

**To: City of London**

**Subject: Correspondence from the Attawandaron Road Neighborhood Association for the 6th Meeting of the Planning and Environment Committee occurring on April 14, 2026 @ 1:00 PM**

**RE: Agenda Item 4.2 - Medway Valley Environmentally Significant Area Attawandaron Road Encroachments and Conservation Master Plan**

**April 12 2026**

The issue presented to PEC regarding the supposed encroachment of City of London taxpaying property owners whose Attawandaron Road properties incidentally happen to abut Attawandaron Park and the Medway Valley ESA, requires reasonable consideration of history, context and nuance.

Historically, there has been no active City of London staff-led consultation or boundary planning specifically targeted at addressing the boundary issues facing taxpaying property owners abutting Attawandaron Park and the Medway Valley ESA. Properties 'encroaching' on Attawandaron Park and the ESA are largely a legacy of historic acquiescence by the City of London to a largely unclear and unenforced boundary with abutting properties. Properties have been bought and sold for decades without accurate surveying of the boundary area resulting in a patchwork of properties subject to 'encroachment'. In other cases, the City has even historically endorsed retaining walls and tree-planting and owner-occupied maintenance of the boundary areas.

City acquiescence on the boundary area changed after the Medway Valley Conservation Master Plan process through which Attawandaron Park was de-classified from a Neighbourhood Park to 'Open Space', and as a result, then included in the new Medway Valley ESA regulatory planning regime.

In the Attawandaron Road neighbourhood, individual property context and proximity to Attawandaron Park and the Medway Valley ESA is highly variable - whereas in the far North end it is largely REIT owned, renter-occupied row housing with small fenced backyards abutting the steeply sloped ravine into the ESA; in the South end it is mostly single detached, tax-paying property owner occupied homes that openly abut Attawandaron Park 'Open Space' which then abuts the ESA. Attawandaron Park is currently City maintained as mowed grass. One exceptional situation in Attawandaron Park involves 5-6 steeply sloped properties, where the abutting sloped areas are passively, property owner maintained by virtue of historic City acquiescence to a poorly placed boundary line at the bottom of the slope, and historic encouragement to plant trees and to have these taxpaying property owners otherwise maintain the landscaping of the sloped boundary area abutting the Park on behalf of the City of London (see the 1987 letter previously provided).

Attawandaron Park provides an important Eastern and Southern separation area and ecological buffer between abutting properties and the Medway Valley Ravine.

As well, Attawandaron Park provides an important, proximal neighbourhood park to engage in casual opportunities for passive recreation for local residents, without having to cross one of the two four lane highways (Fanshawe Park Road and Wonderland Road) which corner the diverse, mixed income, affordable housing of the Attawandaron Road neighbourhood to the West and North.

The original issue set forth previously before PEC, which compelled qualified Planning staff to report back on options for resolution to encroachment issues and the future of community planning for Attawandaron Park, had to do with the Medway Valley Master Plan and the removal of a staff-recommended proposed Level 3 Paved Trail through the ESA and Attawandaron Park via the narrow corridor between REIT owned, renter occupied row housing abutting the steeply sloped ESA ravine in the North. It is also worth re-iterating that at no point during the Medway Valley Conservation Master Plan process, or subsequently, was the Attawandaron Park neighbourhood directly notified, consulted or engaged by city staff on the prospective development of this Paved Trail and/or the re-naturalization efforts that were initiated as a result of the prior, un-notified zoning change of Attawandaron Park from a Neighbourhood Park to an ESA 'Open Space'. Thus, the majority of properties facing current 'ESA violation' encroachment allegations in Attawandaron Park and adjacent ESA areas are not unrelated to this historical context of never having had a City staff-led notification regarding the impacts and/or implications of this zoning change on abutting properties.

Prior to citizens intervening in Fall 2024, City staff had also directly engaged in un-notified and inaccurate city boundary staking in Summer 2024, which was vociferously followed by the activation of the Attawandaron Road Neighbourhood Association (ARNA) assembly which voiced a strong resistance to subsequent City encroachment enforcement and re-naturalization efforts in 2024 and 2025 - ultimately resulting in Council to call out staff to forcibly remove the Level 3 Trail from the Medway Valley Master Plan and to compel staff to forcibly continue City maintenance of Attawandaron Park as an 'Open Space' area for planning passive recreation after previously declassifying its status as a Neighborhood Park without notification.

Also at that time, City Council directed staff to study options for civic resolution of boundary encroachment issues. In response, staff have recommended PEC endorse a blanket encroachment enforcement effort as a civic resolution to the nuanced and contextualized historical boundary issues previously described.

**In the absence of consideration of history, nuance and/or context, we kindly suggest PEC endorse a minor variance process amendment be added to this staff recommendation, which would allow an alternative for individual property owners to pursue peaceful, civic resolution through an administrative process to achieve an outcome which is democratically considerate of the historical context and nuance of individual property owners and taxpayers who live in the City of London (Ontario, Canada) which happens to abut Attawandaron Park and adjacent Medway Valley ESA areas.**

In addition, PEC may also wish to consider compelling and recommending staff further study and investigate if there are any historical and existing minor property variances (e.g. 1670 and 1674) that may have already occurred in Attawandaron Park, as well as to report on potential options of minor variance outcomes such as either allowing for incremental liens on 'encroaching' properties to resolve costs associated with correcting professional survey lines in disputed boundary areas, or to alternatively force 'offending' taxpayers to comply with final regulatory compliance through the minor variance arbitration process.

If forced compliance is being recommended by qualified City employed, community planning staff as the preferred civic resolution option, without consideration of minor variance additions, PEC may wish to also compel staff to investigate, study and report back on:

1. Providing compensation for the historical costs of owner-maintained boundary lands, including any costs associated with removing constructed encroachments such as City-serving retaining walls and boundary fencing in the North end
2. The economic and environmental costs of employing staff time to initiate a forced removal process involving the removal of encroachments such as trees, which could include climate change emergency plan considerations such as lost ecosystem services associated with greenhouse gas mitigation and the increasing costs of managing slope erosion occurring as a result of extreme weather events and the forced removal of encroaching trees, previously planted with endorsement from City staff in 1987 (see further response below)
3. The social and perceptual costs of encroachment enforcement in REIT owned renter occupied row housing in the North end, since the rectified boundaries would be mere feet from the rear of rental row homes
4. The resolution of any financing costs associated with providing boundary fencing as well as pursuant City plans for slope maintenance in the South end, since the property lines for these specific properties are illogically located at the bottom of a heavily treed slope
5. Recent incidence of Supreme Court case law precedent that may leave the City of London legally liable for its historic acquiescence on boundary lands and insistence on forced compliance as the preferred option being recommended by qualified City staff
6. The ongoing City 'brand' damage and public perception of staff time being utilized on prioritizing this historical boundary issue and unreasonably enforcing illogical boundary resolutions after decades of City acquiescence, in steep contrast to many incidence of clearly more important and direct examples and obvious violations of ESA encroachment guidelines in nearby sloped areas of abutting affluent neighborhood properties located in Sunningdale North and Black and White Acres neighborhoods

We also note for PEC that re-naturalization of a 10m (32.8 feet) buffer from the Medway Valley ESA boundary stake in Attawandaron Park has also already been over-achieved. Please see the accompanying photos indicating a 50 foot (15.24m) ecological buffer of invasive buckthorn has already been over-achieved from the historical City of London ESA property stake line, which is now located inside the Medway Valley ESA. Further opportunities for community consultation regarding the future of passive recreation in Attawandaron Park are requested.

## ***Non-native tree removal on City-owned encroached land: a response from concerned Attawandaron road residents***

Residents seek further clarification regarding native and non-native trees that stand on City land that were thought to be privately owned by homeowners.

Currently, no Parks & Recreation bylaw explicitly states whether the City has authority to remove or not remove non-native trees from the land in question. Residents request that actions be guided by bylaw governance rather than by tacit agreements.

Presumably, City officials would wish the trees to remain for ecological sustainability reasons; however, if the City plans to remove trees from the ESA, then residents urge planners to consider adopting the Medway Valley Natural Feature and Canopy Protection Draft Bylaw or adopting a new bylaw that would prohibit anyone from cutting trees in the Medway Heritage Forest. The profound importance of these trees has been articulated in the draft bylaw:

*The mature tree canopy, including both native species and long-established non-native species, forms a distinctive natural landscape that collectively provides erosion control, stormwater management, carbon sequestration, wildlife habitat and urban canopy cover of exceptional ecological and aesthetic character. Trees of 40 or more years of age represent a biophysical heritage that cannot be replicated on any meaningful human timescale.*

The draft by-law was introduced to designate the Medway Valley Heritage Forest ESA "as a Natural Feature Protection Area, to prohibit the injury, destruction, or removal of trees..." (Medway Valley Natural Feature and Canopy Protection Draft By-law). The draft bylaw further states that "The ESA is an irreplaceable component of London's Natural Heritage System as described in the Official Plan, and its ecological continuity depends on the integrity of the existing canopy" (Medway Valley Natural Feature and Canopy Protection By-law). Any tree "with a trunk diameter of 15 cm or greater at 1.4m above natural ground level, of any species whether native or non-native" (MVNF&CP By-law) subsumed by encroachment enforcement becomes part of the forest's canopy and should be protected.

Alternatively, residents ask Council to consider the Conservation Master Plan Implementation Review Medway Valley (South) ESA - Non-Native Tree Removal - Attawandaron Road document (2026). The Review recommends that Civic Administration pause tree removal of non-native trees from City-owned lands within the Medway Valley Heritage ESA until conditions, such as conducting an independent ecological assessment, are met and reported to Council.

The encroachment section of the CMP (Section 4.2.3.1) states only that encroachments are subject to enforcement and ecological restoration. It contains no provision linking enforcement to City-initiated tree removal. This ambiguity is an overlooked aspect of London's encroachment measures that should be examined and defined. Where the CMP does authorize removal of non-native trees, it does so as a separate management program and explicitly requires a multi-year phased approach for larger trees to protect the forest canopy.

Any enforcement-linked removal that bypasses that phased methodology contradicts the CMP's own prescribed approach.

Residents also wish the City to consider allowing trees, plants and shrubs that attract pollinators to remain and to be reminded that when writing to Alderman John Irvine on December 9, 1987, M.C. Chapman, Director of Parks, outlined how residents “requested permission to plant trees and shrubs at the rear of their property” and how these modifications “are not offensive, and in fact add to the aesthetics of the area.” For forty years, the aesthetics have, in most cases, remained the same or improved due to tree growth providing shade, cooling, habitat and many other co-benefits to the neighborhood and city. Encroachment has, in most cases, not been egregious and has not disrupted park use; rather, it has consisted of planting flowers and shrubs that both beautify the park and attract pollinators.

To summarize, residents specifically seek clarification from the City regarding:

- The adoption of the Medway Valley Natural Feature and Canopy Protection Draft Bylaw or craft a new bylaw to help preserve the delicate ecosystem of the Medway Heritage Forest ESA
- Consideration given to the Conservation Master Plan Implementation Review for Medway Valley (South) ESA, if unwilling to implement the Canopy Protection Draft Bylaw before taking further actions related to tree removal.
- Consider allowing for the ‘grandfathering’ of trees, shrubs and flowers that attract pollinators to remain.

Thank you for your reasonable consideration of history, nuance and context in the professional conduct of civil City planning in London, Ontario. Also enclosed please find recent correspondence from City staff and a local knowledge map with annotations.

Attawandaron Road Neighborhood Association Co-Chairs

Paul Schmidt  
Dan Meinen



Historical ESA Boundary Stake (Medway Valley Ravine) [Invasive Buckthorn Area of Concern]



Distance Measurement from Historical ESA Boundary Stake to Edge of 'Naturalized' Buckthorn Area of Concern in Attawandaron Park 'Passive Recreation Open Space' (1) = 25 ft / 7.62m



Distance Measurement from Historical ESA Boundary Stake to Edge of 'Naturalized' Buckthorn Area of Concern in Attawandaron Park 'Passive Recreation Open Space' (2) = 50ft/15.24m (+5.24m > 10m)



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**London**  
CANADA

March 25, 2026

Dear Property Owners,

Further to the communication dated July 8, 2025, and the update letter of August 28, 2025, I am writing to you with an update in relation to what you can expect in the coming months.

As you know, during the Council meeting of August 27, 2025, the following resolution was passed,

That, the following actions be taken with respect to Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan:

- a) the Civic Administration BE DIRECTED to undertake a review of the Conservation Master Plan and update it to remove the trail section of Attawandaron Road Park and take no further action on the implementation and construction of this trail;
- b) the Civic Administration BE DIRECTED to report back with options addressing property encroachments, including related considerations and impacts, for the properties at 1634 to 1786 Attawandaron Rd; and,
- c) the Civic Administration BE DIRECTED, as part of the CMP review, to include passive recreation consistent with the historical use of Attawandaron Road Park, defined as the area between the pathway at 1726 Attawandaron Road (north) and the pathway at 1634 Attawandaron Road (south), and to outline how the space will be maintained moving forward;

Municipal Compliance and Planning staff have been working collaboratively to complete a report with recommendations that will be brought to the Planning and Environment Committee on April 14, 2026. Satisfying the Council resolution of August 2026 requires a two-part process whereby Civic Administration cannot proceed with recommendations for Part (c) of the resolution until direction is received on Part (b). As part of the report to be considered by Committee in April, staff will present the proposed modifications to the CMP for Committee and Council to consider and provide the required direction. The second part of this process will include a Public Participation Meeting of which you will be notified.

We cannot provide the identified options prior to Council reviewing them; however, we continue to encourage you to remove all encroachments on city owned lands.

Sincerely,



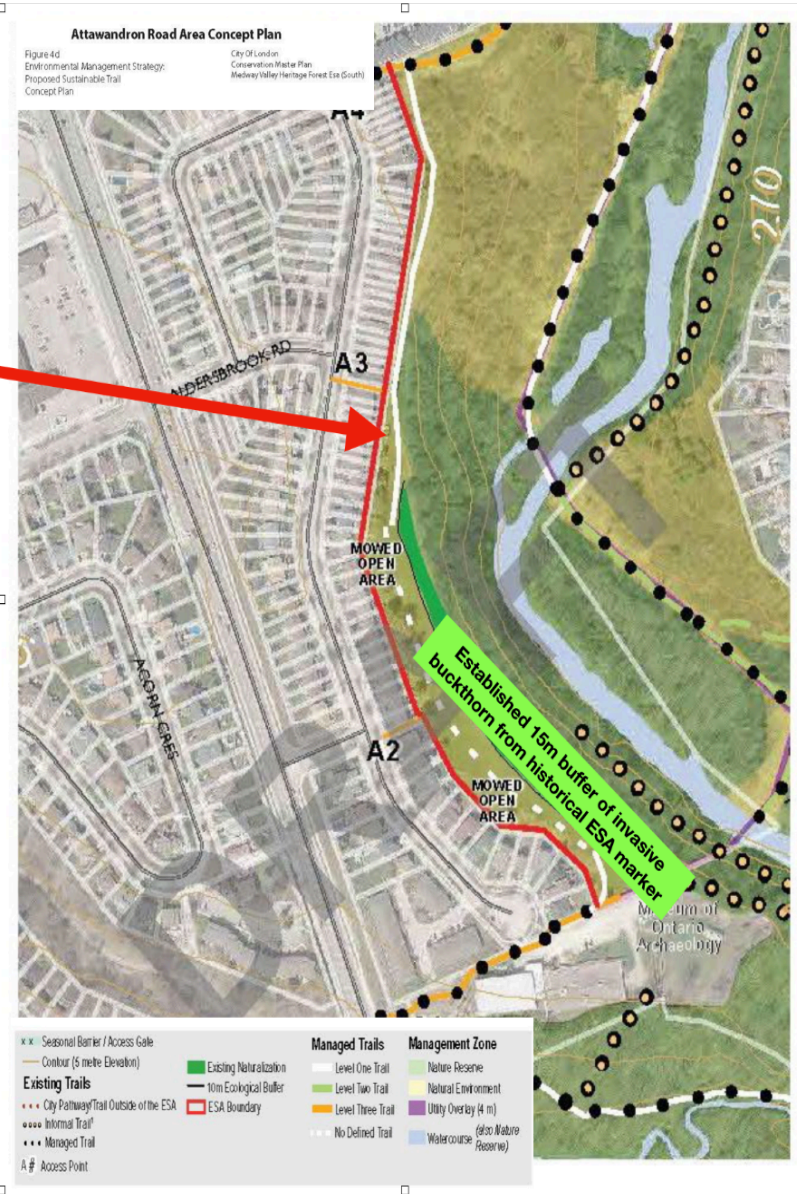
**Amanda Pfeffer**  
Director, Municipal Compliance,  
Housing and Community Growth  
City of London

Municipal Compliance Letter to Taxpaying Property Owners, March 25 2026



2025 - <https://london.maps.arcgis.com/apps/webappviewer/index.html?id=0187f8a72f204edcbc95d595f31b5117>

**INCORRECT BOUNDARY LINE**  
 A formal professional survey by a certified third-party surveyor is needed to be properly conducted with property owners advance notice, verbal and/or written consent and/or given authorization and permission to enter the private property of taxpaying Canadians to conduct survey activities.



Map Annotations