

то:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: RYAN O'DONNELL 581 ROSS STREET NOTICE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD MEETING ON OCTOBER 10, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board, received April 29, 2017 submitted by Ryan O'Donnell relating to the Zoning By-law Amendment Z-8695 concerning 581 Ross Street, the Ontario Municipal Board **BE ADVISED** that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Z-8695: Public Participation Meeting on March 27, 2017 for the conversion of an existing duplex into a four-unit converted dwelling.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

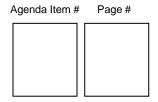
The recommended action would advise the Ontario Municipal Board that Municipal Council is in agreement with their previous decision on April 13, 2017 to refuse the requested amendment to the Zoning By-law.

BACKGROUND

An application to amend the Z.-1 Zoning By-law was received by the City and deemed complete on October 14, 2016. The application was to convert the existing duplex dwelling into a four-unit converted dwelling.

A Public Participation Meeting occurred before the Planning and Environment Committee on March 27, 2017 and Council approved Staff's recommendation on April 13, 2017 to refuse the requested Zoning Amendment. The fundamental reason the application was refused was due to the Official Plan policy which restricted converted dwellings to a maximum of two units in this area of the City. At the time of this application this same policy was identified in The London Plan within the Near Campus Neighbourhoods policies. After the Ministry Approval of The London Plan the policy restricting converted dwellings to two units in the Near Campus Neighbourhood was removed. Regardless, the removal of this policy from The London Plan does not change Staff's recommendation as the current Official Plan policies continue to restrict converted dwellings to a maximum of two units.

Copies of the appeal letter from Ryan O'Donnell, and the reasons for the appeal, are attached as appendix 'B' to this report. A date for the Ontario Municipal Board hearing has been scheduled for November 17, 2017.



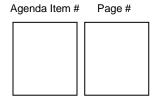
The recommendation to refuse the requested amendment is considered appropriate as the requested Zoning By-law amendment does not conform to the North London Broughdale Neighbourhood specific area policies nor the Near Campus Neighbourhood policies of the Official Plan.

PREPARED BY:	SUBMITTED BY:
MIKE CORBY, MCIP, RPP PLANNER II, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP	
MANAGING DIRECTOR, PLANNING AND	O CITY PLANNER

September 11, 2017

SW

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Appendix 'A'



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Appendix 'B'

7011-TO1

City Clerk No. 0993
Subject Appeal to OMB
File 2 - 8695
581 Ross St.
APR 28 2017

Ref. JNethercott (with Cheeve)

Re: Appeal to the OMB

Appeal Form and Money Order/Cheque for the s. 34(11) appeal enclosed.

DATE 2 U 1 / U 4 2 8

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Environment and Land Tribunals Ontario
Ontario Municipal Board
655 Bay Street Sute 1500 Teronto, Ontano M5G 1E5
TEL (416) 212-6349 or Tell Free: 1-806-448-2248
FAX: (416) 326-5370
www.elio.gov.on.ca

APPELLANT FORM (A1) PLANNING ACT

SUBMIT COMPLETED FORM TO MUNICIPALITY/APPROVAL AUTHORITY

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SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)	
Minor Variance	f ⁻ Appeal a decision	45(12)	
	Appeal a decision	22020	
Consent/Severance	Appeal conditions imposed	53(19)	
	Appeal changed conditions	53(27)	
	Failed to make a decision on the application within 90 days	53(14)	
	Appeal the passing of a Zoning By-law	34(19)	
Zoning By-law or	Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	34(11)	
Zoning By-law Amendment	Application for an amendment to the Zoning By-law - refused by the municipality	133.75	
nterim Control By-law	Appeal the passing of an Interim Control By-lew	38(4)	
	Appeal a decision	17(24) or 17(36)	
	Failed to make a decision on the plan within 180 days	17(40)	
Official Plan or Official Plan Amendment			
	Application for an amendment to the Official Plan – refused by the municipality		
	Appeal a decision	51(39)	
Plan of Subdivision	Appeal conditions imposed	51(43) or 51(48)	
	Failed to make a decision on the application within 180 days	51(34)	

Part 2: Lo	cation Inform	ation						0.4	-
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Company Name or	Association	n Name (Associa	tion must be inc	orporated – include copy of	letter of incorporation)	_
Professional Title (if applicable	1				
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Part 4: Repres		-33- 33		dual(s) to represent me	:	
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Part 5: Language and Accessibility	de me	MATE.	de V	100	1011	
Please choose preferred language: R English French						
We are committed to providing services as set out in the Accessibility for our any accessibility needs, please contact our Accessibility Coordinator as so	Ontarian oon as p	s with lossible	Disabilitie e.	es Act, 2	005. 1	f you have
Part 6: Appeal Specific Information	MPA S	34		1500	WI	
 Provide specific information about what you are appealing. For Number(s), Official Plan Number(s) or Subdivision Number(s): 	exam	ple: M	funicipal	File Nu	mber(s), By-law
FILE Z-8695 RGZONING APOLICATION			de les	1,000		
Plan 256 LOT 16 PT LOT IS REG AC	42.5	D F	R D		10000	
 Outline the nature of your appeal and the reasons for your appeal. Be (for example: the specific provisions, sections and/or policies of the your appeal - if applicable). "If more space is required, please continuous." 	e specifi Official	c and Plan	provide la or By-law	which a	re ine	subject of
Pressupports In existence Since 1972 Unit has been in existence Since 1972 application supports infill parats all 3 units meets size limitations of R	8 3-Z	30	res			
THE FOLLOWING SECTIONS (2&b) APPLY ONLY TO APPEALS (SECTION 34(11) OF THE PLANNING ACT.	_	-		AMEND	MEN	TS UNDER
a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: (If application submitted before January 1, 2007 please use the O1 'pre b) Provide a brief explanatory note regarding the proposal, which include category, the purpose of the desired zoning by-law change, and a desired zoning by-law change, and a desired zoning by-law change, and a desired zoning by-law change.	s the ex	disting of the	zoning ca	itegory, o	lesirer	d zoning
Existing R2-2 Requestry R2-2 w PX	rate pag	10 th	Cor	3 or	4	units
Bill 73 - This question applies only to official plans/amen and minor variances that came into effect/were passed of the 2-year no application restriction under section 22(2.2) or 3 a. No b. Yes	nora	fter J	uly 1, 2	016.		ndments
Part 7: Related Matters (if known)	300		OF THE	Tree .	80	AND STATE
Are there other appeals not yet filed with the Municipality?	YES	-	NO	IC.		
Are there other planning matters related to this appeal? (For example: A consent application connected to a variance application)	YES	1	NO			
If yes, please provide OMB Reference Number(s) and/or Municipal File N	lumber((s) in th	ne box be	low:		
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rt 8: Scheduling Info	rmation			Miles VIII	ALE PART	W
w many days do you e	stimate are needed for	r hearing this appeal?	half day	1 day	2 days 3	day
4 days 1 we		an 1 week - please spec	and the first			200
w many expert witness	SET LAWYSER	s do you expect to have	Passi	ning providing ev	idence/testimony	?
scribe expert witness(o	es) area of expertise (For example; land use p	lanner, and	chitect, engineer, SSIBS5	etc.):	
you believe this matte	r would benefit from m duled only when all parts	ediation? es egree to participate)	YES	NO I		
you believe this matte	r would benefit from a	prehearing conference? d for variances or consents	YES	NO !		
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rt 9: Other Applicabl	e Information **Attac	h a separate page if m	ore space	is required.	M. Control	
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Part 10: Required Fee		別約1 宝一一	
Total Fee Submitted:	s	_	
Payment Method:	Certified cheque	Money Order	Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash
- . PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

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