

March 23, 2015

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City Clerk's Office
City of London
300 Dufferin Avenue
Room 308
London, ON N6A 4L9

Reference: Official Plan Amendments (O-8362/O-8014) to Redesignate Industrial Lands in the White Oak/Dingman Area and Permit an Expansion to the Urban Growth Boundary for Future Industrial Uses

Monteith Brown Planning Consultants (MBPC) are the Planners for Sifton Properties Limited (SPL) with respect to the land use planning matters associated with the above noted applications.

SPL has expressed their position since at least 2007 with regard to their comments on the inefficiency of the current Urban Growth Boundary for community growth purposes. **Simply put, adding more residential lands to Southwest London, an area that already contains the largest supply of non-industrial growth lands in the entire City (estimated at 50 year supply through the SWAP OPA) is not the best opportunity for the City.** Areas of London in the Northeast and West currently have between a 5-10 year supply of remaining lands for low density residential development. Council has also been on the record since 2007 (resolutions below) supporting a review of the Urban Growth Boundary. Unfortunately that direction has not been completed by staff. Without the results of a comprehensive review of these future residential opportunities and the current Urban Growth Boundary, adding further residential lands inside the growth boundary is premature.

Resolution of Council, July 30, 2007:

Planning and Development staff be requested to prepare a report for a future meeting of the Planning Committee with respect to the process to be followed for the next five-year Official Plan Review that will include a review of strategic priorities in relation to the alignment of the Urban Growth Boundary (UGB) and a cost benefit analysis relating to servicing issues for any lands being considered for inclusion within the UGB, as well as those lands already within this boundary; it being noted that the report will be forthcoming in 2009.

Resolution of Council, December 17, 2013:

"Motion made by Councillor J.L. Baechler and seconded by Councillor S.E. White to Approve that the following actions be taken with respect to the Urban Growth Boundary inclusion requests:

- a) *NO ACTION BE TAKEN to amend the Urban Growth Boundary for residential, institutional or commercial for the Rethink London Official Plan Review process; and,*
- b) *the Civic Administration BE DIRECTED to provide a report outlining a protocol for the review of the land needs assessment process and the urban growth boundary, including the creation of a priority list of lands, that will include community and stakeholder engagement and the establishment of a working group, including representation from the stakeholders, to review the submissions received and questions raised at the December 10, 2013 Planning and Environment*

Committee Public Participation Meeting, outside the ReThink London plan review process; "

At the public meeting of September 9, 2014, SPL's lawyer Barry Card, presented oral objection on our client's behalf to the proposed redesignation of lands in the White Oak/Dingman Area from industrial to non-industrial uses. These objections included the following:

1. The appropriateness of the official plan amendments. That down designation was an unusual step and was completely unnecessary. If there is a desire to consider possible redesignation, that can be studied and the proposed designation changes can be recommended. That happens frequently in the case of private amendments and it can happen in this case. The intermediate step is presumptive and unnecessary.

SPL also asserted that the plight of the land should have been considered in the course of the Southwest Area Plan (SWAP) process and that a subsequent secondary plan would undermine the whole of the process as decisions regarding allocation of land uses and the provision of services were predicated on the presence of these employment lands.

2. Consistency of the proposed redesignation with the PPS. A proposal to remove lands from the industrial designation in this manner is simply a device to get around the requirements of the PPS, particularly in view of the fact that decisions remain to be made regarding the amount of land that is left in the industrial designations. The current staff report still fails to address our client's concerns, or the concerns expressed by MMAH in its letter of February 26, 2015 outlining the "one-window" review of the proposal.
3. The transfer of \$900,000 from development charge reserve funds to the city was said to be justified by redesignation even though the extent of the redesignation will not be determined until the proposed secondary plan has been completed. This transfer is premature and contrary to city policies regarding the timing of payments and is all the more questionable given the recent completion of a background study for the new development charge by-law. The appropriateness of this transfer should have been considered in that context. A transfer at this stage is not appropriate and may contravene the enabling legislation.

Planning staff have not addressed our client's concerns in that the City proposal to expand the urban growth boundary to accommodate new industrial lands in the southeast quadrant is reliant on the City's concurrent proposal to redesignate lands in the White Oak/Dingman Area from industrial to non-industrial uses including approximately 120 ha of land proposed for Urban Reserve - Community Growth.

This proposal does not satisfy the requirements of the PPS with regard to justification of an expansion of the Urban Growth Boundary in another area of the city as staff have confirmed that there is no quantified need for additional lands based on its current inventories. As such, in order to proceed with an expansion of the Urban Growth Boundary in the Southeast, the City would have to do two things to be consistent with provincial policy. Retract the Urban Growth Boundary, and remove employment lands from the current land supply budget commensurate with the amount of employment lands proposed elsewhere to ensure the land supply budget remains balanced.

The proposed redesignation of the White Oak/Dingman Area lands from industrial to non-industrial urban land uses inside the Urban Growth Boundary is not consistent with the PPS in that there has been no comprehensive review to address the appropriateness of this area to be designated for an expanded supply of Urban Reserve - Community Growth lands. These community growth lands are specifically aimed at accommodating residential growth and the resulting commercial, institutional and public service facilities required to support that growth.

The PPS requires that employment lands proposed to be redesignated must not be required for employment purposes over the long term, and that there is a need for the conversion. However, a Land Needs Background Study and several Staff reports were completed as part of the reThink London Official

Plan update to determine if additional lands would be required within the urban growth boundary for industrial, commercial, residential and institutional use. In June of 2013, Staff reported on all land needs outside of industrial land uses and concluded that the City had more than a sufficient supply of residential and non-residential lands to meet development needs in the 20-year time horizon provided by the PPS.

In fact, the City identified that in some areas (such as the lands in SWAP), there was an over designation of these types of uses. Given the conclusion in the Staff report, it is unclear as to how the City is demonstrating "need" for additional non-employment lands within the City's Urban Growth Boundary.

The proposed redesignation of the White Oak / Dingman Area lands ignores the comprehensive review that was undertaken for SWAP (approved May 2014) which just redesignated over 300 ha of Industrial lands to non-agricultural urban land uses in the immediate/adjacent area to accommodate growth and development. The current proposal blatantly ignores the diminishing supply of residential lands in other key areas of the City experiencing development pressures as a result of market influences.

If the White Oak/Dingman Area lands are to be removed from the industrial designation, these lands need to be reverted to agricultural land uses consistent with the intent of PPS to ensure the protection of prime agricultural lands until such time as a comprehensive review is undertaken to analyze and consider alternative directions for growth or development of non-employment land uses.

While SPL has no objection to the City pursuing its industrial economic development goals, such pursuit must be completed in the context of a complete comprehensive review of the Urban Growth Boundary consistent with the PPS and should be addressed as part of the concurrent London Plan, Official Plan update process.

On behalf of our client we request that the applications be refused, and that we be copied with any reports, notices of meetings of Council, Decisions, and Appeals concerning applications for inclusion into the Urban Growth Boundary for the above noted lands as well as any other lands in the area through the City's Official Plan Review.

Respectfully submitted,

MONTEITH BROWN PLANNING CONSULTANTS



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