

## Planning and Environment Committee, June 6 , 2016

My name is Catherine Charlton, and I live on Picton Street.

I am a member of the Downtown London Noise Committee representing concerned residents at: 7 and 22 Picton Street, Blackfriars, 460 Wellington, 280 Queens Ave., and 275- 285 Wellington.

I am here to oppose deleting Sub-section 5 of Section 4.18 from Zoning by-law Z-1.

Moving the provision as to the use of outdoor patios associated with a restaurant or tavern from the Zoning by-law will have the effect of cutting off residents from their right to appeal to the Ontario Municipal Board.

Indeed I believe that this is the only reason for moving this section out of the Zoning by-law, and I object.

I refer to Councillor Jesse Helmer's comments to the London Free Press in August 2016, as well as to Blackburn News in October 2016. He expressed frustration that the OMB appeals to prevent lifting the noise by-law last year, caused a delay in allowing amplified music on commercial patios.

His comments suggested that the answer to this unwelcome delay would be to prevent OMB appeals, by moving the section out of Zoning.

This is neither an appropriate nor acceptable reason for taking such action.

Council should examine with the City Solicitor the appropriate change of wording for Section 4.18 (5) to indicate that patios associated with a restaurant or a tavern may now have amplified music as regulated under the Noise by-law.

Deliberately seeking to eliminate citizen rights to appeal is not appropriate for an elected official; indeed it is disgraceful.

*C. Charlton*  
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Attached: copies of the quotes referred to ...