ Minister's Zoning Order Ontario Regulation No.: Status:   |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
| Site Plan File No.: Status:   |  |  |  |  |  |  |
|   |  |  |  |  |  |  |
| ☐ Other (Specify) File No.: Status:   |  |  |  |  |  |  |

| TY OF LONDON – Z  | ONING BY-LAW AME  | NDMENT APPLICA                               | ATION FORM   | Agenda Item #   | Page #                                  |
|---|---|--|--|---|---|
|   |   |  |  | gyddaeth y | Ago and a second                        |
| c) If you answered 'y<br>urpose of that applica   | res' to any of Section 20<br>tion, and the effect that  | 0, please describe the application will have | ne land the "other   | er" application<br>ment requeste  | affects, the<br>d through this          |
| plication.  |   |  |  |   |   |
| lease use a separate sheet if   | neeaea)   |  |  |   |   |
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|   | Policies 1.1, 1.6, 1.6.5  |  |  |   |   |
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|   |   | RM  |   |
|---|---|---|---|
| 22) Owner's Authorization:  |   |   | *************************************** |
| This must be completed by the Owner if the OWNER IS N   | NOT FILING THE APP                                      | <u>LICATION</u>   |   |
| Note: If there are multiple Owners, an authorization letter from<br>Owner must sign the following authorization.                    | each Owner (with dated                                  | d, original signature) is re  | quired OR each                          |
|   |   |   |   |
|   |   |   |   |
| 1152587 Ontario Limited being the   |   |   |   |
|   |   |   |   |
| registered Owner(s) of the subject lands, hereby authorize  | Patton Cormier & Asso                                   | ociates   | *                                       |
| to prepare and submit an Application for Zoning By-law ame  | nt name of agent and/or com                             | pany (if applicable)  |   |
| to prepare and submit any opposition to Estimate -,   |   |   |   |
| Man & Branker   | 1 , 1.  |   |   |
| Signature   | 16  | September<br>Month  | 201<br>Year                             |
| I have Authority to Bind the Corporation  | Day   | MOHUI   | . i cai                                 |
| IMPORTANT:  | -   |   |   |
| If the Owner is an incorporated company, the company sea  | I shall be applied in the                               | e signature block above (i  | if there is one)                        |
|   |   |   |   |
| 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 statem  | nents   |   |   |
| contained in this Application for Zoning By-law Amendment at 78   | 33 Richmond Street<br>(descripti                        | on of subject land)   |   |
| and all supporting documents and plans are true and complete, a true, and knowing that it is of the same force and effect as if mad | and I make this solemn de<br>le under oath, and by virt | eclaration conscientiously be<br>ue of the <i>Canada Evidence</i> . | elieving it to be Act.                  |
| Declared before me at the Region/County/District of <i>Middlesex</i> ,  |   |   |   |
| in the Municipality of <i>The City of London</i> , this   |   |   |   |
| h to  |   |   | 2                                       |
| day of September 2011 (Year)  |   |   |   |
| (Joay) (Month) (Toda)   |   | Signature   |   |
|   | Alou  | $\mathcal{O}_{\mathcal{A}}$   |   |
| _   | 7/100   | 1 /caracter   |   |
|   |   | Please Print name of Applica  | ınt                                     |
|   |   | Please Print name of Applica  | int                                     |
| Commissioner of Oaths   |   | Please <u>Print</u> name of Applica                                 | int                                     |

| GITY OF LONDON - ZONING BY-LAW AMENDI  | MENT APPLICATION FORM  |
|--|--|
| 24) Municipal Freedom of Information Declaration   | :  |
| In accordance with the provisions of the <u>Planning Act</u> , access to all development applications and supporting | , it is the policy of the City Planning Department to provide public g documentation.  |
| Owner/applicant/authorized agent, hereby acknowled with the provisions of the Municipal Freedom of Inform            | orting documentation, IAlan R. Patton (please print name) the lige the above-noted policy and provide my consent, in accordance mation and Protection of Privacy Act, that the information on this ed by myself, my agents, consultants and solicitors, will be part of eral public. |
| I hereby authorize the City of London to post a "Possi<br>the subject lands for purposes of evaluation of the sub-   | ible Land Use Change" sign and allow municipal staff to access to bject application.   |
| Signature  |  |
| OWNER/APPLICANT'S INFORMATION: (Mandatory, p   | elease print)  |
| Name: Alan R. Patton   | Mailing Address: #1512-140 Fullarton Street  |
| Telephone No. <u>519-432-8282</u>  | London, ON N6A 5P2   |
| E-mail Address: _apatton@pattoncormier.ca  |  |

**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.

Fax No.

519-432-7285

| CITY OF LONDON - ZONING BY-LAW | AMENDMENT APPLICATION FOR | łМ |
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## PROVINCIAL POLICY INFORMATION REQUIREMENTS

## Schedule APP-1

| 10 10 10 10 10 10 10 10 10 10 10 10 10 1 | pletion of the following wosal. Please use a separate s  |  | in performing a  | a complete review of the subject  |
|--|--|--|--|---|
| 1)                                       | What is the current and pre<br>Current Use(s):   | vious use of the subject lan<br>Office   | d?   |   |
|  | All previous known uses:   | Church   |  |   |
|  |  |  |  |   |
|  |  |  | uni seria para seria |   |
| 2)                                       | property by adding fill or oth   | er material, any petroleum or  | other fuel stored  | at land or adjacent land, any grading change of the on the subject land or land adjacent to the subject ted by former uses on the site or adjacent sites? |
| _  | ii res, piedse de specino.   |  |  |   |
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| -  |  |  |  |   |
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| •  |  |  | ,  |   |
|  | What information did you us  | e to determine the answers to  | the above questio  | ns?   |
|  |  |  |  |   |
|  |  |  |  |   |
|  |  | A STATE OF THE STA |  |   |
|  |  |  | ***************************************  |   |
| 3)                                       | - · · · · · · · · · · · · · · · · · · ·  | tion study including previous on tland. This study must be pr  | -  | quired, showing all former uses of the subject land, led consultant.  |
|  | Report attached?   YES   | ( NO   |  |   |
|  |  |  | ***************************************  |   |
| 4)                                       | Subsurface Rights  |  |  |   |
|  | Are the subsurface rights ar   | d the surface rights to the pro  | perty held by the s  | same Owner? X YES □NO   |
|  | If the answer to 4 is No, who  | o owns the subsurface rights?  | <u> </u>   |   |
|  | If the answer to 4 is No, plea   | ase have the Owner complete  | the following decl   | aration.  |
|  | HORIZATION FROM THE  |  | RFAGE RIGHTS   |   |
|  |  |  |  |   |
| l,                                       |  | , the  | Owner of the sub   | osurface rights for the subject property, am aware of   |
| this a                                   | application and consent to it. (   | please print)  |  |   |
|  |  |  |  |   |
|  |  |  |  | •   |
|  | (signature   | )  |  | (date)  |
|  |  |  |  |   |
|  |  | (  | address)   |   |
|  | Telephone Number   |  | -  |   |
|  | i eleptione Nulliber   |  |  | Facsimile Number  |
| L  |  |  |  |   |

#### CITY OF LONDON - ZONING BY-LAW AMENDMENT APPLICATION FORM

| Agenda Item #   | Page # |
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| ACTION (ALLES)  |        |
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#### 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.

| requirements in noted sec   | tions. |     |         | •   |   |
|---|--------|-----|---------|---|---|
| FEATURES OR DEVELOPMENT<br>CIRCUMSTANCES  | YES    | NO. | UNKNOWN | IF FEATURE;<br>SPECIFY<br>DISTANCE IN<br>METRES | POTENTIAL INFORMATION NEEDS   |
| Non-farm development near<br>designated urban areas or rural<br>settlement areas  |        | ×   |         |   | 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 <sup>1</sup>   |        | X   |         | metres  | Assess development for residential and other sensitive uses within 70 metres.   |
| Class 2 Industry <sup>2</sup>   |        | X   |         | metres  | Assess development for residential and other sensitive uses within 300 metres.  |
| Class 3 Industry <sup>3</sup> within 1000 metres  |        | X . |         | metres  | Assess development for residential and other sensitive uses within 1000 metres.   |
| Land Fill Site  |        | Х   | ·       | metres  | Address possible leachate, odour, vermin and other impacts.   |
| Sewage Treatment Plant  |        | Х   |         | metres  | Assess the need for a feasibility study for residential and other sensitive land uses.  |
| Waste Stabilization Pond  |        | Х   |         | metres  | Assess the need for a feasibility study for residential and other sensitive land uses.  |
| Active railway line   |        | х   |         | metres  | Evaluate impacts within 300 metres.   |
| Controlled access highways or freeways, including designated future   |        | х   | ·       | metres  | Evaluate impacts within 100 metres.   |
| Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater                                |        | х   |         | menes   | 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  |        | Х   |         |   | Will development hinder access to the resource or the establishment of new resource operations?   |
| Mineral aggregate operations  |        | х   |         | 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  |        | х   |         | metres  | Will development hinder continued operation or expansion?   |
| Significant wetlands or potentially significant wetlands  |        | ×   |         | metres  | Noise and Dust Study completed?  Provide Environmental Impact Study.  |
| Significant ravine, valley, river and stream corridors and significant portions of habitat of endangered and threatened species |        | ×   |         | metres  | Provide Environmental Impact Study.   |
| Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and scientific interest.                  |        | ×   |         |   | Provide Environmental Impact Study.   |
| Sensitive groundwater recharges areas, headwaters and aquifers.   |        | ×   | ,       |   | 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.          |        | ×   |         | ·   | Development should conserve significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.  |
| Significant archaeological resources  |        | х   |         |   | Assess development proposed in areas of medium and high potenti for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed. Catalogued and analyzed prior to development. |
| Erosion hazards   |        | ×   |         |   | Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.   |
| Floodplains   |        | х   |         |   | Determine limit of Development or where a Special Policy Area (SP is in effect, development must meet the Official Plan policies.   |
| Hazardous sites <sup>4</sup>  |        | x   |         | metres  | Slope Study, Flood line Study   |
|   |        | х   |         |   | Assess an inventory of previous uses in areas of possible soil contamination.   |
| Contaminated sites  | 1      | 1   |         |   |   |
| Contaminated sites  Prime agricultural land   |        | x   |         |   | Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated.  |

<sup>&</sup>lt;sup>1</sup>Class 1 Industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

<sup>&</sup>lt;sup>2</sup>Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

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

<sup>&</sup>lt;sup>4</sup>Hazardous 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<br>NUMBER          | FAX<br>NUMBER  |
|--|---|------------------------------|----------------|
| London Hydro – M. Van Boxmeer  | vanboxmm@londonhydro.com                            | (519) 661-5800<br>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<br>Ext. 5417  | (519) 661-4892 |
| Finance Department – C. Resendes   | cresende@london.ca                                  | (519) 661-2500<br>Ext. 4714  | (519) 661-6518 |
| Middlesex-London Health Unit – I. Kalsi  | iqbal.kalsi@mlhu.on.ca                              | (519) 663-5317<br>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<br>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<br>Ext. 43203 | (519) 663-9753 |
| Conseil scolaire de district des ecoles catholiques du Su-<br>Ouest – G. Groulx  | 7515 Promenade Forest Glade<br>Windsor, ON. N8T 3P5 | -                            | _              |
| Scolaire de district du Centre-Sud-Ouest – F. Fournier                           | 116 Cornelius Parkway<br>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<br>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<br>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.<br>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<br>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<br>Ext. 327   | (519) 451-4411 |
| Canada Post Corporation – Bruno DeSando  | bruno.desando@canadapost.ca                         | (519) 494-1596               | (519) 439-9646 |

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

- 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.
- 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.
- 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

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.

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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



-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

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|               |        |  |     |   |

#### Alan Patton

From:

Alan Patton [apatton@pattoncormier.ca] Monday, November 28, 2011 4:04 PM

Sent:

To: Cc:

'Yanchula, James'

Subject:

'Fontana, Joe'; 'Polhill, Bud' RE: 1152587 Ontario Lmited, 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 27, 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:jvanchul@london.ca]

Sent: Monday, November 28, 2011 2:55 PM

To: 'Alan Patton'

Cc: Fontana, Joe; Polhill, Bud

Subject: RE: 1152587 Ontario Lmited, 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.

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|               | DATE CONTRACTOR |        |
| CONTRACT      | -               |        |
|               | 1               |        |

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 Lmited, 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

| TAB 7 |   |
|-------|---|
| IADI  | 7 |

#### **Alan Patton**

From: Sent:

Alan Patton [apatton@pattoncormier.ca] Wednesday, December 07, 2011 11:49 AM

To:

Subject:

'Yanchula, James' 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



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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

Gachel

Planning Division

JY/ar Attach.

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

Planning Division

| 1. CUSTOMER SERVICE REPRESE  | PLANNING SUPPORT      | REPRESENTATIVE  |                             |
|--|-----------------------|---|-----------------------------|
| Date Application Received  |                       | Fee Submitted \$  | 5006-                       |
| 2. PLANNING ADMINSTRATOR   | ·                     | PLANNER   | DATE                        |
| Assign to Planner  |                       | A. Reley  | Nov 23/11                   |
| 3. ASSIGNED TO PLANNER   |                       |   |                             |
| Pull Pre-consultation File from Stac   | cks                   |   |                             |
| Date Proposal Summary Received   |                       |   |                             |
| Date of Pre-consultation Initial Rev   | iew                   | ·   |                             |
| 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 Applic information received to meet comp application requirements)   | ation (all<br>lete    |   |                             |
| 4. PLANNING ADMINISTRATION & TECHNICAL SUPPORT REP   |                       |   |                             |
| <ul> <li>a) Assign File Number, Asser Enter data from Application Amanda.</li> <li>b) Process fees associated wince assignment letter a forward to assigned planner</li> </ul> | form into<br>th file. | Important – use Date<br>Accepted as Complete<br>from Planner. |                             |
| 5. ASSIGNED PLANNER  |                       |   |                             |
| Request Maps   |                       |   |                             |
| Prepare Liaisons   |                       |   | ·                           |
| Request Sign   |                       |   |                             |
| Notify Councillor  |                       |   |                             |
| ENTER AMANDA INFORMATION FOR   | ALL FOLD              | DER TYPES (MANDATO  | DANNER DELL'AND             |
| Circle Folder type: O  | z) oz                 |   | NOV 9 1 2011                |
| Description  | Date/Val              | ue .  | OR ACTION                   |
| Extension of Temporary Use By-law  | Yes / No              | (circle one)  | INFORMATION REPORT          |
| Total Land Area (Hectares)   |                       |   | THE                         |
| 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:  |                       |   |                             |
|  |                       |   |                             |
|  | Y:\Shared\A           | .DMIN\OPENINGFILES\applicatio                                 | nfileopeningformnew imp doc |

raye#

## PATTON CORMIER & ASSOCIATES

LAWYERS

Alan R. Patton, B.A., LL.B. Analee J.M. Fernandez, B.A., LL.B.

Elizabeth K. Cormier, B.A., LL.B. R. Arti Sanichara, Hons. B.E.S., LL.B. Page #

Agenda Item #

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:

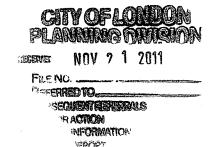
Re:

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:

- 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;
- Planning Justification Report, attached to the Zoning By-law Amendment Application 5.
- Opinion letter of F.R. Berry & Associates Transportation Planning Consultants 6. regarding Parking Study.



1512-140 Fullarton Street, London, ON N6A 5P2 tel: 519.432.8282 fax: 519.432.7285

| B                           |   | Agenda Item # | Page #      |
|-----------------------------|---|---------------|-------------|
| Patton Cormier & Associates |   |               |             |
| File No. 32917              |   |               | grace-us-no |
| Page 2                      | • |               |             |
|                             |   |               | L           |

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.)

tel: 519.432.8282

fax: 519.432.7285

Mayor Fontana (Without Encl.)

F.R. Berry & Associates (Without Encl.)



# THE CITY OF LONDON ZONING BY-LAW AMENDMENT APPLICATION FOR Minda Item #

FOR APPLYING FOR APPROVAL UNDER SECTION 34 OF THE PLANNING ACT

| <b>J</b> F | AMnda Item #  | Page # |
|------------|---|--------|
| r          | ALVANOR SECTION OF THE SEC |        |

|                            | NCURRENT APPLICATIONS FILED to Applicant: For each application that is filed concurrently,   | OFFICE USE ONLY  |
|----------------------------|--|--|
| com                        | plete and attach the appropriate application form and fees   | Date Stamp - Date Received   |
|                            | Official Plan Amendment (see combined OPA/ZBA application form)  | PLANING - LICENS   |
| П                          | Subdivision/Consent  | NOV 2 1 2013   |
|                            | Minor Variance   | STERIOR.   |
|                            | Site Plan  | SECURITIES SHALE SECURITIES SHALE INFORMATION  |
|                            | Other (Specify):   | FOR REFERENCE PURPOSES Municipal address:  |
| REC                        | DUIREMENTS FOR A COMPLETE APPLICATION INCLUI   | 35 ( 457540)   |
|                            |  |  |
| (as<br>Plai<br><b>34</b> ( | e: Until the City of London, Planning Division has recrequired under subsections (10.1) and (10.2) of Spaning Act), the application will be deemed incor 10.7) and 34(11) will not begin and the application                             | nection 34 and any fee under Section 69(1) of the nection, the time periods referred to in sections will be returned to the applicant. |
| X                          | The completed application form and declarations as re  | equired under subsection 34 (10.1) (10.2) of the Planning  |
| X                          | 1 copy of sketch/plan showing <b>EXISTING</b> and <b>PROPOSE</b> applicable. Sketch is to include the following for each exi setbacks from lot lines, height and dimensions (or floor at Section 10 of this application for more detail. | icting and proposed building an armin and a second   |
| X                          | Application Fee(s) made payable to the Treasurer, City or  | f London   |
| X                          | A Letter of Authorization from the Owner (with dated, orig<br>Authorization on page 9 (item 22), if the Owner is not fil   | inal signature) OR completion of the Owner's   |
| X                          | Record of Pre-application Consultation (see Schedule 'A'   |  |
| Х                          | Other information identified at Pre-application consultation   | n meeting.   |
| Note:<br>for ref           | ASE LIST THE REPORTS OR STUDIES THAT ACCOMP  This section applies to all reports that were identified at the pre-application consultate erence.  Inning Justification Report   |  |
| <del></del>                |  |  |
|                            |  |  |
|                            |  |  |
|                            |  |  |
|                            |  |  |
|                            |  | ·  |
|                            |  |  |
| 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

|   | Agenda Item # Page #  |
|---|---|
|   |   |
| PLEASE REFER TO ONTARIO REGULATION 54                               | 45/06 FOR ITEM REFERENCES 1 THROUGH 23                                      |
|   |   |
| ) Applicant Information:  |   |
| Complete the information below. All communication                   | ns will be directed to the <b>Primary Contact</b> with a copy to the Owner. |
| lote: If additional space is required for Owner(s) information, ple | ease attach a separate sheet containing said information.                   |
| Registered Owner(s):  |   |
| Name: 1152587 Ontario Limited                                       |   |
|   |   |
| Address: 783 Richmond Street  |   |
| 0:  |   |
| City: London  | Postal Code: N6A 3H4  |
| Phone: 519-434-7371   | Cell/Pager:   |
|   |   |
| Fax:  | Email:  |
| OS 300 to 10 cm   |   |
| Applicant (complete if the Applicant is not the Owner):             |   |
| Name:   |   |
| Address:  |   |
|   |   |
| City:   | Postal Code:  |
|   |   |
| Phone:  | Cell/Pager:   |
|   |   |
| Fax:  | Email:  |
|   |   |

| 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           | N: Please in   | dicate what the current designation is;  |
| Multi Family High Density Residential          |                |  |
|  |                |  |
|  |                |  |
| 6 b) Describe how the requested zone confe     | orms to the    | current Official Plan designation?   |
| (Please use a separate sheet if needed)        |                |  |
| Parking Standard Area 1 conforms to Official F | Plan, see land | ds located at 753-761 Richmond Street  |
|  |                |  |
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5) What zone or zones are you seeking?

CHY OF LONDON - ZUNING DI-LAW AMENDIMENT AFFLICATION FORM

4) What is the current zoning of the subject land?

|   |   | ·   |  |   |          |
|---|---|---|--|---|----------|
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|   |   | 7/1/1/  |  |   |          |
| haracteristics of the subj<br>Please use a separate sheet if nee<br>the subject lands are suitab  | ect land?*  ded)  le for Parking Stand  | lard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of t  |
| characteristics of the subjudges of the subjudges of the subject lands are suitable the subject land from those lands   | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of t  |
| characteristics of the subject of the subject lands are suitable up in the subject lands are suitable ubject land from those lands                                  | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| characteristics of the subjudges of the subjudges of the subject lands are suitable the subject land from those lands   | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| haracteristics of the subj<br>Please use a separate sheet if nee<br>The subject lands are suitab<br>ubject land from those land                                     | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| haracteristics of the subj<br>Please use a separate sheet if nee<br>The subject lands are suitab<br>ubject land from those land                                     | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| haracteristics of the subj<br>Please use a separate sheet if nee<br>The subject lands are suitab<br>ubject land from those land                                     | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| haracteristics of the subj<br>Please use a separate sheet if nee<br>The subject lands are suitab<br>ubject land from those land                                     | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| characteristics of the subjudges of the subjudges of the subject lands are suitable the subject land from those lands   | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| 7. b) Are the subject lands characteristics of the subject lands are suitable subject lands are suitable subject land from those land well serviced by public trans | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| characteristics of the subj<br>Please use a separate sheet if nee<br>The subject lands are suitab<br>subject land from those land                                   | ect land?*  rded)  le for Parking Stand s at 753-761 Richm                        | dard Area 1. There  | is no physical differ  | rence in the characteristic                                     | es of th |
| characteristics of the subj<br>Please use a separate sheet if nee<br>The subject lands are suitab<br>subject land from those land                                   | ect land?*  eded)  le for Parking Stand s at 753-761 Richm it and there is signif | dard Area 1. There<br>nond Street presentl<br>icant residential use | is no physical differ<br>y within Parking Sta<br>ss in the immediate | rence in the characteristic<br>andard Area 1. The subj<br>area. | es of th |

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

(Please use a separate sheet if needed)

| (Please use a separate sheet if needed)  |  |                        |                                   |               |
|--|--|------------------------|-----------------------------------|---------------|
| Yes. Parking Standard Area 1 is compa<br>Standard Area 1 established on the land | atible with land uses in<br>ds within the same blo | n the same block of la | and and is compatible wit         | h Parking     |
|  |  |                        |                                   |               |
|  |  |                        |                                   |               |
|  |  |                        |                                   |               |
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| ·  |  |                        |                                   |               |
|  |  |                        |                                   |               |
|  |  |                        |                                   |               |
| * Note: The applicant may be required  | d and is welcome to                                | submit a separate ju   | ustification report.              |               |
| 8) Description of land:  |  |                        |                                   |               |
| Geographic Township / Planning Area:   | City of London                                     |                        |                                   |               |
|  |  |                        |                                   |               |
| Lot(s): 5  |  | Part Lot(s):           |                                   |               |
|  |  | Turi Lot(s).           |                                   |               |
| Concession(s):   |  | Registered Plan No.    | . 162                             | <del></del>   |
|  |  | registered Fian No.    | 102                               |               |
| Municipal Observation and Addison  |  |                        |                                   |               |
| Municipal Street Address (if applicable): 7                                      | 83 Richmond Street                                 |                        |                                   |               |
| Assessment Roll Number:  |  |                        |                                   | ·             |
| Assessment Non Number.   |  |                        |                                   |               |
|  |  |                        |                                   |               |
| 9) Land use, existing and proposed   | :  |                        |                                   |               |
| Frontage (m): <b>16.72 m. 55 ft.</b>   | Depth (m): <b>33.44 m.</b>                         | 110 ft.                | Area (m² or ha): <b>559 m.sq.</b> | 6,050 sq. ft. |
|  |  |                        |                                   |               |
|  |  |                        |                                   |               |
| 9 b) Existing use(s) of the land: Office   |  |                        |                                   |               |
|  |  |                        |                                   |               |
| 9 c) The date the subject land was acquired: 196                                 | iO +/-   |                        |                                   |               |
|  |  |                        |                                   |               |
| 9 d) Number of existing buildings/structures: One                                |  |                        |                                   |               |
| S among squares and said   |  |                        | ,                                 |               |
| 9 e) Use of existing buildings/structures (specify):                             | Office   |                        |                                   |               |
| , c.   | OHICE .  |                        |                                   | 4             |
| O O The data at the same   |  |                        |                                   |               |
| 9 f) The date any existing buildings or structures o                             | n the subject land were cor                        | nstructed: 1930+/-     |                                   |               |
|  |  |                        |                                   |               |

Agenua nem #

| 9 g) The length of time that the existing uses of the subject   | ct land       | l have co           | ntinued: 50 years +/-                                       |              | Anthropological Actions and Action and Actio |
|---|---------------|---------------------|---|--------------|--|
| 9 h) The current and previous use(s) of the subject lands:  | Of            | fice, C             | hurch   |              |  |
| 9 i) If known, the number of proposed buildings/structures  | s: O          | ne                  |   |              |  |
| 9 j) If known, the proposed use of buildings/structures (sp. A use permitted in the present, R9-7H15 / 0                  |               |                     | 0C6 / R3-1 Zone   |              |  |
| 10) A sketch illustrating the following, in m   |               | ·                   | •   |              |  |
| Please include the above noted existing and p   | oropo         | sed bu              | ildings on this sketch.                                     |              |  |
| o The boundaries and dimension  | ons c         | of the su           | ubject land;  |              |  |
| o The location, size and type indicating their distance from building dimensions and floor                                | n the         | e front             | ing and proposed buildings<br>lot line, rear lot line and s | s ar<br>ide  | nd structures on the subject land, lot lines as well as their heights,   |
| o The approximate location of watercourses, drainage ditch tanks) that;   | f all<br>hes, | natura<br>banks     | and artificial features (for of rivers or streams, wetla    | ex<br>nds    | ample, buildings, railways, roads,<br>, wooded areas, wells and septic   |
| - are located on the sul  | bject         | and ac              | jacent lands, and;  |              |  |
| - in the applicant's opin   | nion,         | may af              | fect the application;                                       |              |  |
| o The current land uses on and  | d adja        | acent to            | the subject lands;  |              |  |
| o The location, width and nam unopened road allowance, a  | e of<br>publ  | any roa<br>ic trave | ads within or abutting the solled road, a private road or a | ubje<br>rigl | ect land, indicating whether it is an ht of way;   |
| o If access to the subject land used; and;  | will          | be by v             | water only, the location of the                             | he p         | parking and docking facilities to be   |
| o The location and nature of ar   | ny ea         | semen               | t or restrictive covenant affe                              | ctin         | g the subject land.  |
|   |               |                     |   |              |  |
| 11) Access: Access to the subject lands will  | be p          | rovide              | d by:   |              |  |
| Private Street (not usually permitted)  |               | Provir              | ncial Highway   |              | Other (Specify)  |
| □ Right of Way (not permitted)  | X             | Assur               | ned Municipal Street  |              |  |
| 12) Water Supply: Water supply to the subject   | ect la        | inds sh             | all be provided by:   |              | •  |
| X Municipal piped water   |               |                     | Privately owned and opera                                   | ited         | individual wells for each lot  |
| Privately owned an operated communal v  | well          |                     | Other (specify)   |              |  |
| 13) Sewage Disposal: Sewage disposal on   | the s         | subject             | lands will be provided by:                                  | <del></del>  |  |
| X Municipal sanitary sewers   |               |                     | Privately owned individual                                  | sep          | otic system for each lot   |
| □ Privately owned communal collection   |               |                     | Other (specify)   |              |  |
| 14) If the application would permit develo<br>systems, and more than 4500 litres of efflu<br>you are required to provide: | pme<br>uent   | nt on p             | privately owned and opera<br>ced per day as a result of     | ted<br>the   | individual or communal septic development being completed,   |
| a) a servicing options  | repo          | ort, and            | b) a hydroge  | eolo         | gical report.  |
| 15) Storm Drainage: Storm drainage on the   | sub           | ject lan            | ds will be provided by:                                     |              |  |

|                        |  |  |                         | and a second |                  |  |  |  |
|------------------------|--|--|-------------------------|--------------|------------------|--|--|--|
| X                      | Municipal sewers   | ☐ Ditches or Swales  | □ Other (s              | pecify)      |                  |  |  |  |
| 16) Height and Density |  |  |                         |              |                  |  |  |  |
| ls t                   | the subject property located in an area or ight and density?   | f the City which has pre determined                                | minimum and ma<br>X YES | aximum requ  | irements for     |  |  |  |
| 16                     | . b) If the answer to Section 16 is yes,   | provide a statement of those requ                                  | uirements:              |              |                  |  |  |  |
| (Ple                   | ease use a separate sheet if needed)   |  |                         |              |                  |  |  |  |
| Se                     | e provisions of R9-7 H15/0R2/R02/0C6   | 5/R3-1 zones.  |                         |              |                  |  |  |  |
|                        |  |  |                         |              |                  |  |  |  |
|                        |  |  |                         |              |                  |  |  |  |
|                        |  |  |                         |              |                  |  |  |  |
| 17                     | ) Area of Settlement: **   |  |                         |              |                  |  |  |  |
| Do<br>be               | nes the zoning amendment alter the bour implemented?   | ndaries of an existing area of settlem                             | ent or require a        |              | settlement to NO |  |  |  |
| **ti                   | his includes both rural settlement areas a   | and alterations to the Urban Growth                                | Boundary                |              |                  |  |  |  |
| 17<br>or               | b) If the answer to Section 17 is yes, establishment of an area of settlemer   | provide the current Official Plan pot: (please use separate sheet) | olicies, if any, d      | lealing with | the alteration   |  |  |  |
| 18                     | ) Employment Areas:  |  |                         |              |                  |  |  |  |
| Do                     | es the zoning amendment remove land  | from an area of employment?  | ☐ YES                   | X            | NO               |  |  |  |
| Ų!                     | b) If the answer to section 18 is yes, pland from an area of employment:<br>ease use a separate sheet)   | provide the current Official Plan po                               | olicies, if any, d      | ealing with  | the removal      |  |  |  |
| 19                     | Lands Subject to Zoning with Condit  | tions:   |                         |              |                  |  |  |  |
| Are                    | e the subject lands within an area where   | zoning with conditions applies?                                    | ☐ YES                   | X            | NO               |  |  |  |
| 19<br>Of               | b) If the answer to section 19 is yes, properties to the zoning the zoni | provide an explanation of how the g with conditions:               | proposed amer           | ndment com   | plies with the   |  |  |  |

|         |                                 |   | , igorida serii ii ji digi              |            |
|---------|---------------------------------|---|---|------------|
|         |                                 |   |   | Metaberana |
| (Please | use a separate sheet if needed) |   |   |            |
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|         |                                 |   |   |            |
|         |                                 |   |   |            |
| 20) C   | Other Applications Under Pla    | inning Act:                               |   |            |
| Is the  | subject land, or land within 12 | Om of the subject lands, the focus of any | other application under the Planning Ac | t?         |
| YE      |                                 |   |   |            |
| 20 b)   | If the answer to Section 20 v   | was 'yes', please indicate below which    | applications are being undertaken:      |            |
|         | Draft Plan of Subdivision       | File No.:                                 | Status:                                 |            |
|         |                                 |   |   |            |
|         | Consent or Variance             | File No.:                                 | Status:                                 |            |
|         |                                 |   |   |            |
|         | Zoning By-law Amendment         | File No.:                                 | Status:                                 |            |
|         |                                 |   |   |            |
|         | Official Plan Amendment         | File No.:                                 | Status:                                 |            |
|         |                                 |   |   |            |
|         | Minister's Zoning Order         | Ontario Regulation No.:                   | Status:                                 |            |
|         |                                 |   |   |            |
|         | Site Plan                       | File No.:                                 | Status:                                 |            |
|         | Other (Specify)                 | Eilo No :                                 |   |            |
|         | Outer (Opecity)                 | File No.:                                 | Status:                                 |            |
| 1       | j                               |   | 1                                       |            |

| 20 c) If you answe                      | ered 'yes' to any of Section 20,  | , please describe the      | e land the "other" an                   | plication affects the  |
|---|---|----------------------------|---|------------------------|
| purpose of that ap application.         | oplication, and the effect that a   | application will have      | on the amendment                        | requested through this |
| (Please use a separate                  | sheet if needed)  |                            |   | ,                      |
| •                                       |   |                            |   |                        |
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| *************************************** | March - March |                            |   |                        |
| · · · · · · · · · · · · · · · · · · ·   |   |                            |   |                        |
| 21) Is the applica                      | tion consistent with policy sta   | atements issued und        | der subsection 3(1) o                   | f the Planning Act?    |
| Identify policie                        | s from the Provincial Policy Stat   | ement (PPS) that you       | intend to use to supp                   | ort your application.  |
| Note: If additional space is            | is required, please attach a separate sheet cor   | ntaining this information. |   |                        |
| Yes. It is consist                      | tent. Policies 1.1, 1.6, 1.6.5  |                            |   |                        |
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|   | 47444   |                            |   |                        |
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| 2) Owner's Authorization:  his must be completed by the Owner if the OWNER IS NOT FILING THE APPLICATION  ote: If there are multiple Owners, an authorization letter from each Owner (with dated, original signature) is required OR each winer must sign the following authorization.  152587 Ontario Limited being the  egistered Owner(s) of the subject lands, hereby authorize Patton Cormier & Associates  Print name of agent and/or company (if applicable)  prepare and submit an Application for Zoning By-law amendment.  When Burney Signature  I have Authority to Bind the Corporation  MPORTANT:  If the Owner is an incorporated company, the company seal shall be applied in the signature block above (if there is one).  13) Applicant's Declaration:  This must be completed by the person filling the application for the proposed amendment and in the presence of a commissioner of Oaths.  Alan R. Patton of the City of London  Print (Name of City, Town, Township, etc.)  in the County of Middlesex solemnly declare that all of the statements  bootstained in this Application for Zoning By-law Amendment at 783 Filchmond Street  (Georgician of subject land)  and all supporting documents and plane are true and complete, and I make this solemn declaration consciontiously believing it to be true, and knowing that it is of the same force and effect as if made under cells, and by virtue of the Canada Evidence Act.  Declared before me at the Region/County/Detrict of Middlesex;  in the Municipality of The City of London, this  Land R. Patton  Signature  Alan R. Patton  Precese Print name of Applicant  | · · · · · · · · · · · · · · · · · · · |                      |   |  | Agenda Item a   | # Page #   |
|--|---------------------------------------|----------------------|---|--|---|--|
| ote: if there are multiple Owners, an authorization.  152587 Ontario Limited being the extended owner (with dated, original signature) is required OR each ware must sign the following authorization.  152587 Ontario Limited being the experiment of the subject lands, hereby authorize Patton Cormier & Associates Peter name of agent and/or company (if applicable) or prepare and submit an Application for Zoning By-law amendment.    War   Supermore   Signature   Day   September   2011  | 2) Owner's Aut                        | thorization:         |   |  | POST STATE OF THE | onested  |
| Is 2587 Ontario Limited being the  agistered Owner(s) of the subject lands, hereby authorize Patton Cormier & Associates Print name of agent and/or company (if applicable) prepare and submit an Application for Zoning By-law amendment.    War Bucker   Day September   2011   New Authority to Bind the Corporation   Day September | his must be co                        | ompleted by the      | Owner if the OWNER IS                     | S NOT FILING THE APPLICAT                          | <u> </u>  |  |
| egistered Owner(s) of the subject lands, hereby authorize Patton Cormier & Associates Print name of agent and/or company (if applicable) prepare and submit an Application for Zoning By-law amendment.    Which Building Signature   Signature   Signature   Day   September   2011   I have Authority to Bind the Corporation   Day   September   2011   I have Authority to Bind the Corporation   Day   September   2011   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:   | lote: If there are<br>Owner must sign | multiple Owners, a   | an authorization letter fro<br>orization. | om each Owner (with dated, origi                   | inal signature) is re   | quired OR each   |
| egistered Owner(s) of the subject lands, hereby authorize Patton Cormier & Associates Print name of agent and/or company (if applicable) prepare and submit an Application for Zoning By-law amendment.    Which Building Signature   Signature   Signature   Day   September   2011   I have Authority to Bind the Corporation   Day   September   2011   I have Authority to Bind the Corporation   Day   September   2011   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:   |                                       |                      | A.A. A.  | :  |   |  |
| egistered Owner(s) of the subject lands, hereby authorize Patton Cormier & Associates Print name of agent and/or company (if applicable) prepare and submit an Application for Zoning By-law amendment.    Which Building Signature   Signature   Signature   Day   September   2011   I have Authority to Bind the Corporation   Day   September   2011   I have Authority to Bind the Corporation   Day   September   2011   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:   |                                       |                      |   |  |   |  |
| Print name of agent and/or company (if applicable)  Description of subject land)  Description of | 152587 Ontario                        | Limited being the    | <b>)</b>                                  |  |   |  |
| Print name of agent and/or company (if applicable)  Description of subject land)  Description of |                                       |                      |   |  |   |  |
| Declared and submit an Application for Zoning By-law amendment.    Application   | egistered Owne                        | r(s) of the subject  |   |  |   |  |
| MPORTANT:  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.  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   Alan R. Patton.  Signature  Alan R. Patton.   | prepare and s                         | ubmit an Applicat    | ion for Zoning By-law an                  | rint name of agent and/or company (if<br>nendment. | applicable)   |  |
| MPORTANT:  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.  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   Alan R. Patton.  Signature  Alan R. Patton.   |                                       |                      |   |  |   |  |
| MPORTANT:  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.  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   Alan R. Patton.  Signature  Alan R. Patton.   |                                       | In & Bu              | mes                                       | 16 th.   | September   | 2011   |
| 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 filling the application for the proposed amendment and in the presence of a commissioner of Oaths.  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  Cay)  September (Morah)  Signature  Alan R. Patthan   | I ha                                  | ve Authority to Bind | e<br>the Corporation                      | Day  |   |  |
| Alan R. Patton of the City of London Print (name of City, Town, Township, etc.)  This must be completed by the person filling the application for the proposed amendment and in the presence of a commissioner of Oaths.  Print (Name of City, Town, Township, etc.)  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  Signature  Alan R. Pattlan.   | MPORTANT                              | *                    |   |  |   |  |
| This must be completed by the person filling the application for the proposed amendment and in the presence of a commissioner of Oaths.  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  Signature  Alan R. Patton  Signature  Alan R. Patton  | f the Owner is a                      | ın incorporated co   | mpany, the company se                     | eal shall be applied in the signat                 | ture block above (  | f there is one).   |
| This must be completed by the person filling the application for the proposed amendment and in the presence of a Commissioner of Oaths.  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   Long Again September (Month)  Signature  Alan R. Patton  Signature  Alan R. Patton   |                                       |                      |   |  |   |  |
| 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  Signature  Alan R. Patton.  |                                       |                      |   |  |   |  |
| 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  3. September (Month)  Signature  Alan R. Patton.   |                                       |                      | person filing the appli                   | cation for the proposed ame                        | ndment and in the   | e presence of a  |
| 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  3. September (Month)  Signature  Alan R. Patton.   |                                       |                      | MANAGEM (1994)                            |  |   |  |
| 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  3. September (Month)  Signature  Alan R. Patton.   |                                       | tu on attand         |   |  |   |  |
| 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  16  16  17  18  18  19  19  19  19  19  19  19  19  | I, Alan H. Patton                     | •                    |   | Print (Name of City, Town, T                       | ownship, etc.)  |  |
| 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  16  Clay day of September (Month)  Signature  Alan R. Aathan   |                                       |                      |   | , ( 5, ,   |   |  |
| (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     16  | in the County of N                    | Middlesex solemnly   | declare that all of the state             | ments  |   | •  |
| (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     16  |                                       |                      |   |  |   |  |
| 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     16   | contained in this                     | Application for Zoni | ng By-law Amendment at                    |  | siect land\   |  |
| Declared before me at the Region/County/District of Middlesex, in the Municipality of The City of London, this  16   | and all supporting                    | g documents and pl   | ans are true and complete,                | and I make this solemn declaratio                  | n conscientiously be  | lieving it to be   |
| in the Municipality of <u>The City of London</u> , this  16 A day of September (Month) (Year)  Signature  Alan R. Patton   |                                       | _                    |   | •  | e Canada Evidence A   | Act.   |
| 16 A day of September (Month) 2011 (Year) Signature  Alon R. Patton  |                                       | _                    | •   |  |   |  |
| (Day) (Month) (Year) Signature  Alan R. Patton   | u.u                                   | , c. <u></u>         |   |  |   |  |
| Alan R. Patton   |                                       | September            | 2011                                      |  |   |  |
| Alan R. Patton   | (Day)                                 | (Month)              | (Year)                                    |  | Signature   | TO THE STATE OF TH |
| Please Print name of Applicant   |                                       |                      |   | Alan R. I  | Patton  |  |
|  |                                       |                      |   | Please   | Print name of Applicar  | nt   |

Commissioner of Oaths

|  | Agenda Item # Page #   |
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|  |  |
| 24) Municipal Freedom of Information Declaration:  |  |
| In accordance with the provisions of the <u>Planning Act</u> , it is the policy of the City Planning access to all development applications and supporting documentation.  | Department to provide public                                 |
| In submitting this development application and supporting documentation, IAlan R. Pattor Owner/applicant/authorized agent, hereby acknowledge the above-noted policy and prov with the provisions of the Municipal Freedom of Information and Protection of Privacy Act application and any supporting documentation provided by myself, my agents, consultant the public record and will also be available to the general public. | ide my consent, in accordance , that the information on this |
| I hereby authorize the City of London to post a "Possible Land Use Change" sign and allothe subject lands for purposes of evaluation of the subject application.   | ow municipal staff to access to                              |
| Signature Day  | 09 2011<br>Month Year  |
| OWNER/APPLICANT'S INFORMATION: (Mandatory, please print)   |  |

**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.

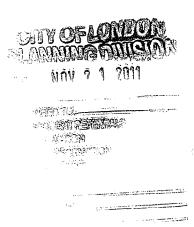
Name: Alan R. Patton

Fax No.

Telephone No. <u>519-432-8282</u>

E-mail Address: <u>apatton@pattoncormier.ca</u>

519-432-7285



Mailing Address: #1512-140 Fullarton Street

London, ON N6A 5P2

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## PROVINCIAL POLICY INFORMATION REQUIREMENTS

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|--------|----------|----|----|----|
| Schedu | le       | AP | P. | -1 |

|        | pletion of the following will assist the municipality in performing a complete review of the subject osal. <i>Please use a separate sheet it needed.</i>  |
|--------|---|
| 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 ls there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  □ Yes X 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 X NO   |
|        |   |
| 4)     | Subsurface Rights   |
|        | Are the subsurface rights and the surface rights to the property held by the same Owner? X 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.   |
|        | HORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS surface rights different from the Owner of the lands)  |
|        |   |
| I,     | , the Owner of the subsurface rights for the subject property, am aware of  |
| this a | oplication and consent to it. (please print)  |
|        | , and the second planty   |
|        |   |
|        | (signature)   |
|        | (date)  |
|        |   |
|        | (address)   |
|        | Telephone Number  |
|        | Facsimile Number  |
|        |   |

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#### **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.

| settlement areas  Class 1 Industry¹  X  Metitre  Assess development will  Assess development to res metics.  Class 2 Industry³  X  Metitre  Assess development for res metics.  Assess the need or a featle mentics.  Assess the need or a featle mentics.  Evaluate impacts within 500  Controlled access highway or  Evaluate impacts within 500  Evaluate impacts within 500  Denometrate feasibility of de land uses. Above the SS No  Indicate assess the need for a featle mentics.  Evaluate impacts within 500  Denometrate feasibility of de land uses. Above the SS No  Indicate assessment for persistent or  Evaluate impacts within 500  Denometrate feasibility of de land uses. Above the SS No  Will development hinder con note result the appropriate electric results of new resource operations?  Will development hinder con of new resource operations?  Will development hinder con of new resource operations?  Will development hinder con of new resource operations.  Will development hinder con of new resource operations.  Assess development groups for individual persons.  Provi                    |  |
|---|--|
| Non-farm development near designated urban areas or nural seatmented areas areas or nural seatmented area seatmented areas or nural seatmented areas or nural seatmented areas or nural seatmented areas or nural seatmented area seatmented areas or nural seatmented areas or nural seatment for res or new seatment or new seatmented areas or nural seatmented areas                    | N NEEDS  |
| designated urban areas or rural settlement areas areas settlement areas settlement areas settlement areas settlement for res substances and settlement are settlement areas sett                    |  |
| Class 2 Industry <sup>2</sup> Class 3 Industry <sup>3</sup> within 1000 metres  X  — metres  Assess development for res 300 metres.  Assess development for res 300 metres.  Assess development for res 300 metres.  Assess the need for a feasit sensible land uses.  Sewage Treatment Plant  X  — metres  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Assess the need for a feasit sensible land uses.  Evaluate impacts within 100 metres  Controlled access highways or invelves; including designated future one  Asports where noise exposure projection (NEP) a roise exposure projection (NEP) as or greater  X  — metres  Determine possible impacts  Lead of the proposure projection (NEP) as or greater  X  — metres  Determine possible impacts  Lead of the proposure projection (NEP) as or greater  X  — metres  Will the corridor be protected.  X  — metres  Will development hinder con form wresource operations  X  — metres  Will development hinder con Noise and Dust Study cong Will development hinder con form wresource operations  X  — metres  Will development hinder con form wresource operations  X  — metres  Will development hinder con Noise and Dust Study cong Will development hinder con form wresource operations  X  — metres  Significant vetlands or potentially significant vetlands or potentially significant vetlands or potentially significant vetlands  Provide Environmental Impa resource and adjusticent provide Environmental Impa resources and adjusticent provides  X  — metres  Significant schedulopmen | d within 20 year projections and that<br>not hinder efficient expansion of urban<br>leas.  |
| Class 3 Industry <sup>3</sup> within 1000 metres  X   | sidential and other sensitive uses within  |
| metres  metres  metres  | sidential and other sensitive uses within  |
| Sewage Treatment Plant  X   | sidential and other sensitive uses within  |
| Waste Stabilization Pond  X  — metres  Active railway line  X  — metres  Evaluate impacts within 300  Controlled access highways or recevery, including designated future ones  Altports where noise exposure forecast (NEF) or noise exposure forecast (NEF) or noise exposure forecast (NEF) or sole exposure forecast (NEF)                    | odour, vermin and other impacts.   |
| Active railway line   | bility study for residential and other   |
| Controlled access highways or freeweys, including designated future ones  Apports where noise exposure forecast (NEP) or noise exposure projection (NEP) is 28 or greater  Electric transformer station  X  | bility study for residential and other   |
| freeways, including designated future ones  | ) metres.  |
| Altports where noise exposure forecast (NEP) or noise exposure projection (NEP) is 28 or greater  Electric transformer station  X   | O metres.  |
| forecast (NEF) or noise exposure projection (NEF) is 26 or greater  Electric transformer station  X   |  |
| High voltage electric transmission line  X  metres  Consult the appropriate electric transmission line  X  metres  Will development hinder accord new resource perations?  X  Mineral aggregate resource areas  X  Mineral aggregate operations  X  metres  Will development hinder accord new resource operations?  Will development hinder accord new resource operations?  X  metres  Will development hinder accord new resource areas  X  Will development hinder accord new resource operations?  Will development hinder accord new resource operations?  X  metres  Significant wetlands or potentially significant wetlands or potentially significant wetlands or potentially significant wetlands  Significant wetlands  Significant wetlands  Significant wetlands  Significant wetlands  Significant wetlands  X  metres  Significant wetlands  Frovide Environmental impaniers  Significant significant wetlands  X  Demonstrate that groundwate areas of natural and scientific interest.  Sensitive groundwater recharges  areas, headwaters and aquiliters.  Significant landscapes, vistas and ridge-lines, significant built heritage landscapes.  X  Development should conserving significant built heritage landscapes.  X  Development should conserving significant built heritage landscapes.  X  Development propose for significan                    | evelopment above 28 NEF for sensitive<br>EF/NEP contour, development of sensitive  |
| Transportation and infrastructure corridors  Mineral aggregate resource areas  X  Mineral aggregate operations  X  Mineral aggregate operations  X  Mineral aggregate operations  X  Mineral aggregate operations  X  Mineral and petroleum resource areas  X  Mineral and petroleum resource areas  X  Mill development hinder con Noise and Dust Study completing and put study completing and put study completing and put significant wetlands or potentially significant wetlands or potentially significant wetlands  Significant ravine, valley, river and stream conflors and significant portions of habitat of endangered and threatened species  Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and sclenific interest.  Sensitive groundwater recharges areas, headwaters and aquifers  Assess development should conserving ensources and cultural heritage resources and cultural heritage resources and cultural heritage fandscapes.  X  Contaminated and sclenarios of the study within the river valleys and stream.  X  Mineral aggregate resource areas  X  Mill development hinder con Noise and Dust Study complete The Noise And Study Complete The Noise and Dust Study complete The Noise and Dust Study compl                    | within 200 metres.   |
| Mineral aggregate resource areas  X  Mineral aggregate operations  X  Mineral aggregate operations  X  Mineral aggregate operations  X  Mineral and petroleum resource areas  X  Mile development hinder acc of new resource operations?  Will development hinder acc of new resource operations?  X  Mile development hinder acc of new resource operations?  Will development hinder acc of new resource operations?  X  Mile development hinder acc of new resource operations?  Will development hinder acc of new resource operations?  X  Mile development hinder acc of new resource operations?  X  Mile development hinder acc of new resource operations?  X  Mile development hinder acc of new resource operations?  X  Mile development hinder acc of new resource operations?  X  Mile development hinder acc of new resource operations?  X  Mile development hinder acc of new resource operations?  X  Provide Environmental Imparatural and accients.  X  Demonstrate that groundwate recharges areas, headwaters and aquifers.  X  Development should conserv diago-lines, significant built heritage and coapes.  X  Assess development proposite for significant archaeological resources  X  Determine limit of Development is in effect, development mus is                    | ctric power service.   |
| Mineral aggregate operations  Mineral aggregate operations  Mineral and petroleum resource areas  X  Mil development hinder con of new resource operations?  Existing pits and quarries  X  Mil development hinder con Noise and Dust Study comol Market Provide Environmental Impairments  X  Demonstrate that groundwate applies and Study St                    | d? Noise Study prepared?   |
| metres   Nolse and Dust Study completed   | cess to the resource or the establishmen?  |
| Mineral and petroleum resource areas  X  Will development hinder acc of new resource operations?  Existing pits and quarries  X   |  |
| Existing pits and quarries  X metres  Noise and Dust Study completions significant wetlands or potentially significant wetlands  Significant ravine, valley, river and stream corridors and significant portions of habitat of endangered and threatened species  Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and scientific interest.  Sensitive groundwater recharges areas, headwaters and aquifers.  Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.  X  Development should conservidge-lines, significant portions and significant propose for significant archaeological resources  X  Assess development propose for significant archaeological resources  X  Determine feasibility within the river valleys and streams.  Floodplains  X  —metres  Slope Study, Flood line Study Contaminated sites  X  —metres  Slope Study, Flood line Study Contaminated sites  X  Assess an inventory of previocontamination.  Prime agricultural land  Demonstrate need for use of limpacts are to be mitigated.  | cess to the resource or the establishmen   |
| Significant wetlands or potentially significant wetlands  Significant ravine, valley, river and stream corridors and significant portions of habitat of endangered and threatened species  Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and scientific interest.  Sensitive groundwater recharges areas, headwaters and aquifers.  Significant and scientific interest.  Sensitive groundwater recharges areas, headwaters and aquifers.  Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.  X  Assess development propose for significant archaeological resources  Significant archaeological resources  X  Development should conservidge-lines, significant built heritage landscapes.  X  Assess development propose for significant archaeological tresources  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  Assess an inventory of previce contamination.  Contaminated sites  X  Demonstrate need for use of impacts are to be mitigated.   | ntinued operation or expansion?  |
| Significant ravine, valley, river and stream corridors and significant portions of habitat of endangered and threatened species  Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and scientific interest.  Sensitive groundwater recharges areas, headwaters and aquifers.  Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.  X  Development should conserve indee-lines, significant built heritage resources and cultural heritage and salvaged in the significant archaeological resources  X  Assess development propose for significant archaeological resources  X  Determine feasibility within the river valleys and streams.  X  Determine feasibility within the river valleys and streams.  X  — metres  Slope Study, Flood line Stud Contaminated sites  X  Assess an inventory of previce contamination.  X  Determine agricultural land  X  Demonstrate need for use of limpacts are to be mitigated.   |  |
| stream corridors and significant proportions of habitat of endangered and threatened species  Significant fish habitat, wildlife habitat, woodlands, valley lands, areas of natural and scientific interest.  Sensitive groundwater recharges areas, headwaters and aquifers.  Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.  X  Development should conserve didge-lines, significant built heritage resources and cultural heritage  In a sess development propose for significant archaeological resources.  X  Assess development propose for significant archaeological studied and preserved, or whand analyzed prior to development friver valleys and streams.  Floodplains  X  Determine feasibility within the river valleys and streams.  Determine limit of Development must be reflect, development propose for significant archaeological studied and preserved, or whand analyzed prior to develop significant services and streams.  Significant archaeological resources  X  Determine feasibility within the river valleys and streams.  Assess an inventory of previous contamination.  Contaminated sites  X  Demonstrate need for use of impacts are to be mitigated.  | act Study.   |
| woodlands, valley lands, areas of natural and scientific interest.  Sensitive groundwater recharges areas, headwaters and aquifers.  Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.  X  Development should conservinge-lines, significant built heritage resources and cultural heritage landscapes.  X  Assess development propose for significant archaeological resources  X  Assess development propose for significant archaeological studied and preserved, or whand analyzed prior to development river valleys and streams.  Floodplains  X  Determine feasibility within the river valleys and streams.  X  Determine limit of Development must be reflect, development must in effect, development must be reflect, development must be reflect be reflected.  | act Study.   |
| areas, headwaters and aquifers.  Significant landscapes, vistas and ridge-lines, significant built heritage resources and cultural heritage landscapes.  X  Development should conserve ridge-lines, significant built heritage landscapes.  X  Assess development propose for significant archaeological studied and preserved, or whand analyzed prior to develop and analyzed prior to develop river valleys and streams.  Erosion hazards  X  Determine feasibility within the river valleys and streams.  X  Determine limit of Development must be in effect, development must be in effect, development must be in effect, development must be contaminated sites  X  Assess an inventory of previous contamination.  Demonstrate need for use of timpacts are to be mitigated.  | act Study.   |
| ridge-lines, significant built heritage resources and cultural heritage landscapes.  X  Assess development propose for significant archaeological resources  X  Assess development propose for significant archaeological studied and preserved, or when and analyzed prior to develop and analyzed prior to develop and streams.  Erosion hazards  X  Determine feasibility within the river valleys and streams.  X  Determine limit of Development is in effect, development must be in effect, development must be in effect, development must be contaminated sites  X  Assess an inventory of previous contamination.  Prime agricultural land  X  Demonstrate need for use of impacts are to be mitigated.   | ter recharge areas, headwaters and   |
| Significant archaeological resources  X  Determine feasibility within the river valleys and streams.  X  Determine limit of Developments in effect, development is in effect, development must be a stream and st                    | ve significant landscapes, vistas and<br>leritage resources and cultural heritage  |
| Erosion hazards  X  Determine feasibility within the river valleys and streams.  X  Determine limit of Development is in effect, development must in effect, development must see in effect, development see in effect                    | sed in areas of medium and high potential<br>I resources. These sources are to be<br>here appropriate, removed. Catalogued<br>pment. |
| Hazardous sites <sup>4</sup> X metres  Slope Study, Flood line Stud  Contaminated sites  X  Assess an inventory of previous contamination.  Prime agricultural land  X  Demonstrate need for use of impacts are to be mitigated.  | he 1:100 year erosion limits of ravines,   |
| Hazardous sites <sup>4</sup> X metres  Slope Study, Flood line Stud  Contaminated sites  X  Assess an inventory of previor contamination.  Prime agricultural land  X  Demonstrate need for use ott impacts are to be mitigated.  | nent or where a Special Policy Area (SPA<br>st meet the Official Plan policies.  |
| Contaminated sites  X  Assess an inventory of previor contamination.  Prime agricultural land  X  Demonstrate need for use ott impacts are to be mittigated.  |  |
| Prime agricultural land  X  Demonstrate need for use of impacts are to be mitigated.  | OUS USES in areas of possible acti   |
| impacts are to be imagated.   | ther than agricultural and indicate beau   |
| Agricultural operations X Development to comply with  | the Minimum Distance Separation  |

<sup>&</sup>lt;sup>1</sup>Class 1 Industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

<sup>&</sup>lt;sup>2</sup>Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

<sup>&</sup>lt;sup>3</sup>Class 3 Industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

<sup>&</sup>lt;sup>4</sup>Hazardous 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

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|--|--|---|--|----------------|
| Ed. 5684   Ci-19 iss1-serit   Ed. 5684   Ci-19 iss1-serit   Ed. 5684   Ci-19 iss1-serit   Ed. 5684   Ci-19 iss1-serit   Ci-19   |  | E-MAIL ADDRESS                                      | The second secon | FAX<br>NUMBER  |
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| 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         (519) 451-1188           Conservation Authority - Lower Thames – J. Campbell         Itvca@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  | Transportation, Ministry – Tim A. Burns  | tim.a.burns@ontario.ca                              | (519) 873-4210   | (519) 873-4228 |
| Ministry of Agriculture, Food and Rural Affairs         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         shaughnessyj@thamesriver.org         (519) 451-2800         (519) 451-1188           Lonservation Authority - Lower Thames - J. Campbell         Itvca@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         (905) 689-6652           Bell Canada - W.C. Willsie   | Environment , Ministry (MOE) - B. Armstrong                                      | Bill.Armstrong@ontario.ca                           | (519) 873-5000   | (519) 873-5020 |
| - D. Crinklaw  Ministry of Culture – S. Prowse  shari.prowse@ontario.ca  (519) 873-4085  (519) 873-4062  Ministry of Culture – S. Prowse  shari.prowse@ontario.ca  (519) 675-6898  (519) 675-7777  Contario Power Generation (OPG) – T. Laurenson  talitha.laurenson@opg.com  (416) 592-4154  (416) 592-8115  Conservation Authority - Upper Thames  J. Shaughnessyj@thamesriver.org  shaughnessyj@thamesriver.org  (519) 451-2800  Ext. 253  Conservation Authority - Lower Thames - J. Campbell  livca@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) 451-1340  Ext. 327  (519) 451-1340  Ext. 327  |  | daraleigh.irving@ontario.ca                         | (519) 773-4750   | (519) 773-9014 |
| 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) 451-1340 Ext. 327         (519) 451-4411   |  | drew.crinklaw@ontario.ca                            | (519) 873-4085   | (519) 873-4062 |
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| 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   | Conservation Authority - Kettle Creek - J. Gordon                                |   | (519) 631-1270   |                |
| 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   | Hydro One Networks - Laura Giunta  |   |  |                |
| 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   | Canadian National Railway – N. Coleman   | nick.coleman@cn.ca                                  |  |                |
| 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  | Canadian Pacific Railway - O. Rojik  | orest_rojik@cpr.ca                                  | 905-803-3425   |                |
| 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  | Union Gas - J. Van Praet   | jvanpraet@uniongas.com                              | ,  |                |
| 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<br>Ext. 327         (519) 451-4411  | Esso Petroleum Canada Pipeline - C. Mitchell                                     | colleen.m.mitchell@esso.com                         | (905) 689-6652   |                |
| London Transit Commission – S. McNally smcnally@londontransit.ca (519) 451-1340 Ext. 327 (519) 451-4411  | Bell Canada – W.C. Willsie   | b.willsie@bell.ca                                   |  |                |
|  | London Transit Commission - S. McNally   | smcnally@londontransit.ca                           | (519) 451-1340   |                |
| bruno.desando@canadapost.ca (519) 494-1596 (519) 439-9646  | Canada Post Corporation – Bruno DeSando  | bruno.desando@canadapost.ca                         |  |                |

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| PLANNING JUSTIFICATION REPORT        | SA-FFROM (1) (1) (1)   | west-Circles de |
| 783 Richmond Street, London, Ontario | <u> </u>   | L               |

- 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.
- 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.
- 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.
- 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.

## Agenda Item # Page # Riley, Alanna

From:

Couvillon, Andrew

Sent:

Thursday, December 01, 2011 8:07 AM

To: Subject: Riley, Alanna 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 #              |
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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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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).

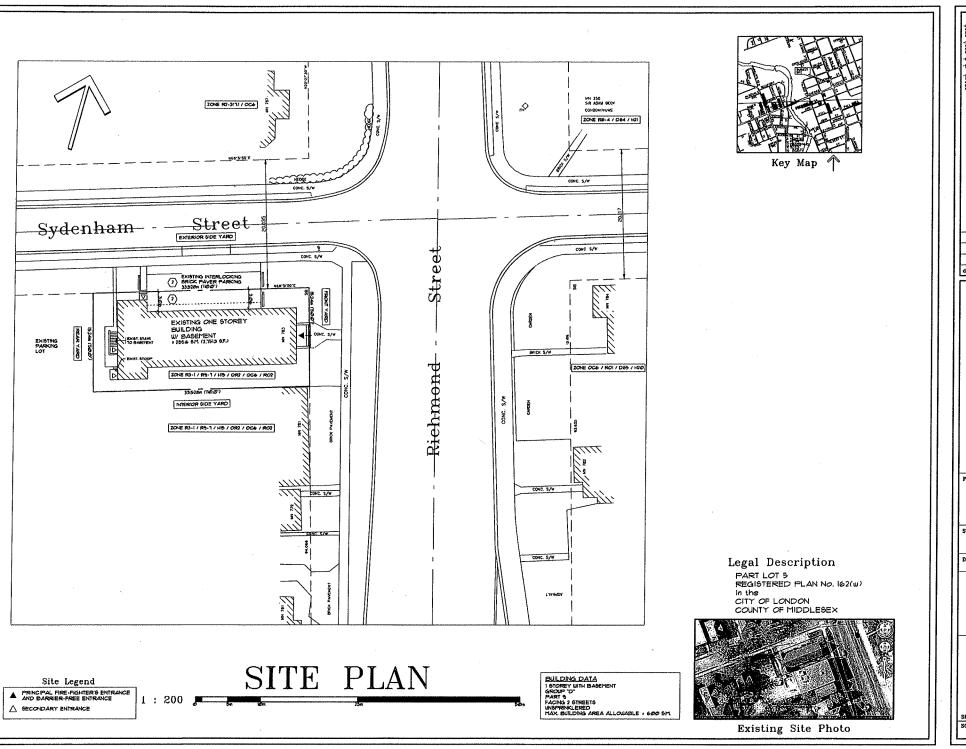
In summary, it is my opinion that the property at 783 Richmond Street should be included in Parking Standard Area 1. The property meets all of the criteria which appear to have been applied in designating uses within this area. The location of the boundary on a lot line between two commercial properties 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.

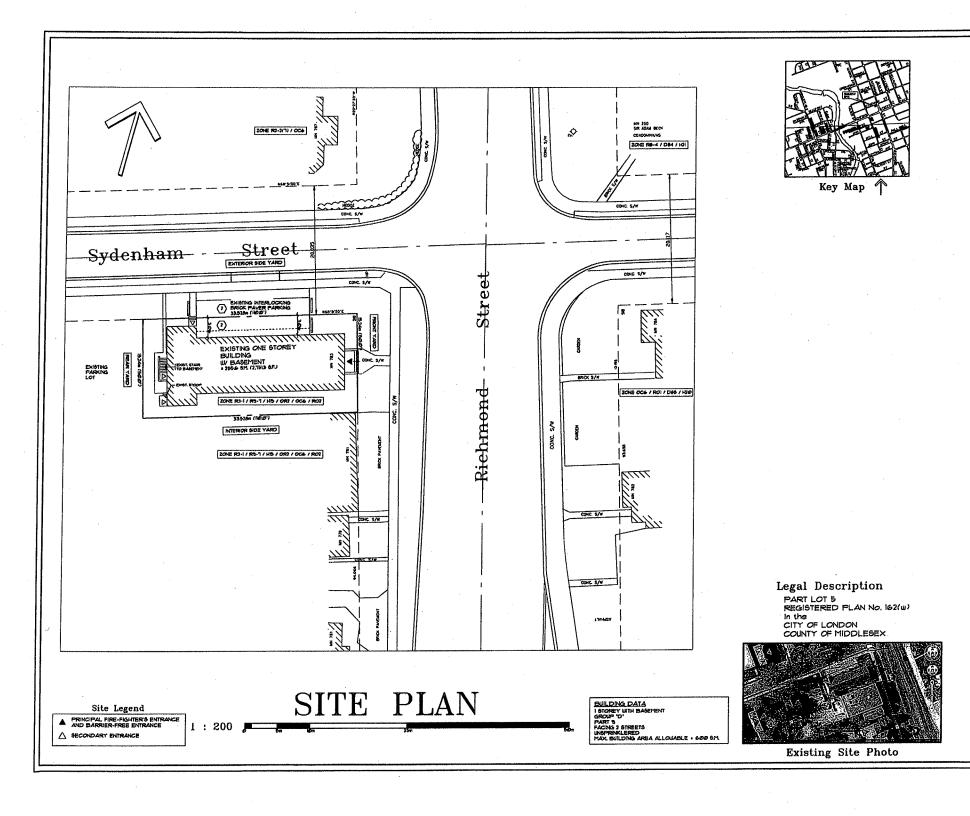
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date item ZONING CONFORMANCE 625 EMERY STREET EAST + LONDON + ONTARIO + NGC 2G3 TEL (519) 679-8889 FAX (519) 679-8095 PROJECT: EXISTING COMMERCIAL BUILDING 183 RICHMOND STREET LONDON SHEET TITLE: SITE PLAN DATE: DRAWN: JUNE / 10 SHEET No. SCALE: COMP. REF. /183RICHMOND/SITE 1:200

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# PATTON CORMIER & ASSOCIATES LAWYERS

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Alan R. Patton, B.A., LLB. Analee J.M. Fernandez, B.A., LLB. Elizabeth K. Cormier, 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:

- 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;

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

tel: 519.432.8282

fax: 519.432.7285

| Dattar Carrett C.A. 1.      | Agenda Item # | Page #  |
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| Patton Cormier & Associates |               |   |
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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. 3.

The standard provincial fee of five dollars is enclosed.

Yours truly

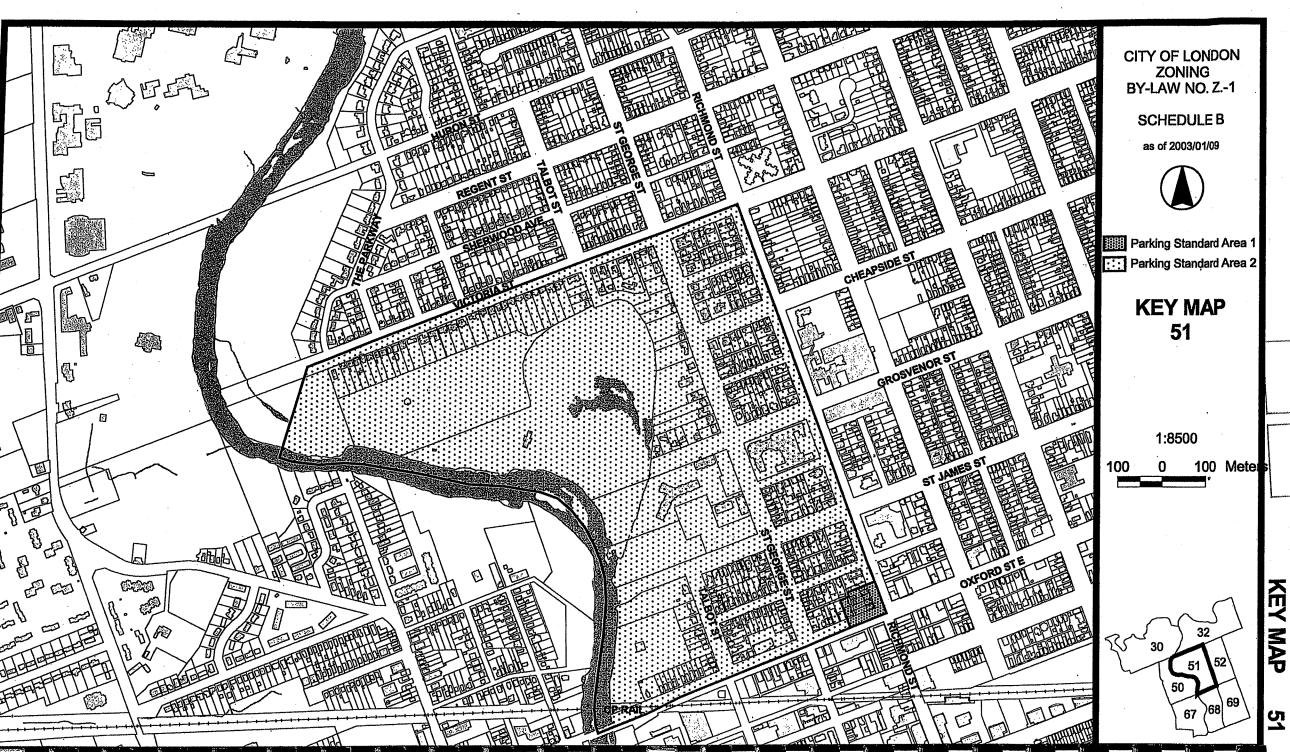
**PATTON CORMIER & ASSOCIATES** 

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



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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.

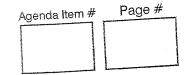
19.16.1 Complete Application Provisions In order to ensure that all the relevant and required information pertaining to a planning application is available at the time of submission of the application to enable Council and its delegated approval authorities to make informed decisions within the prescribed 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.



Reports/Studies to address Environmental and Natural Matters 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 Transit Commission. Where new transportation infrastructure and/or lands are required or an expansion of the transportation infrastructure is necessary 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.

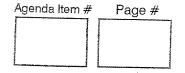
The required reports/studies are to demonstrate that the existing servicing infrastructure is sufficient to accommodate the proposed development and/or change in land use or that the lands can be reasonably serviced by the extension of existing infrastructure and to identify any new servicing infrastructure 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 sue 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.



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)