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

Attention: Mayor and Members of Council
Corporation of the City of London
c/o Heather Lysynski

Reference: Comments to the Third Draft of The London Plan (May 2016)
3700 Old Victoria Road & 2214 Wilton Grove Road
London Dairy Farms Ltd.

On behalf of our client, London Dairy Farms Ltd., we thank you for the opportunity to provide comments on the third revised Draft of the London Plan. Based on our review of this latest Draft, our client is concerned with the proposed designations on the above noted properties.

Portions of the proposed Place Types will not permit the flexibility required for these lands to continue to provide their intended agricultural operation. Portions of the lands located at 3700 Old Victoria Road and 2214 Wilton Grove Road have been identified under the 'Environmental Review' Place Type on the draft of Map 1 – Place Types, and also identified on draft Map 5 – Natural Heritage as an 'Unevaluated Wetland'. This portion of the property has been wrongfully identified as a wetland, and further discussions between the City and the landowners should take place prior to such lands being subject to this proposed designation.

Section 783 of the proposed London Plan states that "...permitted uses in the Environmental Review Place Type will include agriculture, woodlot management, horticulture, conservation and recreation type uses." If the existing use is permitted, clarification is required whether or not an Environmental Impact Study required prior to development or site alteration. Furthermore, Section 1316 regarding 'Unevaluated Wetlands' states that "Development and site alteration shall not be permitted within and/or adjacent to an unevaluated wetland Identified on Map 5 and/or if an Ecological Land Classification determines that a vegetation community is a wetland that has not been evaluated. City Council shall require that the unevaluated wetlands be evaluated by qualified persons In accordance with the Ontario Wetlands Evaluation System. The evaluation must be approved by the Ministry of Natural Resources and Forestry. Map 1 - Place Types and Map 5 -Natural Heritage shall be amended as required to reflect the results of the evaluation."

Section 2.1.9 of the Provincial Policy Statement ('PPS') states that nothing in the Natural Heritage policies "is intended to limit the ability of agricultural uses to continue." We note that Section 1165 of the proposed London Plan establishes that "Nothing in this Plan is intended or may be applied to restrict a normal farm practice carried on as a part of an agricultural operation on lands within the Farmland Place Type in accordance with the Farming and Food Production Protection Act, as amended from time to time." This policy; however, would not apply to lands within the 'Environmental Review' Place Type. The proposed London Plan must be consistent with the PPS, and further consultation is required regarding the above

noted and related policies within the draft London Plan concerning our client's landholding in order to ensure that the existing and future agricultural operations may continue as necessary.

As such, we request that the third Draft of the London Plan be sent back to staff to resolve all outstanding concerns, prior to adoption.

We look forward to our client's issues and concerns being addressed, and we continue to request to be provided Notice of all decisions with regard to the London Plan, and all other related matters.

Respectfully,

MONTEITH BROWN PLANNING CONSULTANTS



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cc: Norine Falkner, London Dairy Farms Inc. (via e-mail)
Barry Card, Barrister & Solicitor (via e-mail)