

Cassels

July 5, 2024

By Email: pec@london.ca

Planning and Environment Committee
City of London
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file #60613-1

To the Chair and Committee Members:

**Re: File: 39T-16509/Z-8720
Sifton Properties Limited
3614, 3630 Colonel Talbot Road and 6621 Pack Road, London**

We are the lawyers for Christine Flaherty, the owner of 6499 Park Road in the City of London (the "Flaherty Lands"). We are writing on behalf of our client to object to the rezoning a draft plan of subdivision application filed on behalf of Sifton Properties Limited for 3614 & 3630 Colonel Talbot Road and 6621 Pack Road London (the "Subject Property").

The Flaherty Lands are a 10 acre parcel directly adjacent to the north and west of the Subject Property. While in proximity to the Subject Property, the Flaherty Lands are under separate ownership from the Subject Property. Despite the separate interests in the Flaherty Lands and the Subject Property, the Applicant has depicted the Flaherty Lands within its draft Plan of Subdivision.

From review of the accompanying Environmental Impact Study by Natural Resource Solutions Inc dated February 2024 (the "EIS"), it is our client's understanding that the applicant has indicated the presence of Colonially-Nesting Bird Breeding Habitat, Amphibian Breeding Habitat and Significant Woodland on the Flaherty Lands. No permission was provided to conduct the EIS on the Flaherty Lands and any findings made within the EIS have been obtained by way of trespass. As such, certain details, such as the fact that Pond C/Wetland D (as they are so called in the EIS) are manmade structures.

As per Map 5 to the London Plan, approved by the Ministry of Municipal Affairs and Housing on December 28, 2016, there is no Significant Woodland or other Natural Heritage Features on the Flaherty Lands (see Appendix A). Map 5 is correct and the determination of the existence of Natural Heritage Features is in error. As such, this indication in both the Draft Plan of Subdivision submitted by the Applicant and the EIS is incorrect and should be removed.

It is the request of our client to have this corrected in any final plan of subdivision approved by the City. We request further notice of these applications as they are considered for approval. Notices can be provided to the undersigned. These findings have a significant and improper impact on our client's lands.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to be 'RU', with a long horizontal line extending to the right.

Raivo Uukkivi
Partner

RU/JE

cc: Jennifer Evola, Counsel (jevola@cassels.com)
Alison Curtis, City of London Planning & Development (acurtis@london.ca)
Anna Hopkins, Ward Councillor, (ahopkins@london.ca)

APPENDIX "A"

Map 5 to London Plan (Approximate location of Flaherty Lands indicated by red star)



LEGEND

NATURAL HERITAGE SYSTEM

- | | |
|-----------------------------------|--|
| Provincially Significant Wetlands | Areas of Natural and Scientific Interest |
| Wetlands | Environmentally Significant Areas (ESA) |
| Unevaluated Wetlands | Potential ESAs |
| Significant Woodlands | Upland Corridors |
| Woodlands | Potential Naturalization Areas |
| Significant Valleylands | Unevaluated Vegetation Patches |
| Valleylands | |

BASE MAP FEATURES

- | | |
|-----------------------|---------------------------------|
| Streets (See Map 3) | Water Bodies |
| Railways | Conservation Authority Boundary |
| Urban Growth Boundary | Subwatershed Boundary |
| Water Courses/Ponds | Subwatershed Name |