

то:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: SOUTHSIDE CONSTRUCTION MANAGEMENT LTD 75 BLACKFRIARS STREET NOTICE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD MEETING ON MONDAY, NOVEMBER 26, 2012

#### RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letters of appeal to the Ontario Municipal Board, dated August 30, 2012 and submitted by Donald Cornell relating to Official Plan and Zoning By-law amendments (File No. OZ-8048) concerning 75 Blackfriars 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

July 16, 2012 – OZ-8048 (Southside Construction Management Ltd). This report recommended that the Official Plan be amended to add a site-specific special policy to permit medium scale office uses, and a gymnasium as an accessory to a permitted Office use, within the existing building with a maximum total gross floor area of 2,555m² for all Office and Gymnasium uses and a maximum total gross floor area of 1,300m² for Medical/dental offices and Medical/dental laboratories and the Zoning By-law be amended for the subject site from a Neighbourhood Facility (NF) Zone which permits Churches and Elementary schools to an Office Special Provision (OF2()) Zone to permit Medical/dental offices, Medical/dental laboratories and Offices, subject to a special provision to: permit a gymnasium as an accessory use to a permitted Office use, include a requirement that all uses be contained within the existing building, permit a maximum total gross floor area of 2,555m² for Office and Gymnasium uses, and permit a maximum total gross floor area of 1,300m² for all Medical/dental offices and Medical/dental laboratories.

## PURPOSE AND EFFECT OF RECOMMENDED ACTION

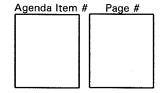
The recommended action would advise the OMB that Municipal Council is in agreement with their previous decision on July 24, 2012 to approve the amendments to the Official Plan and Zoning By-law to permit Office, Gymnasium, Medical/dental office, and Medical/dental laboratory uses within the existing church building.

## **BACKGROUND**

On April 11, 2012, an application for Official Plan and Zoning By-law amendments was submitted requesting that a site-specific special Official Plan policy be adopted to permit small-scale office uses and an accessory gymnasium use in addition to the uses permitted in the current Low Density Residential designation and that the Zoning By-law be amended from a Neighbourhood Facility (NF) Zone which permits churches and elementary schools to an Office Special Provision (OF2()) Zone to permit: Clinics; Medical/dental offices; Medical/dental laboratories; Offices; and, a Gymnasium (accessory to a permitted Office use) subject to a special provision which limits the gross floor area for the proposed clinics, medical/dental offices, and, medical/dental laboratories to a maximum of 2,055m² (22,151sq.ft.).

Planning Staff recommended that the requested Official Plan amendment be refused for the following reasons:

· the request to continue to allow uses that are permitted in the existing Low Density



Residential designation is contrary to the interim policies applied in the West London Special Policy Area;

- the request to permit up to a maximum of 2,555m<sup>2</sup> of gross floor area for general office uses exceeds the maximum gross floor area of small-scale office uses as requested by the applicant;
- the request to add a site-specific special policy does not include a provision requiring that the new uses be confined to the existing building; and,
- the request to add a site-specific special policy does not include a provision to limit the maximum gross floor area of the requested office uses.

Planning Staff also recommended that the requested Zoning By-law amendment be refused for the following reasons:

- the parking standard required for the requested amount of gross floor area for all non-Office uses exceeds the number of parking spaces available on-site;
- there has been no request to reduce the parking standard to accommodate the requested gross floor area for all non-Office uses; and,
- the request to amend the Zoning By-law does not include a provision requiring that the new uses be confined to the existing building.

However, Planning Staff did recommend that the Official Plan be amended to add a site-specific special policy to permit:

- medium-scale office uses; and
- gymnasium (as an accessory to a permitted Office use).

The recommended medium-scale office uses would also inherently permit medical dental offices, medical dental laboratories, and clinics subject to Zoning. Staff's recommendation included a provision that limited the permitted uses within the existing building and recommended that a maximum total gross floor area be applied to permit up to 2,555m² for all Office and Gymnasium uses and 1,300m² for Medical/dental offices, Medical/dental laboratories, and Clinics.

Planning Staff also recommended that the Zoning By-law be amended to change the zoning of the subject site from a Neighbourhood Facility (NF) Zone which permits Churches and Elementary schools to an Office Special Provision (OF2()) Zone to permit:

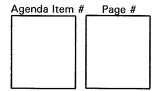
- · Clinics;
- Medical/dental offices;
- Medical/dental laboratories;
- Offices; and,
- Gymnasium (as an accessory use to a permitted Office use).

Staff recommended that zoning regulations be included, consistent with the Official Plan, which requires that all uses be contained within the existing building, permits a maximum total gross floor area of 2,555m² for Office and Gymnasium uses, and permits a maximum total gross floor area of 1,300m² for all Medical/dental offices, Medical/dental laboratories, and Clinics.

During the statutory public participation meeting on July 16, 2012, the Planning and Environment Committee (PEC) heard concerns related to the potential use of the subject site for "Clinic" uses. As a result, the PEC recommended that "Clinics" be removed from the list of recommended uses and Council subsequently supported the PEC recommendation. Therefore, the Zoning By-law amendment was further modified to add an additional regulation prohibiting the use of "Clinics".

On August 30, 2012, appeals were submitted by Donald Cornell in opposition to Council's decision to adopt the Official Plan and Zoning By-law amendments. In the reasons for the appeals of Council's decisions, the appellant states as reasons for the appeals that:

1) The approved Zoning By-law and Official Plan amendments will permit an intensity of general office and medical office uses on the subject property that will result in an "overuse" of the subject property



- 2) The approved Zoning By-law and Official Plan do not adequately address traffic and parking impacts that will be the result of the approved amendment.
- 3) The approved Zoning By-law and Official Plan amendments were instituted without regard for sufficient public notice and input on last minute changes to the application.
- 4) The approved Zoning By-law and Official Plan amendments will result in a substantial increase in activity on the subject property from the existing permitted uses.

Copies of the appeal letters from Donald Cornell, and the reasons for the appeals, are attached as appendices "A" and "B" to this report. A date for the Ontario Municipal Board hearing has not yet been scheduled. Planning Staff have reviewed the appeal letters and see no reason for Council to alter its decision relating to this matter.

PREPARED BY:	SUBMITTED BY:
MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN SECTION	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN SECTION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CI	TY PLANNER

November 21, 2012 MT/mt

Y:/shared/implemen/DEVELOPMENT APPS/2012 Applications 8003 to/8048OZ - 75 Blackfriars Street (MT)/OZ-8048 - OMB Report

Agenda Item #	Page #
1	

## APPENDIX "A"

## INSITES CONSULTING - LAND PLANNING SERVICES

Ms. Cathy Saunders City Clerk City of London Ontario 300 Duffenn Ave, London Ontario N6A 1H3

Mr. Donald Cornell 79 Blackfriars Street London Ontario N6H 1K8

Thursday August 30, 2012

Dear Ms. Saunders:

Re: Official Plan Amendment 536 (75 Blackfriars Street)

Please be advised that, by way of this letter and attached OMB Appeal Form, I Donald Cornell of 79 Blackfriars Street in the City of London Ontario, hereby appeal the above referenced Official Plan Amendment approved by Municipal Council on July 24<sup>th</sup>, 2012.

The basis for this appeal is outlined in detail within the attached OMB Appeal Form. I trust that you will forward this letter of appeal to the offices of the Ontario Municipal Board.

Also, please find attached a certified cheque in the amount of \$125 made payable to the Minister of Finance for the applicable appeal fee.

Should you require any further information regarding the application, please do not hesitate to contact the undersigned.

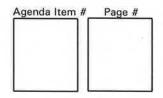
Kind regards,

**Donald Cornell** 79 Blackfriars St. London ON N6H 1K8 (519-433-1221)

(519) 434-1820 Cell: (519) 878-4633 46 Belirock Crescent

**London ON** 

**N5V 4M6** 



## APPENDIX "A"



Environment and Land Tribunals Ontario Ontario Municipal Board 855 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 TEL: (416) 212-6349 or Toll Free: 1-868-448-2248 FAX: (416) 328-5370 www.elto.gov.on.ca

APPELLANT FORM (A1)
PLANNING ACT

SUBMIT COMPLETED FORM TO MUNICIPALITY/APPROVAL AUTHORITY

Receipt Number (OMB Office Use Only)

RECEIVED
AUG 3 0 2012

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	PEAL TYPE OF APPEAL	
Minor Variance	Appeal a decision	45(12)
	Appeal a decision	
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	
nterim Control By-law	Appeal the passing of an Interim Control By-law	38(4)
	X Appeal a decision	17(24) or 17(36)
Official Plan or	Failed to make a decision on the plan within 180 days	17(40)
Official Plan Amendment	Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	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: Location Information

Address and/or Legal Description of property subject to the appeal: 75 Blackfriars Street London, Ontario

Municipality/Upper tier: London Ontarlo

A1 Revised April 2010

Page 2 of 6

Agenda Item	#_	Page	#

# APPENDIX "A"

First Name: Don	naid	Last Name: Cornell	
Company Name	or Association Name (As	ssociation must be incorporated - include copy o	f letter of incorporation)
Professional Title			
E-mail Address:	By providing an e	e-mail address you agree to receive communications from	the OMB by e-mail.
Daytime Telephor	ne #:	Alternate Telephone #:	
ax#: N/A			
failing Address:	79 Blackfriars Street Address	Street Apt/Sulte/Unit#	London City/Town
	Ontario	7 Canada	N6H 1K8
ignature of Appe	Province	Country (if not Canada)  The country (if not Canada)  The country (if not Canada)	Postal CodeDate:
iote your OMB i	। must notify the Ontar Reference Number(s) ३	rio Municipal Board of any change of address after they have been assigned.	or telephone number in writing. Plea
ersonal information	on requested on this for	rio Municipal Board of any change of address after they have been assigned. m is collected under the provisions of the Planni O. 1990, c. O. 28 as amended. After an appeal i	
ersonal information and the Ontario Mu ay become availa	on requested on this for	m is collected under the provisions of the <i>Planni</i> O. 1990, c. O. 28 as amended. After an appeal i	
ersonal informatic nd the Ontario Mu ay become availa art 4: Represe	on requested on this for unicipal Board Act, R.S.d able to the public.	m is collected under the provisions of the <i>Planni</i> O. 1990, c. O. 28 as amended. After an appeal i	
ersonal information of the Ontario Manager of the Ontario Manager of the Ontario Manager of the Ontario of the	on requested on this for unicipal Board Act, R.S. able to the public. entative Information (	m is collected under the provisions of the <i>Planni</i> O. 1990, c. O. 28 as amended. After an appeal i	
ersonal information of the Ontario Mulay become availant 4: Representereby authorizes Name: Benja	on requested on this for unicipal Board Act, R.S. able to the public. entative Information (	m is collected under the provisions of the <i>Planni</i> O. 1990, c. O. 28 as amended. After an appeal i (if applicable)  any and/or individual(s) to represent me:	
ersonal information of the Ontario Manage become available.  Int 4: Representereby authorizes Name: Benjampany Name: I	on requested on this for unicipal Board Act, R.S. able to the public. Intative Information are the named compa amin	m is collected under the provisions of the <i>Planni</i> O. 1990, c. O. 28 as amended. After an appeal i (if applicable)  any and/or individual(s) to represent me:  Last Name: Billings	
ersonal information of the Ontario May become available.  Int 4: Represe ereby authoriates Name: Benjampany Name: Information of the Internal Address	on requested on this for unicipal Board Act, R.S. able to the public. Intative Information are the named compa amin Insites Consulting	m is collected under the provisions of the <i>Planni</i> O. 1990, c. O. 28 as amended. After an appeal i (if applicable)  any and/or individual(s) to represent me:	
ersonal informatic dd the Ontario Mu ay become availa art 4: Represe ereby authoria st Name: Benja mpany Name: I ofessional Title: F	on requested on this for unicipal Board Act, R.S.d able to the public. Intative Information ze the named compa amin Insites Consulting Registered Professiona	m is collected under the provisions of the <i>Planni</i> O. 1990, c. O. 28 as amended. After an appeal i  (if applicable)  any and/or individual(s) to represent me:  Last Name: Billings	
ersonal information of the Ontario May become available art 4: Representereby authorizes Name: Benjampany Name: Information of the Office Science of the O	on requested on this for unicipal Board Act, R.S.d able to the public. Intative Information ze the named compa amin Insites Consulting Registered Professiona	m is collected under the provisions of the Planni O. 1990, c. O. 28 as amended. After an appeal i  (if applicable)  any and/or individual(s) to represent me:  Last Name: Billings  al Planner (Consulting Planner)	
ersonal informatic did the Ontario Milay become availant 4: Representereby authorizest Name: Benjampany Name: Informational Title: Final Address widing an e-mail according to the phone of #: N/A	on requested on this for unicipal Board Act, R.S.d able to the public. Intative Information ze the named compa amin Insites Consulting Registered Professiona	m is collected under the provisions of the Planni O. 1990, c. O. 28 as amended. After an appeal i  (if applicable)  any and/or individual(s) to represent me:  Last Name: Billings  al Planner (Consulting Planner)	
ersonal information of the Ontario May become available of the Ontario May become available of the Ontario of t	on requested on this for unicipal Board Act, R.S. able to the public.  Intative Information of the named comparation of t	m is collected under the provisions of the Planni O. 1990, c. O. 28 as amended. After an appeal i  (if applicable)  any and/or individual(s) to represent me:  Last Name: Billings  al Planner (Consulting Planner)  numications from the OMB by e-mail.  Alternate Telephone #	ing Act, R.S.O. 1990, c. P. 13, as amends filed, all information relating to this app
ersonal information of the Ontario May become available art 4: Representereby authorizest Name: Benja propany Name: It of the state of	on requested on this for unicipal Board Act, R.S. able to the public.  Intative Information of the named comparation of t	m is collected under the provisions of the Planni O. 1990, c. O. 28 as amended. After an appeal i  (if applicable)  any and/or individual(s) to represent me:  Last Name: Billings  al Planner (Consulting Planner)  Alternate Telephone #  Bellrock Crescent Apt/Suite/Unit#	ing Act, R.S.O. 1990, c. P. 13, as amend in the street of

X I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

A1 Revised April 2010

Page 3 of 6

Agenda Item #	Page #

## APPENDIX "A"

Part 5: Language and Accessibility
Please choose preferred language: X English French
We are committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.
Part 6: Appeal Specific Information
<ol> <li>Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):</li> </ol>
(Please print) This appeal is in reference to Official Plan Amendment 536 passed by the City of London Municipal Council on the 24 <sup>th</sup> day of July, 2012 and pertaining to 75 Blackfriars Street in the City of London, Ontario.
<ol> <li>Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.</li> <li>(Please print)</li> </ol>
This appeal is based upon the following matters:
1) The approved Official Plan Amendment will permit an intensity of general office and medical office uses on the subject property that will result in an "overuse" of the subject property. The subject lands are designated "Low Density Residential" pursuant to Schedule A of the City of London Official Plan. The approved OPA will permit a maximum intensity of 2,555 m2 (27, 502 s.f.) for all office uses in a building that currently consists of 2,044 m2 (22, 000 s.f.).
2) The approved Official Plan Amendment does not adequately address traffic and parking impacts that will be the result of the approved amendment. The subject amendment is deemed to be premature until such time as the results of the traffic and parking impact study are available from municipal staff. This study has been requested by Municipal Council, as part of its July 24 <sup>th</sup> 2012 Council Resolution; however, municipal transportation staff has indicated that it will not be available until sometime in 2013.
3) The approved Official Plan Amendment was instituted without regard for sufficient public notice and input on last minute changes to the application. The parking area was amended to include nine additional parking spaces by way of a last minute submission by the applicant's consultant.
4) The approved Official Plan Amendment will result in a substantial increase in activity on the subject property from a church used one day a week to a large office use. This will result in increased noise and odour from vehicular traffic, as well as, visual impacts. The applicant has not proposed any improvements to the subject property in the way of landscaping, buffering/screening for the proposed use.

The following sections (a&b) apply  $\underline{\text{only}}$  to appeals of Zoning By-Law Amendments under Section 34(11) of the *Planning Act*.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: THURSDAY AUGUST 30, 2012 (If application submitted <u>before</u> January 1, 2007 please use the O1 'pre-Bill 51' form.)

A1 Revised April 2010

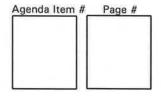
Page 4 of 6

Agenda Item #	Page #
1 1	

# APPENDIX "A"

AFFENDIA	A			
b) Provide a brief explanatory note regarding the proposal, which includategory, the purpose of the desired zoning by-law change, and a continue in Part 9 or attach a second or a seco	escription of the	ng zoning ca he lands und	ategory, desired zonin der appeal:	g
The proposal relates to the conversion of an existing church in coffices and medical offices to a maximum intensity of 2,555 m2 (church has existed for many years and used typically once a we 000 s.f.). The conversion of the church to a substantial office used density neighbourhood bringing substantial activity and vehicular streets on a daily basis.	27, 502 s.f.) fo ek on Sunday will impact t	or all office s and cons he resident	uses. The subject lists of 2,044 m2 (22, tial amenity of this lo	, ow
The subject property is currently designated "Low Density Resignated by the currently permits a very limited amount of medical office amendment to the Official Plan will permit a substantial change in Current zoning for the subject property is Neighbourhood Facility churches.	ises. The app n the use and	roved "Spe i character	ecial Policy" of the subject prope	erty. d
The desired Official Plan policy for the subject property will limit (22,000 s.f.) for all office uses and excludes any form of clinic us site plan that protects adjacent properties from the increased im use.	e. In addition	, the propos	sal should provide a	
				l
Part 7: Related Matters (if known)	F			
Are there other appeals not yet filed with the Municipality?	YES T	NO	x	
Are there other planning matters related to this appeal? (For example: A consent application connected to a variance application	YES []	NO	x	
If yes, please provide OMB Reference Number(s) and/or Municipal File	Number(s) in	the box be	low:	
(Please print)				
Part 8: Scheduling Information	I			
How many days do you estimate are needed for hearing this appeal?  4 days  1 week  More than 1 week – please spe			X 2 days 🗀 3 days	;
How many expert witnesses and other witnesses do you expect to have		-	a delena a Na akima a A	a
	e at the neam	ig providing	evidence/testimony?	
Two expert witnesses				
Describe expert witness(es)' area of expertise (For example: land use	pianner, archii	ect, enginee	er, etc.):	
A land use planner and a traffic engineer  Do you believe this matter would benefit from mediation?	YES X	. NO		
(Mediation is generally scheduled only when all parties agree to participate)	YES X	. 140	<b>June</b>	
Do you believe this matter would benefit from a prehearing conference (Prehearing conferences are generally not scheduled for variances or consent	? YES X s)	NO	D	
If yes, why? If the applicant is willing to address the issues describe the possibility of mediation.	bed herein in	an adequa	ite manner, there ma	ıy
A1 Revised April 2010			Page 5	i of 6

8

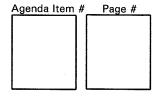


## APPENDIX "A"

Part 9: Other Applicable Information **Attac	ch a separate page if more space is required.
	or a separate page it more space is required.
	L.
art 10: Required Fee	
otal Fee Submitted: \$ 125.00	
ayment Method: X Certified cheque	Money Order Solicitor's general or trust account chequ
The payment must be in Canadian f	funds, payable to the Minister of Finance.
Do not send cash.	
PLEASE ATTACH THE CERTIFIED	D CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

A1 Revised April 2010

Page 6 of 6



#### APPENDIX "A"

INSITES CONSULTING - LAND PLANNING SERVICES

Ms. Cathy Saunders City Clerk City of London Ontario 300 Dufferin Ave. London Ontario N6A 1H3.

Mr. Donald Cornell 79 Blackfriars Street London Ontario N6H 1K8

Thursday August 30, 2012

Dear Ms. Saunders

Re: OMB Appeals: Official Plan Amendment 536 and Zoning By-law Z-1-122126 [76 Blackfriars Street]

Please be advised that by way of this letter, I Donald Cornell of 79 Blackfriars Street in the City of London Onfario, hereby grant my authorization to Mr. Ben Billings of Insites Consulting to represent me on land use planning matters relating to the above captioned appeals of Official Plan Amendment 536 and Zoning By-law Z-1-122126 re: 75 Blackfriars Street in London, Ontario.

Should you require any further information regarding this matter, please do not hesitate to contact the undersigned.

Kind regards,

Donald Cornell

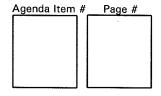
Donald Cornell 79 Blackfriars St. London ON N6H 1K8 (519-433-1221)

(519) 434-1820 Cell: (519) 878-4633

46 Beilrock Crescent Insites@sympatico.ca

**London ON** 

N5V 4M6



#### APPENDIX "B"

INSITES CONSULTING – LAND PLANNING SERVICES

Ms. Cathy Saunders City Clerk City of London Ontario 300 Dufferin Ave. London Ontario N6A 1H3

Mr. Donald Cornell 79 Blackfriars Street London Ontario N6H IK8

Thursday August 30, 2012

Dear Ms. Saunders:

Re: Zoning By-law Z-1-122126 (75 Blackfriars Street)

Please be advised that, by way of this letter and attached OMB Appeal Form, I Donald Cornell of 79 Blackfriars Street in the City of London Ontario, hereby appeal the above referenced Zoning By-law approved by Municipal Council on July 24<sup>th</sup>, 2012.

The basis for this appeal is outlined in detail within the attached OMB Appeal Form. I trust that you will forward this letter of appeal to the offices of the Ontario Municipal Board.

Also, please find attached a certified cheque in the amount of \$125 made payable to the Minister of Finance for the applicable appeal fee.

Should you require any further information regarding the application, please do not hesitate to contact the undersigned.

Kind regards,

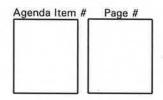
Donald Cornell 79 Blackfriars St. London ON N6H 1K8 (519-433-1221)

(519) 434-1820 Cell: (519) 878-4633

46 Bellrock Crescent Insites@sympatico.ca

London ON

N5V 4M6



## APPENDIX "B"



Environment and Land Tribunals Ontario Ontario Municipal Board 655 Bay Street, Sulte 1500 Toronto, Ontario M5G 1E5 TEL: (416) 212-8349 or Toll Free: 1-866-448-2248 FAX: (416) 328-5370 www.elto.gov.on.ca

APPELLANT FORM (A1) PLANNING ACT

SUBMIT COMPLETED FORM TO MUNICIPALITY/APPROVAL AUTHORITY

Roc

Receipt Number (OMB Office Use Only)

# Part 1: Appeal Type (Please check only one box)

emp - Appeal Received by Municipality

RECEIVED

AUG 3 0 2012

SUBJECT OF APPEAL	PPEAL TYPE OF APPEAL	
Minor Variance	Appeal a decision	45(12)
Consent/Severance	Appeal a decision  Appeal conditions imposed	53(19)
	Appeal changed conditions	53(27)
	Failed to make a decision on the application within 90 days     Appeal the passing of a Zoning By-law	53(14)
Zoning By-law or Zoning By-law Amendment	Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days  Application for an amendment to the Zoning By-law – refused by the	34(19) 34(11)
Interim Control By-law	Appeal the passing of an Interim Control By-law	38(4)
	Appeal a decision	17(24) or 17(36)
Official Plan or	Falled to make a decision on the plan within 180 days	17(40)
Official Plan Amendment	Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	Application for an amendment to the Official Plan – refused by the municipality	
	Appeal a decision	51(39)
Plan of Subdivision	Appeal conditions imposed Failed to make a decision on the application within 180 days	51(43) or 51(48)

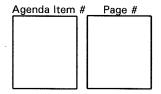
# Part 2: Location Information

OntarioAddress and/or Legal Description of property subject to the appeal: 75 Blackfriars Street

Municipality/Upper tier: London Ontario

A1 Revised April 2010

Page 2 of 6



# APPENDIX "B"

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)  Professional Title (if applicable):  E-mail Address:  By providing an **-mail** staffres* you agree to receive communications from the OMB by **-mail*.  Alternate Telephone #:  Alternate Telephone #:  Alternate Telephone #:  Alternate Telephone #:  London  Net 11k3  Province  Country (if not Canada)  Postal Code  Date:  Outer Order Ontario  Country (if not Canada)  Postal Code  Date:  Outer Order Ontario Municipal Board of any change of address or telephone number in writing. Please anote: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become evaluable to the public black of the public black	First Name: Donald	Last Name: Cornell	
Professional Title (if applicable):  E-mail Address:  By providing an a-mail sodress you agree to receive communications from the OMB by e-mail.  Daytime Telephone #:  Alternate Telephone #:  Fax #: NIA  Mailing Address:  Street Address  Street Address  Street Address  Street Address  Apt/Suite/Unit#  Country (if not Canada)  Postal Code Date:  (Signature of Appellant:  (Signatur	Company Name or Association Nam	e (Association must be incorporated – include copy of	letter of incorporation)
Daytime Telephone #:  Alternate Telephone #:  Fax #: N/A  Melling Address: 79 Blackfriars Street Address Apt/Suite/Unit# City/Town  Ontario Canada N6H 1K8  Province Country (if not Canada) Postal Code Date: Auth 30 20 17  Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please guote your OMB Reference Number(s) after they have been essigned.  Personal information requested on this form is collected under the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appearance evaluable to the public.  Part 4: Representative Information (if-applicable)  hereby authorize the named company and/or individual(s) to represent me: First Name: Benjamin Last Name: Billings  Company Name: Insites Consulting Professional Title: Registered Professional Planner (Consulting Planner)  First Name: Insites Consulting Professional Title: Registered Professional Planner (Consulting Planner)  First Name: Street Address  Alternate Telephone in Alternate Telephone in Alternate Telephone in Applicate Unity (if not Canada)  Ontario  On			•
Daytime Telephone #:  Alternate Telephone #:  Street Address: 79 Blackfriars Street Address Apt/Suite/Unit# City/Town  Ontario Canada N6H 1K8  Province Country (if not Canada) Postal Code Date: Address Opate: Address or telephone number in writing. Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please note: You must notify the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Planning Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Planning Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Planning Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Planning Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the planning Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the planning Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the planning Act, R.S.O. 1		ig an e-mail address you agree to receive communications from t	he OMB by e-mail.
Fax #: N/A  Mailing Address: 79 Blackfriars Street Address Apt/Suite/Unit# City/Town  Ontario Canada N6H 1K8  Country (if not Canada) Postal Code Date: Date			
Street Address Ontario Canada N6H 1K8 Province Province Country (if not Canada) Postal Code Date: Address Country (if not Canada) Postal Code Postal Code Postal Code Date: Address Country (if not Canada) Date: Address Country (if		Alternate Telephone #:	·
Ontario  Canada  N6H 1K8  Province  Country (if not Canada)  Postal Code Date: Aury 30 20 17  (Signature not required have been assigned.  Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please note your OMB Reference Number(s) after they have been assigned.  Personal information requested on this form is collected under the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal become available to the public.  Part 4: Representative Information (if applicable)  hereby authorize the named company and/or individual(s) to represent me:  irist Name: Benjamin  Last Name: Billings  company Name: Insites Consulting  rofessional Title: Registered Professional Planner (Consulting Planner)		Street	London
Country (if not Canada) Postal Code Date: Auty 30 20 12  Cignature of Appellant: Cignature not required if the appeal is submitted by a law office.)  Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.  Personal information requested on this form is collected under the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appearance become available to the public.  Part 4: Representative Information (if applicable)  Thereby authorize the named company and/or individual(s) to represent me:  Circle Name: Benjamin  Last Name: Billings  Company Name: Insites Consulting  Professional Title: Registered Professional Planner (Consulting Planner)	Street Address	Apt/Suite/Unit#	
Signature of Appellant:  (Signature not required if the appeal is submitted by a law office.)  Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.  Personal information requested on this form is collected under the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appear has been available to the public.  Part 4: Representative Information (if applicable)  Interest you authorize the named company and/or individual(s) to represent me:  First Name: Benjamin  Last Name: Billings  Company Name: Insites Consulting  Professional Title: Registered Professional Planner (Consulting Planner) mail Address  Fooding an e-mail sources you agree to receive communications from the OMB by e-mail.  Alternate Telephone of Street Address  Alternate Telephone of Street Address  Ontario  Ontario  Ontario  Canada  N5V 4M6  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  N5V 4M6  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  N5V 4M6  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  London  City/Town  Canada  Postal Code  Date: Multi-30 20 17  London  City/Town  Canada  Country (if not Canada)  Date: Multi-30 20 17  London  City/Town  Canada  Country (if not Canada)  Date: Mu	Ontario	Canada	N6H 1K8
(Signature not required if the appeal is submitted by a law office.)  Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been essigned.  Personal information requested on this form is collected under the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal as filed, all information relating to this appeal and the Ont	(3/)	Country (if not Canada)	
Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.  Personal information requested on this form is collected under the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filled, all information relating to this appearance become available to the public.  Part 4: Representative Information (if applicable)  hereby authorize the named company and/or individual(s) to represent me:  First Name: Benjamin	Signature of Appellant; (Signature)	Te not required if the appeal is submitted by a law off-	Date: <u>AUG30 20 12</u>
Insites Consulting Insites Consu			
company Name: Insites Consulting  rofessional Title: Registered Professional Planner (Consulting Planner)  -mail Address roviding an e-mail address roviding an e-mail address aytime Telephone if  Alternate Telephone if  Alternate Telephone if  Alternate Telephone if  Apt/Suite/Unit#  City/Town  Ontario  Province  Canada  Country (if not Canada)  Postal Code gnature of Appellant:  Date:			
rofessional Title: Registered Professional Planner (Consulting Planner)  -mail Address roviding an e-mail address you agree to receive communications from the OMB by e-mail.  aytime Telephone # Alternate Telephone # Alte	hereby authorize the named co	mpany and/or individual(s) to represent me:	
Alternate Telephone *	hereby authorize the named co	mpany and/or individual(s) to represent me: Last Name: Billings	
Alternate Telephone #  Belirock Crescent London City/Town  Ontario Province  Canada N5V 4M6 Postal Code Postal Code  Date:	hereby authorize the named co First Name: Benjamin Company Name: Insites Consulting	mpany and/or individual(s) to represent me:  Last Name: Billings	
alling Address:  46 Street Address Apt/Suite/Unit# City/Town  Ontario Province Gnature of Appellant:  Canada Country (if not Canada) Date:  Da	hereby authorize the named co irst Name: Benjamin company Name: Insites Consulting rofessional Title: Registered Profess	mpany and/or individual(s) to represent me:  Last Name: Billings  slonal Planner (Consulting Planner)	
alling Address:  46 Street Address Apt/Suite/Unit# City/Town  Ontario Province Ganada Country (if not Canada) Postal Code  gnature of Appellant:  Date:  Date:  Date:  Date:  Date:  Date:  Date:  Date:  Diving Address:  Apt/Suite/Unit# City/Town  N5V 4M6 Postal Code  Date:  D	hereby authorize the named co irst Name: Benjamin company Name: Insites Consulting professional Title: Registered Profess -mail Address coviding an e-mail address you agree to receive	Last Name: Billings slonal Planner (Consulting Planner) communications from the OMB by e-mail.	
Street Address Apt/Suite/Unit# City/Town  Ontario Province Ontario Ontario Province Ontario Ontario Province Ontario Ontario Province Ontario Ontario Ontario Ontario Province Ontario Onta	hereby authorize the named co First Name: Benjamin Company Name: Insites Consulting Professional Title: Registered Profess Firmail Address Providing an e-mail address you agree to receive Paytime Telephone	Last Name: Billings slonal Planner (Consulting Planner) communications from the OMB by e-mail.	
gnature of Appellant:  Country (if not Canada)  Country (if not Canada)  Postal Code  Postal Code  Date:  D	hereby authorize the named co First Name: Benjamin Company Name: Insites Consulting Professional Title: Registered Profess Firmail Address Providing an e-mail address you agree to receive Paytime Telephone	Last Name: Billings slonal Planner (Consulting Planner) communications from the OMB by e-mail.	
gnature of Appellant:  Date:	hereby authorize the named co first Name: Benjamin Company Name: Insites Consulting Professional Title: Registered Profess -mail Address roviding an e-mail address you agree to receive aytime Telephone # ax #: N/A	Last Name: Billings  slonal Planner (Consulting Planner)  communications from the OMB by e-mail.  Alternate Telephone a	
low.  I certify that I have written authorization from the appellant to act as a concentrative with research this.	hereby authorize the named co first Name: Benjamin company Name: Insites Consulting professional Title: Registered Profess forwiding an e-mail address you agree to receive aytime Telephone # ax #: N/A alling Address: 46 Street Address	Last Name: Billings  Last Name: Billings  slonal Planner (Consulting Planner)  communications from the OMB by e-mail.  Alternate Telephone #  Bellrock Crescent Apt/Suite/Unit#  Canada	City/Town N5V 4M6
I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.	hereby authorize the named co First Name: Benjamin Company Name: Insites Consulting Professional Title: Registered Profess Firmail Address Froviding an e-mail address you agree to receive Providing Address: 46 Street Address  Ontario Province	Last Name: Billings  Last Name: Billings  slonal Planner (Consulting Planner)  communications from the OMB by e-mail.  Alternate Telephone #  Bellrock Crescent Apt/Suite/Unit#  Canada	City/Town  N5V 4M6 Postal Code
	hereby authorize the named co First Name: Benjamin Company Name: Insites Consulting Professional Title: Registered Profess Firmail Address Froviding an e-mail sourcess you agree to receive Paytime Telephone #  ax #: N/A  Italling Address: 46 Street Address  Ontario Province  Ignature of Appellant:	Last Name: Billings  Last Name: Billings  slonal Planner (Consulting Planner)  communications from the OMB by e-mail.  Alternate Telephone f  Bellrock Crescent Apt/Suite/Unit#  Canada Country (if not Canada)	City/Town  N5V 4M6 Postal Code  Date: Aug 40 2017

Page 3 of 6

Agenda Item #	Page #

## APPENDIX "B"

Part 5: Language and Accessibility
Please choose preferred language: X English French
We are committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.
Part 6: Appeal Specific Information
<ol> <li>Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):</li> </ol>
(Please print) This appeal is in reference to Zoning By-law Z-1-122126 passed by the City of London Municipal Council on the 24 <sup>th</sup> day of July, 2012 and pertaining to 75 Blackfriars Street in the City of London, Ontario.
<ol> <li>Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - If applicable). **If more space is required, please continue in Part 9 or attach a separate page.</li> </ol>
(Please print)  1) The approved Zoning By-law will permit an intensity of general office and medical office uses on the subject property that will result in an "overuse" of the subject property. The subject lands are currently zoned Neighbourhood Facility (NF), which permits churches and elementary schools. The approved Zoning By-law will permit a maximum intensity of 2,555 m2 (27, 502 s.f.) for all office uses in a building that currently consists of 2,044 m2 (22, 000 s.f.).
2) The approved Zoning By-law does not adequately address traffic and parking impacts that will be the result of the approved amendment. The subject amendment is deemed to be premature until such time as the results of the traffic and parking impact study are available from municipal staff. This study has been requested by Municipal Council, as part of its July 24 <sup>th</sup> 2012 Council Resolution; however, municipal transportation staff has indicated that the study will not be available until sometime in 2013.
3) The approved Zoning By-law was instituted without regard for sufficient public notice and input on last minute changes to the application. The parking area was amended to include nine additional parking spaces by way of a last minute submission by the applicant's consultant.
4) The approved Zoning By-law will result in a substantial increase in activity on the subject property from a church used one day a week to a large office use. This will result in increased noise and odour from vehicular traffic, as well as, visual impacts. The applicant has not proposed any improvements to the subject property in the way of landscaping, buffering/screening for the proposed use.
THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: THURSDAY AUGUST 30<sup>TM</sup>, 2012 (If application submitted <u>before</u> January 1, 2007 please use the O1 'pre-Bill 51' form.)

A1 Revised April 2010

Agenda Item #	Page #
	-
	į
L	L

# APPENDIX "B"

•						
b) Provide a brief explanatory note regarding the proposal, which inclu- category, the purpose of the desired zoning by-law change, and a de **If more space is required, please continue in Part 9 or attach a sep	scriptio	or th	e lands	under a	ppeal:	
The proposal relates to the conversion of an existing church in of offices and medical offices to a maximum intensity of 2,555 m2 (2 church has existed for many years and used typically once a wee 000 s.f.). The conversion of the church to a substantial office use density neighbourhood bringing substantial activity and vehicula streets on a daily basis.	rder to a 7, 502 s k on Su	ccon .f.) fo ndays	r all off s and c	ice uses onsists (	. The subject of 2,044 m2 (22	2,
The subject property is currently designated "Low Density Reside which currently permits a very limited amount of medical office us Neighbourhood Facility (NF) which permits elementary schools a				London for the s	Official Plan, ubject propert	ty is
The desired zoning for the subject property is a zone that will limi (22,000 s.f.) for all office uses and excludes any form of clinic use site plan that protects adjacent properties from the increased impuse.	t the pro	posa	i to a m	aximum posal sh rom the	of 2,000 s.m. lould provide a proposed offic	a Ice
7. D. L. M. J. M. J. W. W. J. W. W. J. W. W. J. W. W. J. W. W. J. W. W. J. W. J. W. W. J. W. W. J. W.						
ort 7: Related Matters (if known)				Ų.		
e there other appeals not yet filed with the Municipality?	YES		1	IO X		
e there other planning matters related to this appeal? or example: A consent application connected to a variance application	YES	D	N	Ю х		
res, please provide OMB Reference Number(s) and/or Municipal File I	Number(	s) in t	he box l	elow:		
lease print)		····			······································	··
rt 8: Scheduling Information						
w many days do you estimate are needed for hearing this appeal?   4 days 1 week More than 1 week – please specif	y numbe	r of d	ays:		•	
w many expert witnesses and other witnesses do you expect to have a	at the he	aring	providin	g eviden	ce/testimony?	
expert witnesses						
cribe expert witness (es)' area of expertise (For example: land use pla	anner, aı	chite	ct, engir	eer, etc.	):	
nd use planner and a traffic engineer			_	,		
you believe this matter would benefit from mediation? diation is generally scheduled only when all parties agree to participate)	YES	x	NO			
you believe this matter would benefit from a prehearing conference? hearing conferences are generally not scheduled for variances or consents)	YES	X	NO	D		
s, why? If the applicant is willing to address the issues described possibility of mediation.	herein	in an	adequ	ate manı	ner, there may	r be
t 9: Other Applicable Information **Attach a separate page if mor	e space	is re	auired		·	
page II niet	- Cyroles	PERS	quirett.	· · · · · · · · · · · · · · · · · · ·		
					, , , , , , , , , , , , , , , , , , , ,	-
evised April 2010	-					

	ш	
	Ш	
	Ш	
	Ш	

# APPENDIX "B"

	~	
	9	
art 10: Required Fee		
otal Fee Submitted: \$ 125.000		
yment Method: X Certified cheque	Money Order	Solicitor's general or trust account cheque
The payment must be in Canadian	funds, payable to the M	
<ul> <li>Do not send cash.</li> </ul>		
<ul> <li>PLEASE ATTACH THE CERTIFIE</li> </ul>	ED CHEQUE/MONEY OR	DER TO THE FRONT OF THIS FORM.

A1 Revised April 2010

Page 6 of 6