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His Worship Mr. Joe Fontana  
Mayor of the City of London  
City Hall, 300 Dufferin Avenue  
London, Canada N6B 1Z2

2012-03-29

Dear Joe,

Given the end of this month concludes the presentation/ submission phase of the SWAP process, members of the Shaver – Brockley Coalition have presented a summary statement on behalf of these two neighbourhoods to City Planners Barrett, Grawey and McNeely on Tuesday, March 27, 2012. We wanted to provide you and councillors with a copy of these recommendations so you will be aware of our particular situation, and consequently are forwarding that document for your information and review. However, we have prefaced those recommendations with a summary statement for you to provide you with background regarding our experience during the last four years of the SWAP process. Our prefatory statement shows that to the moment ours has been a frustrating and lonely endeavour, although we will say that our meeting earlier this week was positive, and we believe some councillors may have spoken recently to the Planners on our behalf, and we are grateful for that.

With the very recent exclusion of the portion of Brockley west of the LPS tracks from the study area, and the fact that Brockley residents living on Dingman east of the tracks, on Avenue Road, and in Jenedere Court as well as all the

residents living in the Shaver subdivision and scattered residences on Westminster Drive east and west of Wellington were never embraced by the study, we want at this time to ask that our area now be given concerted and separate examination. In our document we have requested the designation of “residential” areas, though because we are outside the urban boundary we should more properly have used the term “rural settlement.”

We want to emphasize that our submission comes with the full support of all citizens from our two neighbourhoods. As recently as March 19, 2012 our neighbourhoods held a community meeting at which most of the households were represented, and they reviewed and were in full support of the recommendations here documented.

Submitted respectfully by the Shaver – Brockley Coalition

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City Planners Barrett, Grawey and McNeely  
Planning and Development Department  
300 Dufferin Avenue  
London, Ontario N6A 4L9

Dear Gregg, Terry and Heather,

We recognize with the end of this month, which will conclude the presentation/ submission phase of the SWAP, that you must all be at point of exhaustion. And we recognize as well that the Shaver – Brockley voices crying in the wilderness over the months have no doubt been a source of some frustration to you, though we want to thank you for the courteous manner in which you have always treated us.

With the recent exclusion of the portion of Brockley west of the LPS tracks, and the fact that residents living on Dingman east of the tracks, on Avenue Road, and in Jenneder Court as well as all the residents living in Shaver and scattered residences on Westminster Drive east and west of Wellington were never embraced by the study, we want at this time to ask that with conclusion of the SWAP, our area now be given concerted examination.

We come to you one last time before the end of March, 2012 with what we feel to be a reasonable recommendation; and hope that you will be receptive to our proposal. Perhaps what we request has already been on a next drawing board for your attention, in which case our petition may synchronize with your own planning. We trust this to be the case.

Although we as the Shaver – Brockley Coalition have been and are once again the ones making presentation to you, we want to emphasize that we do this with the full support of all citizens from our two neighbourhoods. As recently as March 19<sup>th</sup> 2012 we had a community meeting at which most of the households in our area were represented, and they reviewed and were in full support of our recommendations.

Submitted respectfully by the Shaver – Brockley Coalition  
with all kind regards,

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## SUMMARY STATEMENT FROM SHAVER – BROCKLEY for the City of London Planning Committee 2012-04

Given the exclusion of most of Brockley and all of Shaver from the SWAP (because outside the urban boundary for that study), and the recent exclusion of that portion of Brockley on Dingman Drive between Wellington Road and west of the LPS Tracks (which was within the SWAP boundary), we would ask the City Planning Committee to consider the following proposal so far as future development is concerned.

### OUR CASE

- 1. Urgency:** Ours is an urgent situation. Most of the planning re the SWAP is looking to future development; however, inappropriate decisions are being made right now regarding our area, even without formalized zoning in place. So input for uses of lands surrounding us is urgently needed now.
- 2. History:** we believe the historical nature of our neighbourhoods still offers the strongest single reason why we should not have industrial development inflicted on our area. The fact that there have been two proposed residential plans in the past for our area, one dating back to 1914, and one more recently where we understand the developer offered to pay for infrastructure to support residential development might indicate that the City is blocking what is apparent logical development to others.
- 3. Zoning as Ploy:** The most recent 1983 Westminster Township “zoning” was an insincere attempt by Westminster Township to fight London’s take over by feigning an “industrial base” to imply sustainability in terms of tax base for Westminster as a “town.” The ploy was not unlike labeling all the street signs that gave first the name of the street with the words “Town of Westminster” inscribed below. How colossal a waste of money was that?—and ironically, look at how quickly the City changed those signs!
- 4.** It is critical to note *this 1983 Zoning* was done *without consultation* of citizens in our constituency.
- 5.** Most importantly of all, ***we are the people on the land.*** We are here, and have been---most for decades. It should not be of small consequence that several homes on Dingman have been standing for over a century, and at least three individuals for over 70 years. So we are not newcomers to the neighbourhood, and our residency needs to be taken seriously and treated fairly. **It is simply not possible for us to pick up 150 homes and relocate.**
- 6. MOE Support:** it is of no small consequence that prior to the construction of Orgaworld, local MOE officials advised against the current placement of that facility, but that advice was not heeded. Think of how many Ministry dollars, and literally thousands of MOE personnel hours have been expended with the Orgaworld problem. And more recently the MOE has informed the City that ours is a stressed air shed. Residents in the area have genuine concerns about

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the mixing in the atmosphere of emissions from OCL, Casco, and soon, Harvest Power, and the possible potential for health issues. Testing of an air shed is enormously costly, and to the moment shared costs by contributors for such testing has not been written in C of A's—but assuredly it should be. No one has thought to do this—but it should not be citizens who are left to be the ones proposing that such testing be mandatory, and that costing be factored into C of A's! This should be the responsibility of government and elected officials!

7. **Natural Beauty of Area:** Rather than destroy the aesthetics of this major entrance to the City of London, the City should protect and beautify Wellington Road and the 401 Corridor—particularly since this is where most visitors to the City find hotel accommodation, or exit the 401 to drive *directly* downtown.

**OUR RECOMMENDATIONS**

1. Inasmuch as that portion of Brockley previously within the boundary of the SWAP has now been excluded, the residents of Brockley and Shaver would respectfully recommend **that the City initiate a South Central Area Plan.** Obviously the SWAP process so far as submissions is concerned is drawing to a close, so perhaps the greater part of that study is nearing completion with satisfied parties having been involved. However, we would propose that the City now move to examine more than just the portion of Brockley west of the LPS Tracks which has been excluded from the SWAP, adding to that all of Brockley, all of Shaver, and those lands surrounding Shaver and Brockley, as well as lands either side of Wellington Road and continuing south. Sooner or later this area must be given unified long-term planning—this in fact should have been done a decade ago--and we would hope this might be undertaken sooner than later, and before any more development incompatible with our neighbourhoods occurs in or adjacent to this area.

2. We would be more than pleased to work with City planners going forward, but it would be our initial recommendation to **rezone the following areas recognizing their residential nature**—at least between Dingman and Westminster Drives, and from Highbury Avenue along Dingman as far West as the 401 Overpass: and also to recognize the *residential nature* of Shaver as well, and provide adequate buffer lands around Shaver to protect it. We understand from conversation with the City Planners that because both neighbourhoods are outside the urban boundary that the proper term would be *rural settlement*.

We strongly feel here is no lovelier parcel of land close to the City and more suitable to residential planning than lands along Dingman Creek with its natural wooded corridor—particularly those lands extending east, west, and south of the current hamlet of Brockley. Already in the Brockley and Shaver areas there are schools, churches, and neighbourhood-friendly businesses such as Costco, Lumberteria, and other retail outlets along Wellington Road immediately south of the 401, as well as Gold's Gym (its flagship gym for all of Canada), and a golf course. Additionally we believe such zoning would also ensure protection of

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these environmentally sensitive lands. Notwithstanding this, of course we recognize the importance of Wellington Road as a major artery, and understand some development will be necessary along that corridor. However, to scatter industry around this area is in complete dissonance with residential community.

**3. Continue with commercial zoning on either side of Wellington Road that is compatible with residential zoning, but insist that aesthetic considerations be given both to facilities and landscaping.** We believe absolutely that aesthetics matter greatly to a City's growth and development, and we are deeply concerned about the lack of attention to aesthetics along the 401 Corridor, and Wellington Road because these arteries border on our neighbourhoods and say everything about our City to workers and visitors traveling to and from our City, as well as travellers bypassing London. Even one of the members of the consulting team engaged by the City said to us that he had to admit the Wellington Road and other entrances to downtown were "pretty pathetic." Of course this is not what we want visitors to say characterizes our City.

**4. Establish on appropriate lands an industrial park centralizing composting and waste management facilities.** We have been asking for this for a long time, and elsewhere we have recommended lands adjacent to W12 or Green Lane Environmental as appropriate. In any event, these should be lands which might require buyout of one or two parties who might be impacted negatively—as opposed to hundreds of adversely impacted homeowners!—and with the location should involve lands with protective open space. To wit:

**5. Have AT LEAST a 3 kilometer buffer zone around such an industrial park** for protection of citizens from vagrant malodour and ugly-looking facilities, and insist these be designed with pleasing landscaping characterizing that buffer zone—not jus boring and tell-tale berms.

#### **DEALING WITH OBJECTIONS**

1. **Conversion of Class A Farmland to create an Industrial Park** has been raised as an objection for creation of such an Industrial Park. This is an insincere objection. We have all around our neighbourhoods right now Class A Farmland! (The "light industry" to the moment is for the most part fiction on paper.) And OCL, BFI and Try Recycle have all been located on what was Class A Farmland not too long ago. Land for an Industrial Park would at least concentrate the necessity for land, and probably reduce the total area of "Class A Farmland" consumed.

2. **Paralysis on the part of the City** because "the Government or the Ministry of the Environment is forcing us to do this!" is no excuse. We have been told repeatedly that things are "beyond the City's control," but we simply place no credence in this, and indeed have been given the following support directly from a provincial government official.

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We quote from a December 17, 2008 letter to us from the Hon. John Gerretsen, then Minister of the Environment:

*“ . . . land use planning remains the responsibility of the municipality. . . .Local municipalities administer land use planning and zoning bylaws, and set policy that designates areas for different categories of industrial and commercial use.”*

3. Finally **the claim that objectionable facilities impacted Shaver and Brockley citizens prior to take-over of Westminster lands by the City is simply not true.** Let us make it clear once again that the pre-existing W12 and Casco have not initiated the current community outcry. While it is the case that Casco has been on its present site for 37 years, MOE records will show that only rarely were official complaints registered by citizens—partly because of the nature of its emissions (“corn syrup”), and the fact prevailing winds carried these away from concentrated residential areas. And residents of Brockley maintain they have *never* smelled W12 owing to distance (5 kilometers) and geography (the Regina Mundi Ridge being one feature) between their dwellings and the dump. Shaver residents claim they have only *rarely* smelled W12—perhaps “once a decade” is more or less the consensus! On the other hand the reality is that the City is fully responsible for placement of *all* of the facilities about which residents of Shaver and Brockley have in the last five years complained, and continue to complain--both to the City and the MOE. *All* are *post-annexation developments*: namely Orgaworld Canada, Green Valley Recycling, the BFI on Wellington Road, Try Recycle, and Harvest Power.

#### **CONCLUSION**

It is not too late for the area adjacent to our neighbourhoods to be zoned appropriately. The *light industrial* designation exists on paper only. Apart from those aberrations the City has permitted—all of which could and should be relocated to a “W12 Park,” we are surrounded by open fields which are currently under cultivation. So this is the moment to commit to study those lands on which we reside and which impact us. We note with interest that during the four years we have been attending SWAP meetings one other residential area has been superimposed over projected planning. We would ask the same for our area. What is needed is the political will to make these changes now, and we would ask Councillors who are members of the Planning Committee to support citizens who have been campaigning for appropriate zoning even before the SWAP was undertaken. Citizens entrust councillors with support at the polls to act in the interest of all Londoners, and we would ask that you protect our rights as citizens of the City of London—supporting only decision-making which you would wish for each of your Wards.

***Respectfully Submitted by the Shaver – Brockley Coalition on behalf of these two residential areas in South London***