

## 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

**Subject:** 2219008 Ontario Ltd (York Developments)  
3493 Colonel Talbot Road

**Meeting on:** January 20, 2020

## 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 October 16, 2019 submitted by Glen Dietz relating to the Official Plan and Zoning By-law Amendment (OZ-9049) 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 September 17, 2019 to approve the requested amendment to the Official Plan and Zoning By-law to permit service station and convenience commercial uses.

## Background

An application to amend the Official Plan and Zoning By-law was received by the City and deemed complete on April 25, 2019. The Official Plan Amendment was to introduce service station uses to the site and allow for a car wash and gas bar. The Zoning By-law Amendment was to add the Service Station Special Provision (SS2(\_)) Zone to the lands, and add a new special provision to the Convenience Commercial (CC6(\_)) Zone to allow for the service station, car wash and restaurant uses. Special provisions were approved to allow for a reduced setback from the car wash to the residentially zoned lands.

A Public Participation Meeting occurred before the Planning and Environment Committee on September 9, 2019. Council approved the Official Plan and Zoning By-law Amendment on September 17, 2019 by way of the following resolution:

*That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2219008 Ontario Ltd, relating to the property located at 3493 Colonel Talbot Road:*

*a) the proposed by-law appended to the staff report dated September 9, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 to amend section 3.6.5, vi), of the 1989 Official Plan, by ADDING the subject site to the list of Locations of Convenience Commercial and Service Station uses, to permit Service Station and Convenience Commercial Uses; and,*

*b) the proposed by-law appended to the staff report dated September 9, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting on September 17, 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 holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience*

*Commercial (h\*h-100\*h-198\*R6-5(46)/R8-4(30)/CC6) Zone TO holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial Special Provision/Service Station Special Provision (h\*h-100\*h-198\*R6-5(46)/R8-4(30)/CC6(\_)/SS2(\_)) Zone;*

*it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;*

*it being further noted that the Municipal Council approves this application for the following reasons:*

- the recommended draft plan and zoning amendments are consistent with the Provincial Policy Statement (PPS), 2014, which encourages an appropriate range and mix of uses to meet projected requirements of current and future resident;*
- the recommended amendment conforms to the in-force policies of The London Plan, including but limited to, the Neighbourhoods Place Type, Our City, Our Strategy, and all other applicable London Plan policies;*
- the recommended amendment permits an appropriate range of secondary uses that conform to the in-force policies of the (1989) Official Plan and Southwest Area Secondary Plan, including but not limited to the Multi-Family, Medium Density Residential designation, and the Convenience Commercial and Service Station policies; and,*
- the recommended Zoning By-law Amendment allows development that is compatible with the surrounding land uses and appropriately mitigates impacts. (2019-D09) (3.6/15/PEC)*

An appeal was received on October 16, 2019 from Glen Dietz. 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-9049 – September 9, 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 appropriate use for the site and a compatible development for the surrounding lands. The Zoning By-law regulations adequately address the car wash location and mitigate impacts from any associated noise walls. 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.

|  |  |
|--|--|
| <b>Prepared by:</b>  | <b>Sonia Wise, MCIP, RPP<br/>Planner II, Current Planning</b>  |
| <b>Recommended by:</b>   | <b>Paul Yeoman, RPP, PLE<br/>Director, Development Services</b>  |
| <b>Submitted by:</b>   | <b>George Kotsifas, P.ENG<br/>Managing Director, Development and Compliance<br/>Services and Chief building Official</b> |
| 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. |  |


January 13, 2020

cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Ted Koza, Manager, Development Engineering  
cc: Lou Pompilii, Manager, Development Planning

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**Appendix A – Location Map**



|  |  |
|--|--|
| <p style="text-align: center;"><b>LOCATION MAP</b></p> <p>Subject Site: 3493 Colonel Talbot Road<br/>File Number: OZ-9049<br/>Planner: Sonia Wise<br/>Created By: RC<br/>Date: 08/26/2019</p> <p style="text-align: center;">N<br/>0 12.5 25 50 75 100<br/>Meters</p> <p>Corporation of the City of London<br/>Prepared By: Planning and Development</p> | <p><b>Legend</b></p> <p> Subject Site</p> <p style="text-align: right;">Scale 1:1500</p> |
|--|--|

## Appendix B

**Glen Dietz** 3559 Loyalist Court, London, Ontario N6P 0A5

2019 10 13

Catharine Saunders  
City Clerk – Corporation of the City of London  
300 Dufferin Ave  
PO Box 5035  
London, Ontario N6A 4L9

### Appeal of Zoning By-law Amendment – Z-1-192783

Ms. Saunders:

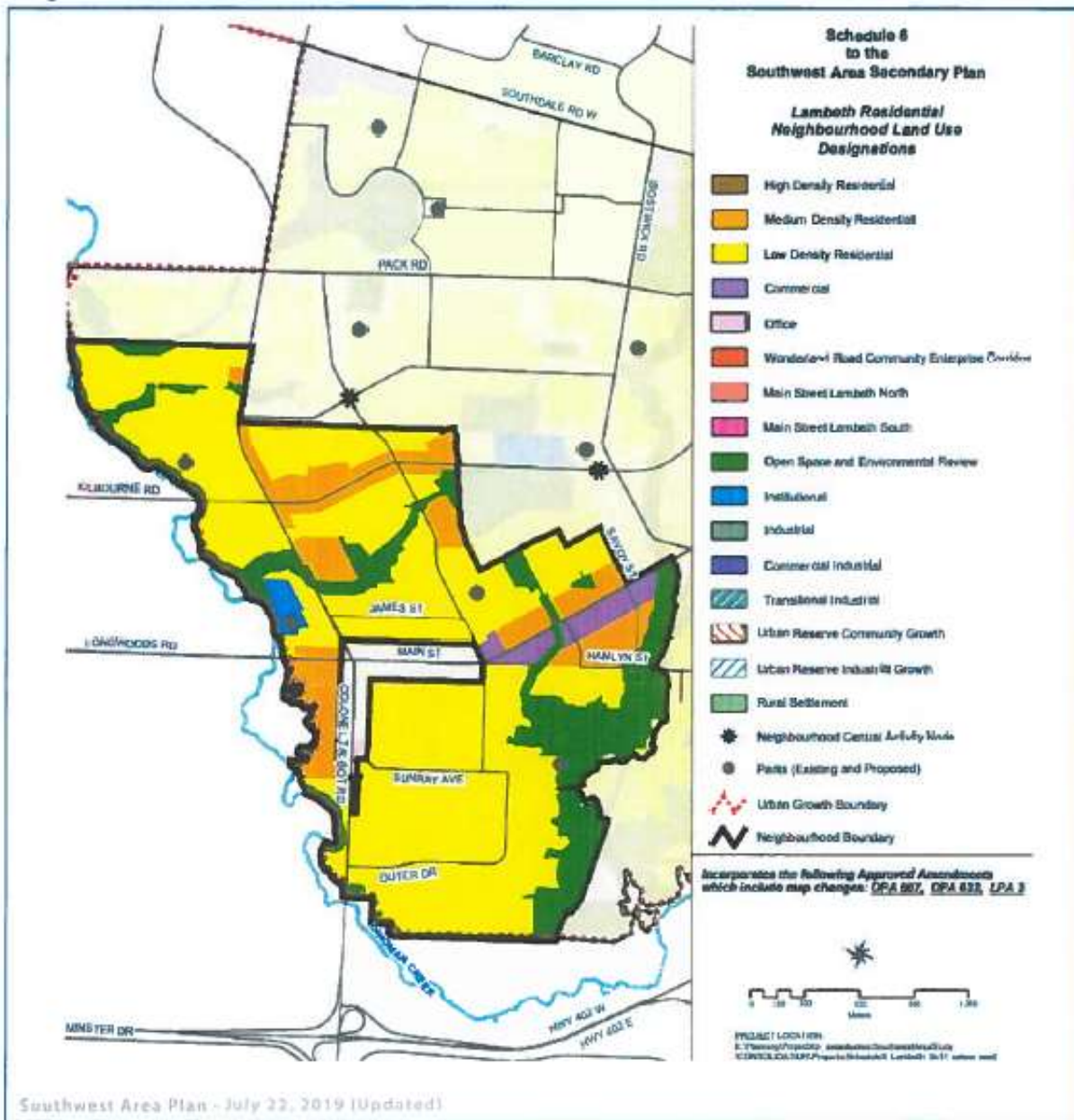
Recently the London City Board of Control passed a zoning bylaw change (Z-2-293783) which allows for a gas bar, car wash, convenience store and a drive through restaurant to be built at 3493 Colonel Talbot Road (corner of Colonel Talbot Road and Pack Road) in London. In spite of the objections four individual raised when the application for the change was announced, and in spite of the feedback I provided during a public meeting held on September 9, 2019 the motion was taken to City Council and passed on September 17, 2019.

I am submitting an appeal to have this decision reconsidered and overturned.

The bases of my appeal are:

1. There continue to be changes in the actual proposal for the plot plan that was presented when to the public was notified of the bylaw change application. During the Public hearing, there was ongoing discussion with the developer about relocating the car wash on the site to deal with noise from the car wash. The proposals that were made move the car wash even closer to existing homes in the area (including my home). The analysis of the application did not address noise concerns for existing homes in the area, and moving the car wash closer to existing homes will magnify the noise pollution that will affect the quality of life for existing and future homes in the area.
2. Although the city planners determined the bylaw amendment is compatible with the zoning restrictions, London's Southwest Area Plan posted on the City of London website (<https://www.london.ca/business/Planning-Development/secondary-plans/Documents/SWAP/REDUCED-2019-08-South-West-Area-Plan-Document-August-1st-Revisions.pdf>) presents a different perspective. The plan for the Colonel Talbot Road corrector shows only residential and medium density housing (see image 1). In fact, on page 58, (20.5.7.1 ii) it clearly states as permitted uses, that: "The primary permitted uses in the Low Density Residential designation of the Official Plan shall apply. **New convenience commercial uses and secondary uses shall not be permitted.**" (*bold text emphasis added*). This restriction is repeated on page 60.

Image 1 – Schedule 6 of London’s Southwest Area Plan



My concern about making an ad hoc amendment to the plan without appropriate consultation with the existing residents along this corridor is that it could be the first step on a slippery slope to altering the future landscape for this community. Part of the corridor (West side of Colonel Talbot Road between Southdale Road and Pack Road) is not addressed in London’s Southwest Area Plan. In addition, we have not heard details about what is planned for the East side of Colonel Talbot Road, south of Pack Road. The official plan includes only provision for low and medium density housing in the documentation that has been mailed to me by from the City.

However, if commercial activity is approved at the corner of Colonel Talbot Road and Pack Road, it will be difficult for stakeholders to object when future proposals are made for similar bylaw amendments. Approval of this bylaw amendment should be deferred until there is more information presented to the public about plans for the entire region.

3. The site plan distributed with the bylaw change application for 3493 Colonel Talbot Road did not address a traffic plan for the roads surrounding the property. When I raised this issue at the public hearing, we learned that there are plans to allow for north bound traffic to cross lanes of southbound traffic to enter the proposed car wash, gas station, convenience store and drive through restaurant. This will create a traffic hazard, interruptions in the traffic flow, and additional noise pollution. In other areas of the city where there is this type of business, there are raised medians installed in the roads to protect oncoming traffic from cars turning into the business. I have included examples of the barriers put in place surrounding similar types of businesses in photos below. If similar safety standards are applied to this location, this may affect the viability of the business that is being proposed for this site, and the developer should be able to take such restrictions into account when they decide if they will move ahead with developing this business.
4. Comparable Sites – I was told by my City Councillor, Anna Hopkins that the Planning Committee has approved the development of gas stations and drive through restaurants close to residential properties, such as on the North West corner of Oxford Street and Westdel Borne Road as a comparable site to what is being proposed for the corner of Colonel Talbot Road and Pack Road. However, the development in this area is much different than what is being proposed for 3493 Colonel Talbot Road.

#### **Oxford Street West at Westdel Borne Road**

- Oxford Street is predominantly a commercial corridor with no residences facing the street (see images 2 and 3). (Colonel Talbot Road has residences facing the street both north and south of the Pack Road intersection).
- The gas station on the corner of Oxford Street and Westdel Borne is only a gas bar with 4 pumps and a U-Haul trailer rental – there is no car wash facility. (See image 4).
- There are 2 restaurants with drive through services on the south side of Oxford Street about 100 meters east of the intersection. These restaurants are isolated from the street by drive ways and a parking lot which allows for more controlled exit and re-entry from Oxford Street. (See image 5).
- There is a median separating the east-bound and west-bound traffic on Oxford Street which prevents vehicles travelling west from crossing over east bound traffic lanes. (See image 2, 3, and 5).
- There are no residences within a close proximity to either the gas station or the drive through restaurants (but there will be new residential construction adjacent to the drive through restaurants separated by a large parking lot and roadways).

Image 2 – Oxford Street – facing west



Image 3 – Oxford Street – facing east





Image 4 – Gas station



Image 5 – Driveways limiting direct access to Oxford Street to drive through restaurants, and median separating west bound traffic from entering the restaurants.



#### Shell Station – Wonderland Road at Viscount Road

There is a similar facility to what is being proposed located at the corner of Wonderland Road and Viscount Road. However, the gas station, car wash and convenience store are a separate business from the drive through restaurants located adjacent. This property does have access to an entry point for northbound traffic to cross over southbound traffic lanes – but there is a median preventing entry close to the intersection which serves both the gas station and the adjacent restaurants. These businesses are located on a property which has more than twice the frontage as the site plan proposes for Silverleaf's proposal on Colonel Talbot road so the entry is set back a large distance from the intersection so vehicles attempting to turn left at the traffic light do not obstruct traffic flow. This will not be possible at the 3493 Colonel Talbot Road site and as a result, motorists will be in constant danger of collision and there will be constant interruptions in traffic flow if this bylaw amendment is not overturned.

Image 6 – Raised median with turning lane allowing entrance to Shell gas station and drive through restaurants on corner of Wonderland Road and Viscount Road



The Shell gas station and car wash is separated a great distance from an adjacent school and from high rise apartments located on the opposite side of Wonderland Road. It is also located across from a shopping mall and several restaurants located on the north side of Viscount and Wonderland Road. There is no residential housing in close proximity to this facility. In contrast, 3493 Colonel Talbot Road is located in close proximity to both existing and proposed residential properties.

Image 7 – Satellite view of Wonderland Road and Viscount Rd Intersection



After touring the city and conducting extensive Google searches, I could not find any gas station and car wash facilities located anywhere in London that is similar to what is being proposed by Silverleaf Development for 3493 Colonel Talbot Road. There are certainly none in new subdivisions elsewhere in the city. Therefore, I believe there is no prescient for approving the type of facility being proposed so close to a residential community.

I am asking that the decision made by London City Council on September 17<sup>th</sup> be reviewed and overturned. I am also asking that any further considerations for amendments be delayed until a more holistic proposal for the Colonel Talbot Road corridor can be shared with existing residents and other stakeholders, and the public has an opportunity to provide feedback on the plan.

A handwritten signature in blue ink that reads "Glen Dietz".

Glen Dietz



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.elto.gov.on.ca](http://www.elto.gov.on.ca)

**Appellant Form (A1)**

Receipt 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) |
|---|--|---------------------|
| <b>Planning Act Matters</b>                     |  |                     |
| <b>Official Plan or Official Plan Amendment</b> | <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 120 days  | 17(40)              |
|   | <input type="checkbox"/> Council failed to adopt the requested amendment within 120 days   | 22(7)               |
|   | <input type="checkbox"/> Council refuses to adopt the requested amendment  |                     |
| <b>Zoning By-law or Zoning By-law Amendment</b> | <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 90 days   | 34(11)              |
|   | <input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision within 120 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   |                     |
| <b>Interim Control Zoning By-law</b>            | <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)             |
| <b>Site Plan</b>                                | <input type="checkbox"/> Application for a site plan – council failed to make a decision within 30 days  | 41(12)              |

| Subject of Appeal          | Type of Appeal   | Reference (Section) |
|----------------------------|--|---------------------|
|                            | <input type="checkbox"/> Appeal requirements imposed by the municipality or upper tier municipality  | 41(12.01)           |
| <b>Minor Variance</b>      | <input type="checkbox"/> Appeal a decision of the Committee of Adjustment that approved or refused the application                                     | 45(12)              |
| <b>Consent/Severance</b>   | <input checked="" 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)              |
| <b>Plan of Subdivision</b> | <input type="checkbox"/> Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 120 days              | 51(34)              |
|                            | <input type="checkbox"/> Appeal a decision of an Approval Authority that approved a plan of subdivision  |                     |
|                            | <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   | 51(39)              |
|                            | <input type="checkbox"/> Appeal conditions imposed by an Approval Authority  |                     |
|                            | <input type="checkbox"/> Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal) | 51(43)              |
|                            | <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).

For matters subject to Bill 139 and the associated transition regulation (the second appeal).

| Subject of Appeal                               | Type of Appeal  | Reference (Section)   |
|---|---|-----------------------|
| <i>Planning Act Matters</i>                     |   |                       |
| <b>Official Plan or Official Plan Amendment</b> | <input type="checkbox"/> Appeal of a <b>decision</b> 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 <b>decision</b> 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 <b>refusal</b> within 90 days by Council following a LPAT decision   | 22(7) and 22(11.0.12) |
|   | <input type="checkbox"/> Appeal of a <b>non-decision</b> within 90 days by Council following a LPAT decision  |                       |
| <b>Zoning By-law or Zoning By-law Amendment</b> | <input type="checkbox"/> Appeal of a <b>refusal</b> within 90 days by Council following a LPAT decision   | 34(11) and 34(26.5)   |
|   | <input type="checkbox"/> Appeal of a <b>non-decision</b> within 90 days by Council following a LPAT decision  |                       |
|   | <input type="checkbox"/> Appeal of a <b>decision</b> 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) |
| <b>Development Charges Act Matters</b>                      |  |                     |
| <b>Development Charge By-law</b>                            | <input type="checkbox"/> Appeal a Development Charge By-law  | 14                  |
|   | <input type="checkbox"/> Appeal an amendment to a Development Charge By-law  | 19(1)               |
| <b>Development Charge Complaint</b>                         | <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)               |
| <b>Front-ending Agreement</b>                               | <input type="checkbox"/> Objection to a front-ending agreement   | 47                  |
|   | <input type="checkbox"/> Objection to an amendment to a front-ending agreement   | 50                  |
| <b>Education Act Matters</b>                                |  |                     |
| <b>Education Development Charge By-law</b>                  | <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)           |
| <b>Education Development Charge Complaint</b>               | <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)           |
| <b>Aggregate Resources Act Matters</b>                      |  |                     |
| <b>Aggregate Removal Licence</b>                            | <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)  |                     |
| <b>Municipal Act Matters</b>                                |  |                     |
| <b>Ward Boundary By-law</b>                                 | <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  |  |
| <b>Ontario Heritage Act Matters</b>  |   |  |
| <b>Designation of Property</b>   | <input type="checkbox"/> Appeal a Notice of intention to designate property   | 29(11)                                   |
|  | <input type="checkbox"/> Appeal of an amendment to a by-law designating property  | 30.1(10)                                 |
|  | <input type="checkbox"/> Appeal a Notice of Intention to repeal a designating by-law or part of a designating by-law                            | 31(9)                                    |
|  | <input type="checkbox"/> Appeal a council's decision to approve or refuse the repealing of a designating by-law or part of a designating by-law | 32(7)/32(8)                              |
|  | <input type="checkbox"/> Appeal council's decision to alter a heritage designated property  | 33(9)                                    |
| <b>Heritage Conservation District</b>  | <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)                                    |
| <b>Other Act Matters</b>   |   |  |
| Subject of Appeal  | Act/Legislation Name  | Section Number                           |
|  |   |  |
| <b>2. Location Information</b>   |   |  |
| Address and/or Legal Description of property subject to the appeal<br>3493 Colonel Talbot Road   |   |  |
| Municipality<br>London, Ontario  |   |  |
| Upper Tier (Example: county, district, region)   |   |  |
| <b>3. Appellant/Objector Information</b>   |   |  |
| <b>Note:</b> 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<br>Dietz   | First Name<br>Glen  |  |
| Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)<br>NA (individual citizen)                                 |   |  |
| Email Address<br>[REDACTED]  |   |  |
| Daytime Telephone Number<br>[REDACTED]   |   | Alternate Telephone Number<br>[REDACTED] |
| ext.   |   |  |
| <b>Mailing Address</b>   |   |  |
| Unit Number  | Street Number<br>3559   | Street Name<br>Loyalist Court            |
|  |   | PO Box                                   |
| City/Town<br>London  | Province<br>Ontario   | Country<br>Middlesex                     |
|  |   | Postal Code<br>N6P 0A5                   |

| 4. Representative Information  |  |            |                            |             |
|--|--|------------|----------------------------|-------------|
| <input type="checkbox"/> I hereby authorize the named company and/or individual(s) to represent me   |  |            |                            |             |
| Last Name  |  | First Name |                            |             |
| Company Name   |  |            |                            |             |
| Professional Title   |  |            |                            |             |
| Email Address  |  |            |                            |             |
| Daytime Telephone Number   |  | ext.       | Alternate Telephone Number |             |
| 5. Appeal Reasons  |  |            |                            |             |
| Municipal Reference Number(s)<br><b>Z.-1-192783</b>  |  |            |                            |             |
| For all appeal types, please outline the nature of the appeal and the reasons for your appeal.   |  |            |                            |             |
| <ol style="list-style-type: none"> <li>1. Changes made to application made after public consultation</li> <li>2. Approval does not conform to London's Southwest Area Plan</li> <li>3. Full disclosure not provided for public consultation (no traffic plan provided)</li> <li>4. Proposed changes are out of character with community and not consistent with approvals for other residential communities</li> </ol> |  |            |                            |             |
| For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you intend on arguing one or more of the following:   |  |            |                            |             |
| A: A decision of a Council or Approval Authority is:   |  |            |                            |             |
| <input type="checkbox"/> Inconsistent with the Provincial Policy Statement, issued under subsection 3(1) of the <i>Planning Act</i><br><input type="checkbox"/> Fails to conform with or conflicts with a provincial plan<br><input checked="" type="checkbox"/> Fails to conform with an applicable Official Plan   |  |            |                            |             |
| <b>And</b>   |  |            |                            |             |
| B: For a non-decision or decision to refuse by council:  |  |            |                            |             |
| <input type="checkbox"/> Consistency with the provincial policy statement, issued under subsection 3(1) of the <i>Planning Act</i><br><input type="checkbox"/> Conformity with a provincial plan<br><input type="checkbox"/> Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan  |  |            |                            |             |
| If you intend on arguing on one or more of the above throughout a proceeding, please explain:<br><b>Decision does not conform to London's Southwest Area Plan</b>  |  |            |                            |             |
| 3049E (2019/08)  |  |            |                            | Page 6 of 8 |



**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

**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. Mediation**

Mediation is a confidential process in which the parties to an appeal talk about their differences and, with the facilitative assistance of an impartial individual, a mediator, negotiate a consensual resolution of the appeal. Unless the Tribunal determines that there is a good reason for not addressing the appeal with mediation, all parties shall presume that their differences will first be addressed through a mediation directed by the Tribunal. As such, parties shall act and prepare accordingly, meaning good faith negotiation and collaboration are a priority and are expected by the Tribunal.

- I have read and understand the above statement.

**8. Witness Information**

Detail the nature and/or expertise of witnesses you will have available.

**For all other appeal types :**

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

**9. Required Fee**

Total Fee Submitted \$ 300

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

10. 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) |
|----------------------------------|--|-------------------|
| Glen Dietz                       |  | 2019/10/15        |

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.