

Barry R. Card

BARRISTER & SOLICITOR

Certified Specialist - Municipal Law: Local Government/ Land Use Planning & Development Law

568 RIDGEWOOD CRESCENT

LONDON, ONTARIO N6J 3J2

TELEPHONE (519) 433-5117 • FACSIMILE (519) 963-0285

Internet Address: cardlaw@rogers.com

May 28, 2012

DELIVERED

Cathy Saunders, City Clerk
Corporation of the City of London
City Hall, 3rd Floor
300 Dufferin Avenue
London, ON N6A 4L9

Dear Ms. Saunders:

Re: APPEAL TO ONTARIO MUNICIPAL BOARD
Ontario Heritage Act, Section 41(4)
By-law No. L.S.P.-3419-124
Downtown Heritage Conservation District, London
London Life Insurance Company

On behalf of London Life Insurance Company, I hereby appeal to the Ontario Municipal Board with respect to enactment of By-law No. L.S.P.-3419-124. The following reasons pertain to the appeal:

1. The subject site is 255 Dufferin Avenue, London.
2. The Heritage Conservation District boundaries are arbitrary and inappropriate.
3. The subject site constitutes a whole block (quadrant 7), includes vacant land, lies at the edge of the district and should not have been included in the district.
4. In the alternative, the appellant says that the building should not have been assigned as "Historic" or ranked as "A".
5. The subject site contains a complex of structures which has no unifying style.
6. Historically, use of the subject has been intensified as business considerations dictated.

7. Development of the subject has been evolutionary and does not fit within the general styles or character which the plan seeks to preserve.
8. The subject lands are primarily employment lands, which pursuant to Provincial Policy, are to be protected for their function. The proposed plan is not consistent with Provincial Policy in this regard.
9. The proposed plan does not conform to Official Plan policies respecting the downtown area.
10. The proposed plan constitutes a barrier to intensification of the subject site.
11. The proposed plan will inhibit full utilization of the subject land for its highest and best use.

The appellant respectfully requests that the Board:

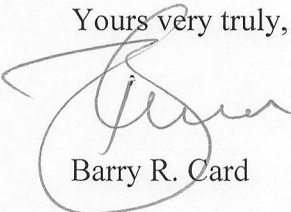
- (a) allow the within appeal in whole or in part; and
- (b) amend the By-law in such manner as the Board may determine; or
- (c) direct the Council of the Municipality to amend the By-law in accordance with the Board's order.

London Life estimates that the hearing of this appeal will require five days.

I enclose a cheque for the appeal fee.

If anything further is required to permit the Board to schedule this matter for hearing, please let me know.

Yours very truly,



Barry R. Card

BRC:jmh:Encl.

cc: **London Life Insurance Company**
Ontario Municipal Board - 1-416-326-5370