

Highland Ridge Land Corp

301-100 Wellington Street
London, ON
N6B 2K6

February 9, 2024

The City of London
300 Dufferin Avenue
London, ON
N6A 4L9

ATTENTION: Ms. Alison Curtis, Planner, City of London

Dear Ms. Curtis;

Re: Byron Gravel Pits Draft Secondary Plan

Highland Ridge Land Corp (HRLC) welcomes the Secondary Plan for the Byron Gravel Pit area. We wish to provide some feedback and highlight some of our concerns as they relate to future development opportunities of our lands located in the Longworth Planning Policy Area.

Slope Stability:

The report acknowledges that pit rehabilitation is ongoing, and that will determine the final grading. The report also makes reference (sections 2.2.3, 2.3, 3.2.1, 3.4) to "...topography present..." and "...steep slopes...some of which support habitat for Species at Risk". Statements like this make it seem like the steep slopes are beneficial to the area, when in reality they present a very real danger to a large area of this plan because they are unstable and actively eroding. We have previously submitted correspondence to city staff outlining concerns for public safety in this regard. We have also submitted our concerns to the Ministry of Natural Resources and Forestry (MNRF). The slope stability issue was not caused by HRLC, but rather by the adjacent aggregate extraction operation to the west. The resolution of the slope stability issue is complicated by several factors including the presence of Bank Swallows, various natural heritage policies, and pit restoration plans.

Re-grading of this area is required immediately in order to stabilize the slope and mitigate the risk to public safety. It is unfortunate that HRLC is unable at this time to rectify the issue given approvals are required from the City of London and/or MNRF. We understand the need to protect habitat for Species at Risk (SAR); however, surely this is outweighed by the very real possibility of serious injury or worse.

We appreciate that the Community Structure Plan is designed with intent rather than exact locations of features such as multi-use paths; however, the Community Structure Plan is at present effectively unworkable as much of this Secondary Plan is unsafe. There is no safe way to connect the multi use paths coming from the Longworth Policy area to the Central Pond area, and there will not be any safe way until the significant slope stability hazard issue is comprehensively addressed.

Servicing:

With respect specifically to stormwater management (SWM), Low Impact Development (LID) principles and practices are to be promoted. The list of specific items in section 3.7.2 (d) are all measures implemented on private lots. Opportunities to construct LID measures within city streets is limited due to the fact there are no engineering standards approved by the City of London. Putting the onus on private homeowners to implement the City's desire for LID's is unfair when the City of London resists the implementation of LID's in their own public streets and other publicly owned lands such as parks.

Longworth Policy Area:

The plan policies recognize this area is to be developed in low-rise forms sensitive to the existing residential character of the existing development in the Longworth area. Most of the Development Principals in 4.4.2 are clear; however, we seek to clarify that the buffers noted in section v) should be "as warranted". It could very well be the case that no buffers are required. Additional clarification on what constitutes a "lookout" on the trail system as noted in vi) is required.

In section 4.4.3, permitted uses include single detached, semi-detached, duplex and converted dwellings. Street townhomes, stacked townhomes and low-rise apartments are "encouraged where appropriate". We respectfully submit that our desired built form is limited to single family homes on lots of a similar size to what exists on Longworth Road, Cranbrook Road and Thistleridge Crescent. We are also limited in density by sanitary sewer conveyance restrictions.

Section 4.4.4 iii) states that garage doors shall not dominate the view of the streetscape. This statement is ambiguous at best and suggest it be removed entirely.

Section iv) speaks to front porches being encouraged on the front and exterior side yard elevations and that future Subdivision Agreements will have special provisions included. We agree that corner lots deserve a higher level of architectural sensitivity due to their highly visible nature, but we do not support impositions on building design contained within Subdivision Agreements.

Sections xii) and xvii) stipulate garages are not to project beyond the front wall of the dwelling, and that front porches do not constitute the front wall. We suggest different wording to not be so prescriptive. Attractive streetscapes can be realized when the front wall is set back from the garage. We would like to suggest that garages are not to project more than 2.5 metres past the front wall of the house, **including** a front porch.

Section ix) states that the implementing Zoning By-Law shall include details for front and exterior side yards to achieve the desired built form. Apart from stipulating that a front yard setback of approximately 4.5 metres to the main house/front porch (and 6.0 metres to the garage) and an exterior side yard setback of approximately 3.5 metres, we hope no further details or restrictions are present which hinder the creativity in house design (meaning relaxed setbacks are not exclusively to facilitate front porches for example, or that front porches are mandatory).

Section x) speaks to public safety as it relates to design and siting of buildings in context of public spaces such as roads, parks and open space. A statement such as "Clear, unobstructed views to parks and open spaces shall be provided from the adjoining buildings..." is ambiguous. We could interpret this statement to mean that the views to adjacent parks from the rear of adjacent single-family homes should not be

obstructed. We suspect; however, others would interpret this to mean we should have “window streets”, rather than backing lots onto open space and parks. There is no science to support the belief that window streets are more ecologically sensitive to the adjacent woodland/wetland/meadow than allowing single family lots to back onto that very same feature in exactly the same manner as we see on Thistleridge Crescent, Longworth Road and Cranbrook Road.

It should be noted that the existing subdivision plan 33M-657 has two future road allowance access points which are consistent with Schedule 2, Community Structure Plan. Both of these road allowance accesses are 18.0 metres in width. Currently, the City of London has a minimum road allowance width of 20.0 metres for a local street. The City of London used to have an 18.0-metre-wide road allowance design standard, and we wish to submit our planning application consistent with that older standard. We have experienced in the past that transitioning from one standard to the next simply creates confusion during the engineering drawing approval process and construction. An 18.0-metre-wide right of way effectively places the fronts of the future homes one metre closer to the centreline of road, making for a nicer pedestrian experience.

Ecological Considerations:

Please see attached letter from our consultant MTE outline our concerns with various policies.

Summary:

The general intent of this draft Secondary Plan is appreciated. This area could benefit from a Secondary Plan to guide development of all forms. It seems though that the existing slope stability issue has largely been forgotten, at least in terms of scale. The path to resolution of this significant issue seems to be through the MNRF given there are unresolved/incomplete pit rehabilitation issues. We question how a Secondary Plan can be finalized when this major issue is unresolved that impacts human health, Species At Risk, unevaluated vegetation patches and limits of development, and significant aspects of the proposed Community Structure Plan.

We look forward to meeting with staff to discuss our comments and concerns prior to this plan being submitted to Council for consideration.

Sincerely,



Craig Linton
Highland Ridge Land Corp

Attached: 42067-130-MTE-ReviewByronSecondaryPlan-2024-02-08-Final