

Bill and Anna Hopkins
928 Springbank Drive
London, Ontario N6K 1A5

April 24, 2012

DELIVERED

Planning and Environment Committee
City of London
London, Ontario N6A 4L9

Attention: Councillor B. Polhill, Chair

Dear Sirs:

Re: Special Public Participation Meeting – Site Plan Application-940 Springbank Dr., London, Ont.

We are one of the neighbours to this Site Plan Application and have been involved in the process since 1999. Further to our last letter to you dated June 13, 2011, we asked that a copy of the OMB Decision dated Feb.1,2001 be provided to you and hope that you have read this Decision. We have been told that we must abide by the OMB Decision of 2001. This is a matter of principal, not NIMBY.

In 2001 the Board found that one 12 storey apartment bldg (165 units) located in the middle of the 5 acre site is appropriate and desirable. Two 12 storey apartment building would seriously and negatively impact the neighbours (see Pg.46 of Rosenberg's Decision, 2001). Every effort should be made to reduce the physical impact of the 12 storey apartment building on the two adjoining neighbours and the existing slope (Pg.50).

In 2004 the developer produced a site plan approx.40% larger than the one before the Board in 2001 and moved closer to our property. The City turned down the site plan and the developer appealed to the OMB. We joined the City and hired a lawyer to defend our position that the building was not roughly in the middle. The board ruled that the developer be given an opportunity to re-visit the site in keeping with the original decision (see Pg.3 of Boxma's Decision, 2006).

In 2009 the developer produced a building again approx. 43% larger, roughly in the middle but set back into the site. Again the City turned down the site plan application and the developer appealed to the OMB. We again joined the City in defending the original Decision. The board found that the disturbed are is now 3 acres for one structure compared to 2.5 acres for the original two buildings. The Board also found that the proposed site plan does not meet the spirit and intent of the Rosenberg decision.(see Pg.11 of Sniezek's Decision, 2010). What now the board asked? "The solution would appear to be a building with a smaller footprint.

In 2011 the developer produced another site plan again the building is approx. 47% larger than the original building in 2001. The building is now shifted closer to our property, no longer in the middle and closer to the road. The footprint has not been significantly reduced. We fear that this site plan will

have a similar impact on our property as did the original site plan of two buildings that the Board turned down.

On Sept. 19, 2011 Council introduced a by-law to designate a site plan control and to delegate Council's power with respect to this site plan. We would like to remind Council that if the developer is not satisfied with Council's decision, he can appeal to the OMB. We, the neighbours, the community and the City do not have that luxury.

Our concerns are many. Our fear is great . We urge every councilor to understand the OMB Decision, process and responsibility they have to the community. We encourage you NOT to approve the site plan before you.

Yours truly,



Anna and Bill Hopkins.

c.c. Mayor Joe Fontana
c.c. Councillor Joe Swan
c.c. Dale Henderson
c.c. Judy Bryant
c.c. Sandy White