

# ROBERT G. WATERS

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Our File No.

June 9, 2016

## HAND DELIVERED

Mayor and Members of Council  
Corporation of the City of London  
c/o C. Saunders, City Clerk  
300 Dufferin Avenue  
London, Ontario N6A 4L9

Dear Sirs/Madams:

**RE: 1597 Sunningdale Road East, London – The London Plan**

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I represent the owner of the 13.6 acre property at the south-west corner of Sunningdale Road and Highbury Avenue, John Ross. I attended the London Plan Open House on June 2, 2016, with the landowner, to view the City's final draft of the Plan. This letter is the third submission regarding versions of the Plan and, along with the landowner's previous comments, addresses the new Natural Heritage designations the City wishes to place on the property. I am advised that my client received no direct notice from the City about these changes in Natural Heritage designation expansion despite his previous communications as a stakeholder in the Plan.

The first change in this version of the Plan is the addition of a red triangular symbol on the western part of the property representing a designation of "Potential Naturalization Area" according to the Legend on Map 5 at the Open House. The symbol has been placed over the existing Medium Density Residential designation on that part of the property which is currently under cash crop cultivation. We learned during discussions at the Open House that this designation is associated with the PSW designation and is intended to open discussion about possible acquisition of those lands by the City or developers for possible parkland. We object to this designation piggy backing on the PSW designation on adjacent land which we contend has been incorrectly placed. We have always contended that this PSW boundary is not consistent with the Ontario Wetland Evaluation System (OWES) and we have discussed this with the City and the Province on numerous occasions to no avail, despite our presentation of scientific evidence.

The second change to the mapping is the addition of yellow areas that tend to follow or overlay the Open Space creek corridor and the Shoebottom Award Drain on the property. According to the Legend, this area represents "Significant Valley Lands". In our opinion, there is no "significant

valley" here as those lands would be defined in the Provincial Policy Statement (PPS). It is curious that the extent of this area on the property would exceed, in breadth, the same designation as applied to parts of the North Branch of the Thames itself. The Ballymote Tributary or North Stoneycreek Branch as it now may be described along with the award drain function to convey surface water drainage through the property. We object to this yellow designation which seems to be an attempt to widen the Open Space creek corridor on the property. In recent years, the City's own illegal drainage practices and fictitious watercourse mapping has disrupted the normal function of this system to the detriment of the existing natural tree growth. The original Open Space designation in the prior Official Plan for the creek corridor offered it protection and was established and agreed upon during the Stoneycreek Community Plan process, OPA 88, and is subject to final boundary determination through an Environmental Impact Study at the time of a development application.

In summary, the history of this property is long and storied. After a Settlement was reached with the City, as directed by the OMB in 1999, the property contained a Neighbourhood Commercial corner, an Open Space corridor, and Medium Density Residential designations in OPA 88 as illustrated on the enclosed City mapping in parts of "Schedules A and B". This landowner has participated, in good faith, in the City's planning exercises related to this land since Vision '96, the OPA 88 OMB Hearing, the Annexed Lands Zoning By-Law Amendments, OPA 438, and now Rethink and its offspring The London Plan. This has been a long and frustrating process!

In overview it appears that the City now has its own intentions for the property at 1597 Sunningdale and is proceeding to fulfill its plans through the placement of Natural Heritage designations regardless of the landowner's consultant's submissions or the OMB's past directions. The Provincial Policy Statement does not intend or support the overturning of development designations by the uninformed placement of environmental designations by the City whose intent appears to control, and perhaps acquire, the land for use as a park. This is not consistent with the PPS.

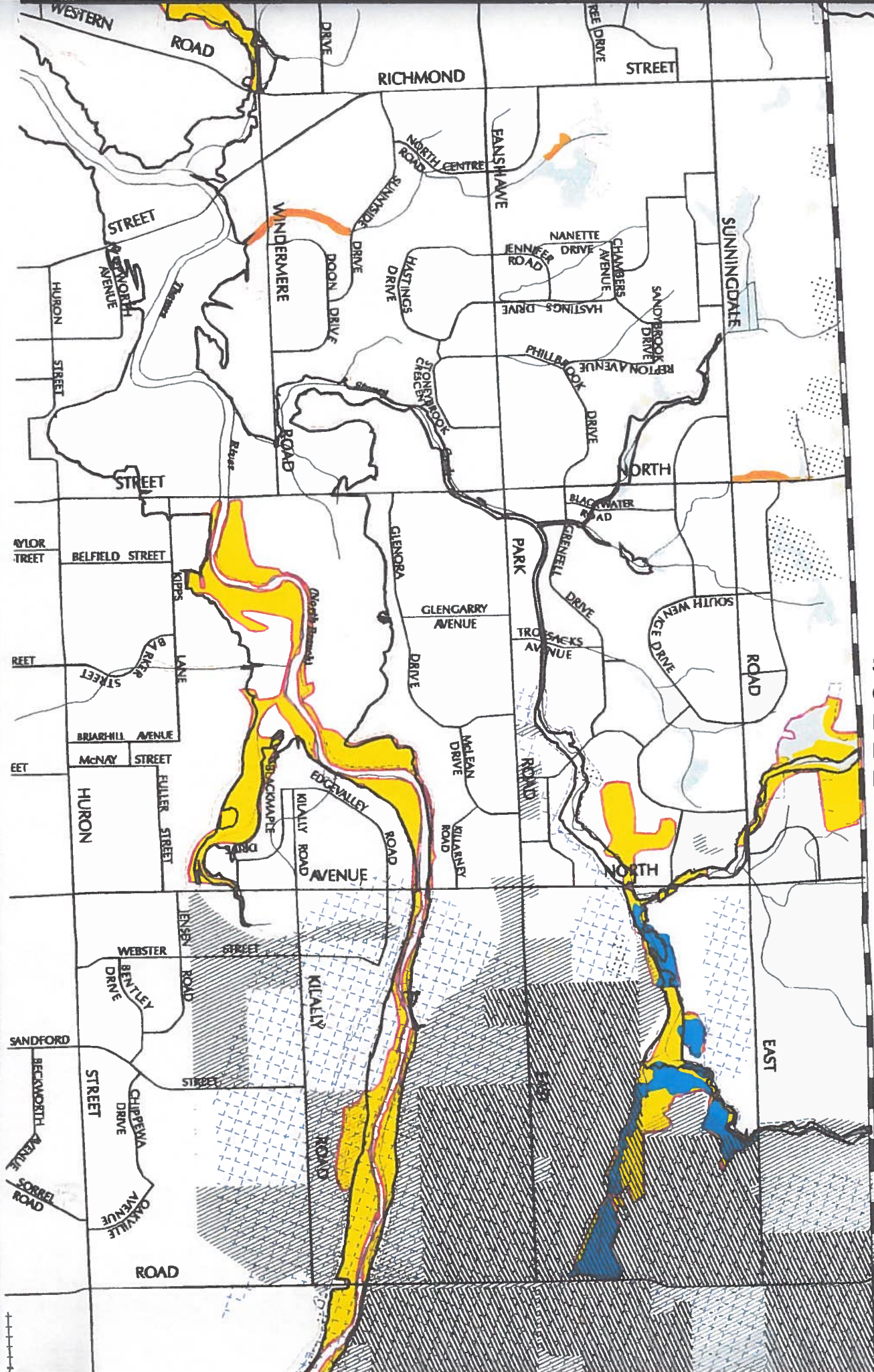
For the above reasons, should The London Plan move forward, we will be appealing these matters to the Ontario Municipal Board.

Yours truly,



ROBERT G. WATERS

Encls.



Schedule A  
 OPA 88  
 Flood Plain &  
 Environmental  
 Features



Schedule B  
OPA 88  
Land Use

