

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application By: 2219008 Ontario Ltd (York Developments)
Address: Zoning By-law Amendment at
3493 Colonel Talbot Road

Meeting on: October 21, 2019

Recommendation

That, on the recommendation of the Director, Development Services, in response to the letter of appeal to the Local Planning Appeal Tribunal, received on July 23, 2019 submitted by Siskinds Law Firm on behalf of 2219008 Ontario Ltd relating to the Official Plan and Zoning By-law Amendment (OZ-9032) with respect to the application of 2219008 Ontario Ltd relating to the property located at 3493 Colonel Talbot Road, the Local Planning Appeal Tribunal **BE ADVISED** that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it.

Purpose and Effect

The recommended action would advise the Local Planning Appeal Tribunal that Municipal Council is in agreement with their previous decision on June 25, 2019 to approve the requested amendment to the Official Plan and Zoning By-law to permit the courtyard dwellings.

Background

An application to amend the Official Plan and Z.-1 Zoning By-law was received by the City and deemed complete on February 26, 2019. The requested amendment was to allow for 'L-shaped' single detached dwellings with attached garages that project beyond the main dwelling façade as an exemption to the Southwest Area Secondary Plan policies.

The amendment as initially requested potentially allowed for the creation of both the proposed built form as courtyard dwellings, but also the creation of traditional garage fronting and projecting 'snout houses'. Through the application review and input from City departments, the public and relevant panels and agencies, the recommended action was instead to separately define the L-shaped dwellings as 'courtyard dwellings' and to specifically regulate their form to ensure only the requested dwelling form would be permitted instead of less desirable design outcomes that may undermine the intent of the policy.

A Public Participation Meeting occurred before the Planning and Environment Committee on June 17, 2019. The Committee provided direction to amend some of the provisions proposed, including to reduce the proposed minimum glazing provision from 25% minimum to 18% minimum, to limit the maximum garage width to 8m or 45% of the overall building width, and to limit a maximum of not more than 30% of the single detached dwellings in the Silverleaf Subdivision to be of the alternative courtyard dwelling design. Council approved the revised Official Plan and Zoning By-law Amendment on June 25, 2019 as the following:

That, the following actions be taken with respect to the application by 2219008 Ontario Ltd, relating to the property located at 3493 Colonel Talbot Road:

a) the proposed attached, revised, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on June 25, 2019 to amend the Official Plan to change Section 20.5 in the Southwest Area Secondary Plan by ADDING a policy to section 20.5.10.1.iii – “North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods – Low and Medium Density Residential Built Form and Intensity”;

b) the proposed attached, revised, by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on June 25, 2019 to amend The London Plan to change section 1565_5 by ADDING a policy to section 20.5.10.1.iii – “North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods – Low and Medium Density Residential Built Form and Intensity”;

c) the proposed attached, revised, by-law BE INTRODUCED at the Municipal Council meeting to be held on June 25, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Residential R1 Special Provision (R1-8(5)) Zone and a holding Residential R1 Special Provision (h*h-100*R1-8(5)) TO a Residential R1 Special Provision/Residential R1 Special Provision (R1-8(5)/R1-8(_)) Zone and a holding Residential R1 Special Provision/Residential R1 Special Provision (h*h-100*R1-8(5)/R1-8(_)) Zone;

d) pursuant to Section 34(17) of the Planning Act, no further notice be given as the amendments to the proposed by-laws are minor in nature;

An appeal was received on July 23, 2019 from Siskinds Law Firm on behalf of the applicant and appellant 2219008 Ontario Limited (York Developments). A copy of the appeal letter and the reasons for the appeal are attached as appendix 'B' to this report. A date for the Local Planning Appeal Tribunal hearing has not yet been scheduled.

Previous Reports Pertinent to this Matter

OZ-9032 – June 17, 2019: Public Participation Meeting at the Planning and Environment Committee

Conclusion

As analyzed and opined in the previous staff report, the approved amendment is consistent with the Provincial Policy Statement, and conforms to the policies of The London Plan, the Southwest Area Secondary Plan and the (1989) Official Plan. The approved amendment implements an alternative form of residential development for the lands, and appropriately mitigates the impacts of the courtyard dwellings through the Zoning By-law regulations. Development Services staff have reviewed the appeal letter and see no reason to recommend to Council an alteration of its decision relating to this matter.

Prepared by:	Lou Pompili, MPA, RPP Manager, Development Planning
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

October 11, 2019

cc: Matt Feldberg, Manager, Development Services (Subdivisions)

cc: Ismail Abushehada, Manager, Development Engineering

Appendix A – Location Map



Appendix B

680 Waterloo Street, London, ON N6A 3V8

SISKINDS | THE
LAW
FIRM

EMAIL: paula.lombardi@siskinds.com

File No: 864644

Delivered by Direct Drive

July 23, 2019

City Clerk's Office
Corporation of the City of London
300 Dufferin Avenue
Room 308, 3rd Floor
London, ON
N6B 1Z2

Attention: Catherine Saunders, City Clerk

Re: Notice of Appeal of Zoning By-law No. Z.-1-192759
City of London File No.: OZ-9032
Appellant: 2219008 Ontario Limited (c/o York Developments)
Property: 3493 Colonel Talbot Road, London, Ontario

We are the lawyers for 2219008 Ontario Limited (c/o York Developments), ("Client" or "Appellant") who has an interest in the lands known municipally as 3493 Colonel Talbot Road, City of London, Province of Ontario (the "Property"). We are writing to submit our Client's Notice of Appeal concerning the City of London's passing of Zoning By-law Z-1-192759 (the "By-law").

THE PROPERTY

The Property is situated in the central portion of what is known as the 'Silverleaf' subdivision. The Property is approximately 18.3 hectares in area and has been designed to develop 172 single detached dwellings on what would be considered relatively large lots.

The Property is located in the City of London Southwest Planning Area and is subject to the policies of the Southwest Area Secondary Plan, the applicable policies of the City of London Official Plan (the "1989 Official Plan"), and the in-force policies of the new City of London Official Plan ("The London Plan"). We note that the policies of The London Plan applicable to

DIRECT
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HEAD OFFICE
TELEPHONE (519) 672-2121
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3960676

the use, form and intensity of development on the Property are under appeal to the Local Planning Appeal Tribunal (the "LPAT"); LPAT Case No. PL170100.

OVERVIEW OF APPLICATIONS

On July 5, 2019, the Corporation of the City of London (the "City") issued Notices of Adoption for Official Plan Amendment ("OPA No. 667") to the 1989 Official Plan and Amendment No. 4 to The London Plan ("LPA No. 4") under Section 17 of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act"). The City also issued a Notice of Passing to approve Zoning By-law No. Z-1-192759 (the "Zoning By-law Amendment") under section 34 of the Act (collectively referred to as the "Planning Amendments"). The purpose of OPA 667, LPA No. 4 and the Zoning By-law Amendment is to establish site specific policies allowing garages to project in front of the dwelling façade to accommodate the development of courtyard dwellings on the Property.

The Planning Amendments set out above were prepared by the City in response to the Official Plan Amendment and Zoning By-law Amendment applications submitted by the Applicant, dated February 19, 2019. The applications submitted by the Appellant sought to allow garages to project beyond the front façade of the single detached dwellings located within the Property zoned 'Residential R1 (R1-8(5))' to support the development of what is referred to as courtyard dwellings. In support of the Planning Amendments, our Clients submitted extensive planning justification, through MHBC planning consultants.

The intent of the Planning Amendments is to:

1. Optimize the development potential for low density residential development within the Property; and,
2. Respond to the current market demand for courtyard housing type on large residential lots.

The Appellant participated extensively in the consultation process associated with the Planning Amendments. On June 14, 2019, the Appellant submitted written correspondence to the City's Planning and Environment Committee (the "Committee"). In its submissions to the Committee, the Appellant expressed concerns with, and made numerous recommended amendments to, the proposed Zoning By-law Amendment.

The Appellant did not express concerns, or raise any objections, with the proposed policies of OPA No. 667 or LPA No. 4.

In or around February 2019, MHBC prepared and submitted a Planning Justification Report (“**Planning Justification Report**”) to the City on behalf of the Appellant, assessing the merits of the Planning Amendments. The Planning Justification Report was submitted with the Planning Amendments and included an analysis of the Appellant’s proposal supporting its request that courtyard dwellings having a garage projecting beyond the front façade and confirming consistency of the proposal with the Provincial Policy Statement, 2014 (“the PPS”).

The Planning Justification Report confirms that the Planning Amendments satisfy, and are consistent with, the PPS. On June 17, 2019, MHBC on behalf of the Appellant made an oral submission to the Committee to identify concerns with proposed regulations of the Zoning By-law Amendment and identify how the proposed regulations are inconsistent with the PPS.

On June 25, 2019, City of London Council (“**Council**”) adopted the Planning Amendments, with modifications. The Zoning By-law Amendment modified the provisions of Section 5.4 of City of London By-law No. Z.-1 to apply a site-specific ‘Residential R1 (R1-8())’ Zone to the Property.

SUMMARY OF CONCERNS

The Appellant has concerns with two specific regulations of the Zoning By-law Amendment, specifically, the restriction on garage projections and the front garage wall glazing requirement.

These concerns were set out in the Appellants letter dated June 14, 2019 to the City and are outlined below:

1. Garage Projection Requirement

Section b) iv) of the Zoning By-law Amendment limits that the garage depth for courtyard dwellings to a maximum of 8.0 m (26.2 ft) from the main building entrance or porch to accommodate a double car garage. This limitation of courtyard dwellings to double car garages is overly prescriptive, unwarranted and unnecessarily limits the development of the Property.

The concerns identified by the City relating to safe communities are without merit and unrelated to whether two or three car garages are permitted on larger sized lots. The Appellant supports community-wide initiatives to encourage ‘eyes on the street’ and pedestrian-oriented neighbourhoods which are reflected in the design requirements applicable to the proposed development.

2. Front Garage Wall Glazing Requirement

Section b) v) of the Zoning By-law Amendment prescribes that front garage walls for courtyard dwellings incorporate a minimum of 18% window treatment (glazing). The minimum requirements are excessive and unwarranted when compared to the what is typically provided and required. The Appellant supports design treatments, including glazing, to help enhance the streetscape appearance and seeks to avoid a 'blank wall' design. The Appellant has incorporated strict design standards for the proposed development to ensure that the area is aesthetically pleasing and no "blank walls" face the street.

We are submitting this Notice of Appeal of the Zoning By-law Amendment under Section 34(19.0.2) of the Act.

BASIS FOR APPEAL

Sections b) iv) and v) of the Zoning By-law Amendment propose restrictions on the building form and layout for courtyard dwellings that were neither requested nor supported by our Client as part of the Planning Amendments.

The provisions of the Zoning By-law Amendment restricting the building form and layout of courtyard dwellings are inconsistent with the PPS for the reasons set out below:

1. Policy 1.1.1 of the PPS provides that healthy, liveable and safe communities are sustained by:
 - a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term;
 - b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; and
 - e. promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

2. Policy 1.1.3.2 of the PPS provides that land use patterns within settlement areas shall be based on:
 - a. densities and a mix of land uses which:
 1. efficiently use land and resources;
 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
3. Policy 1.4.3 of the PPS provides that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements by:
 - c. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
 - d. promoting densities for new housing which efficiently use land, resources, infrastructure, and public services facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
4. Policy 1.7.1 of the PPS provides that long-term economic prosperity should be supported by:
 - b. optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;

Sections b) iv) and v) of the Zoning By-law Amendment are inconsistent with the PPS as the City is unable to demonstrate that the restriction placed on garage projections beyond the front façade, and the requirement for a minimum amount of glazing supports efficient development and land use patterns, and accommodates an appropriate range of residential development on the Property.

680 Waterloo Street, London, ON N6A 3V8



The proposed Zoning By-law Amendment is inconsistent with the PPS and results in a limitation and restriction on housing choices and fails to support the efficient use of land and resources as required by the PPS.

At the June 14, 2019 Committee meeting the Appellant raised numerous concerns with the Zoning By-law Amendment, among others, showing that the restrictive provisions on courtyard houses, the window glazing and permitted front yard projection are inconsistent with the PPS and fails to provide an appropriate range of housing types and support efficient development and land use patterns.

The Appellant seeks the following modifications to the Zoning By-law Amendment all of which are consistent with the PPS:

1. The maximum garage depth from the main building entrance be increased to 11.5 m (37.7 ft) to allow courtyard dwellings within Property to be configured for both two- and three-bay garages. This regulation provides for a broader mix of single detached dwellings within the Property, while promoting greater variation in building designs, façade treatments, entrance (forecourt) features and landscaping arrangements and is consistent with the PPS.

We note that courtyard homes with 'bonus' rooms above the garage bays are permitted under the applicable existing zoning regulations, as these rooms are considered part of the main building. The proposed courtyard homes integrating three-bay garages and bonus rooms are permitted within the Property and are not subject to the Zoning By-law Amendment as proposed to the Committee and as adopted by Council.

2. The Appellant requested that the minimum glazing requirement for the front façade be reduced to 15% in order to support proportionate, contemporary house designs.

The Appellant is seeking the above modifications to the Zoning By-law Amendment, specifically sections b) iv) and v), all of which are consistent with the PPS. At this time, we reserve our right to submit or raise such other concerns, objections or issues as may become apparent whether related to the concerns identified in this letter or any other provisions of Zoning By-law No. Z-1-192759.

680 Waterloo Street, London, ON N6A 3V8

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Please find enclosed a completed Local Planning and Appeal Tribunal ("LPAT") A1 Appeal Form and a cheque in the amount of \$300.00, payable to the Minister of Finance.

Do not hesitate to contact us if you have any questions or wish to discuss this letter in more detail.

Yours truly,



Handwritten signature

Per:

Paula Lombardi
Partner

c: Client



Environment and Land Tribunals Ontario
Local Planning Appeal Tribunal
 655 Bay Street, Suite 1500
 Toronto ON M5G 1E5
 Telephone: 416-212-6349
 Toll Free: 1-866-448-2248
 Website: www.elfto.gov.on.ca

Appellant Form (A1)

Receipt Number (LPAT Office Use Only)

LPAT Case Number (LPAT Office Use Only)

Date Stamp Appeal Received by Municipality/Approval Authority

To file an appeal, select one or more below *

- Appeal of *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A
- Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, *Building Better Communities and Conserving Watersheds Act*, 2017, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and Ontario Heritage, proceed to Section 1C

1 A. Appeal Type (Please check all applicable boxes) *

Subject of Appeal	Type of Appeal	Reference (Section)
Planning Act Matters		
Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)	17(24)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment	17(36)
	<input type="checkbox"/> Approval Authority failed to make a decision on the plan within 210 days, or within 300 days if Approval Authority extended the appeal up to 90 days	17(40)
	<input type="checkbox"/> Council failed to adopt the requested amendment within 210 days	22(7)
	<input type="checkbox"/> Council refuses to adopt the requested amendment	
Zoning By-law or Zoning By-law Amendment	<input checked="" type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 150 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision within 210 days where the application is associated with an Official Plan Amendment	
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
Interim Control Zoning By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law within 60 days (Minister only)	38(4)
	<input type="checkbox"/> Appeal the passing of an extension of an Interim Control By-law within 60 days	38(4.1)

Subject of Appeal	Type of Appeal	Reference (Section)
Site Plan	<input type="checkbox"/> Application for a site plan – council failed to make a decision within 30 days	41(12)
	<input type="checkbox"/> Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
Minor Variance	<input type="checkbox"/> Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision that approved or refused the application	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
Plan of Subdivision	<input type="checkbox"/> Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 180 days	51(34)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved a plan of subdivision	51(39)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
	<input type="checkbox"/> Appeal a lapsing provision imposed by an Approval Authority	
	<input type="checkbox"/> Appeal conditions imposed by an Approval Authority	51(43)
	<input type="checkbox"/> Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	
	<input type="checkbox"/> Appeal changed conditions	51(48)
1 B. Appeal Type (Please check all applicable boxes) Only for appeal(s) of a new decision or non-decision by municipality or Approval Authority following a previous LPAT Decision (i.e., second appeal).		
Subject of Appeal	Type of Appeal	Reference (Section)
Planning Act Matters		
Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal of a decision by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	<input type="checkbox"/> Appeal of a decision by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	<input type="checkbox"/> Appeal of a refusal within 90 days by Council following a LPAT decision	22(7) and 22(11.0.12)
	<input type="checkbox"/> Appeal of a non-decision within 90 days by Council following a LPAT decision	
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Appeal of a refusal within 90 days by Council following a LPAT decision	34(11) and 34(26.5)
	<input type="checkbox"/> Appeal of a non-decision within 90 days by Council following a LPAT decision	
	<input type="checkbox"/> Appeal of a decision by Council following a LPAT decision	34(19) and 34(26.5)

1 C. Other Appeal Types (Please check all applicable boxes)		
Subject of Appeal	Type of Appeal	Reference (Section)
Development Charges Act Matters		
Development Charge By-law	<input type="checkbox"/> Appeal a Development Charge By-law	14
	<input type="checkbox"/> Appeal an amendment to a Development Charge By-law	19(1)
Development Charge Complaint	<input type="checkbox"/> Appeal municipality's decision regarding a complaint	22(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	22(2)
Front-ending Agreement	<input type="checkbox"/> Objection to a front-ending agreement	47
	<input type="checkbox"/> Objection to an amendment to a front-ending agreement	50
Education Act Matters		
Education Development Charge By-law	<input type="checkbox"/> Appeal an Education Development Charge By-law	257.65
	<input type="checkbox"/> Appeal an amendment to an Education Development Charge By-law	257.74(1)
Education Development Charge Complaint	<input type="checkbox"/> Appeal approval authority's decision regarding a complaint	257.87(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	257.87(2)
Aggregate Resources Act Matters		
Aggregate Removal Licence	<input type="checkbox"/> One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	<input type="checkbox"/> One or more objections against an application for a 'Class B' aggregate removal licence	
	<input type="checkbox"/> Application for a 'Class A' licence – refused by Minister	11(11)
	<input type="checkbox"/> Application for a 'Class B' licence – refused by Minister	
	<input type="checkbox"/> Changes to conditions to a licence	13(6)
	<input type="checkbox"/> Amendment of site plans	16(8)
	<input type="checkbox"/> Minister proposes to transfer the licence – applicant does not have licensee's consent	18(5)
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
<input type="checkbox"/> Revocation of licence	20(4)	
Municipal Act Matters		
Ward Boundary By-law	<input type="checkbox"/> Appeal the passing of a by-law to divide the municipality into wards	222(4)
	<input type="checkbox"/> Appeal the passing of a by-law to redivide the municipality into wards	

Subject of Appeal	Type of Appeal	Reference (Section)
	<input type="checkbox"/> Appeal the passing of a by-law to dissolve the existing wards	
Ontario Heritage Act Matters		
Heritage Conservation District	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation study area	40.1(4)
	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation district	41(4)
Other Act Matters		
Subject of Appeal	Act/Legislation Name	Section Number
2. Location Information		
Address and/or Legal Description of property subject to the appeal * 3493 Colonel Talbot Road, London, Ontario		
Municipality * London		
Upper Tier (Example: county, district, region)		
3. Appellant/Objector Information		
Note: You must notify the LPAT of any change of address or telephone number in writing. Please quote your LPAT Case/File Number(s) after they have been assigned.		
Last Name Soufan	First Name Ali	
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation) 2219008 Ontano Limited c/o York Developments		
Email Address ali.soufan@yorkdev.ca		
Daytime Telephone Number * 519-640-8968	ext.	Alternate Telephone Number
Mailing Address		
Unit Number 201	Street Number * 303	Street Name * Richmond Street
		PO Box
City/Town * London	Province * ON	Country * Canada
		Postal Code * N6B 2H8
4. Representative Information		
<input checked="" type="checkbox"/> I hereby authorize the named company and/or individual(s) to represent me		
Last Name Lombardi	First Name Paula	
Company Name Siskinds LLP		
Professional Title Lawyer, LSO#46935M		

Email Address paula.lombardi@siskinds.com				
Daytime Telephone Number 519-660-7878			ext. Alternate Telephone Number	
Mailing Address				
Unit Number	Street Number 680	Street Name Waterloo Street		PO Box
City/Town London		Province ON	Country Canada	Postal Code N9A 3V8
<p>Note: If you are representing the appellant and are not licensed under the Law Society Act, please confirm that you have written authorization, as required by the LPAT's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.</p> <p><input type="checkbox"/> 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.</p>				
5. Subject Information				
Municipal Reference Number(s) * OZ-9032				
<p>For appeals of Official Plans, Official Plan Amendments, Zoning Bylaws and Zoning By-law Amendments, please see information on the LPAT website [http://elto.gov.on.ca/tribunals/lpat/lpat-process/] detailing the requirement to set out the nature of your appeal and the reasons for your appeal based on requirement A or, for some appeal types, both A and B</p> <p>A: If you are appealing a decision of a Council or Approval Authority, outline which part of the decision is:</p> <p><input checked="" type="checkbox"/> Inconsistent with the Provincial Policy Statement issued under subsection 3(1) of the <i>Planning Act</i></p> <p><input type="checkbox"/> Fails to conform with or conflicts with a provincial plan</p> <p><input type="checkbox"/> Fails to conform with an applicable Official Plan</p> <p>Please explain: * See attached letter from Paula Lombardi to the City Clerk's Office, City of London dated July 22, 2019, setting out reasons for appeal.</p>				
And				
<p>B: If you are appealing a non-decision or decision to refuse of a Council for Subsection 22(7) or 34(11), outline how your application brings the Official Plan [22(7)] or Zoning By-Law [34(11)] into:</p> <p><input type="checkbox"/> consistency with the provincial policy statement, issued under subsection 3(1) of the <i>Planning Act</i></p> <p><input type="checkbox"/> conformity with a provincial plan</p> <p><input type="checkbox"/> conformity with the upper-tier municipality's Official Plan or an applicable Official Plan</p> <p>Please explain:</p>				
For all other appeal types				
Outline the nature of the appeal and the reasons for the appeal				

Oral/written submissions to council

If applicable, did you make your opinions regarding this matter known to council?

- Oral submissions at a public meeting of council
- Written submissions to council

Planning Act matters only

Applicable only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/ were passed on or after July 1, 2016. (Bill 73)

Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?

- Yes
- No

6. Related Matters

Are there other appeals not yet filed with the Municipality?

- Yes
- No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

- Yes
- No

if yes, please provide LPAT Case Number(s) and/or Municipal File Number(s)

7. Case Information

For *Planning Act* appeals selected in Section 1A for Subsections 17(24), 17(36), 17(40), 22(7), 34(11), 34(19), and 51(34):

Detail the nature and/or expertise of witnesses you will have available should the Tribunal Member require oral evidence at the proceeding. (For example: land use planner, architect, engineer, etc.)

Scott Allen of MHBC Planning Consultants

For all other appeal types :

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).

Land Use Planner

8. Required Fee

Total Fee Submitted * \$ 300

Payment Method * Certified cheque Money Order Lawyer's general or trust account cheque

9. Declaration

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Paula Lombardi		2019 07 23

Personal information or documentation requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.