

May 23, 2014

~~City of London~~
300 ~~Dufferin~~ Avenue
P.O. Box 5035
London, ON N6A 4L9

Attention: **Cathy Saunders, City Clerk**

Re: **Request for Delegation Status at Planning & Environment Committee
With Respect to Special Provisions for 39T-02511 (1 Terrace Street)**

We formally request delegation status at the June 3rd Planning & Environment Committee to discuss our concerns with the proposed special provisions of the subdivision agreement for this development. We are in disagreement with some of the clauses, including 28. a), al), and am)

We have engaged in discussions with staff both before and after the provisions were prepared, yet the proposed conditions do not reflect these discussions. The most recent draft of the special provisions and our response letter are attached. To date staff have not been willing to alter the clauses to reflect what was previously discussed.

Of the issues listed in our letter the following are critical items that will prevent this development from being completed:

1. Owners of new lots should not be responsible to monitor or maintain the methane gas control system that protects new lots from methane generated from the City's property.
2. It was understood that the developer would make a cash payment towards maintenance and monitoring of the methane gas control system to be installed on City property rather than be perpetually responsible.
3. Having to demonstrate that new lots are free from methane contamination before building permits can be issued is not a fair requirement. The site has undergone remediation, the results of which were previously accepted by the Ministry of Environment.

Should you have any questions, please contact our office at 519-963-0531.

Yours truly,
Ricor Engineering Ltd.



per Rick Dykstra, P.Eng.

cc Councillor Joni Baechler, Aar-Con Enterprises, Tridon Group