

**“The disturbed area is now 3 acres for one structure compared to 2.5 acres for the original 2 proposed buildings. The scale of the proposed building flies in the face of the Rosenberg decision. The board finds the siteplan does not meet the spirit and intent of the Rosenberg decision” (11) (Pause). These are the words of the OMB in 2010 their last decision involving this case. (Pause) Listen to those words more closely, do they sound like the diplomatic words of a public institution, or a panel that is offended that a developer would so blatantly disregard their earlier decision. (pause) The site plan flies in the face of the Rosenberg decision. (Pause) The siteplan does not meet the spirit and intent of the Rosenberg decision. The siteplan does not meet the spirit and intent of the Rosenberg decision.**

**That was 2010, now here we are again in 2012. This building and the disturbed area in this siteplan are as big if not bigger than the plan proposed in 2009. A very similar site plan has been rejected three times by the OMB. Everyone knows the OMB said one twelve story building could be built on the site. We know they ruled the new building did not have to be the same size as one of the originally proposed structures. But we also know that in 2010 they threw out a siteplan by the developer because the footprint was way too large. Furthermore, in 2010 the Board said, “given the size of the individual suites the number of units may need to be reduced”. They recommended “the parameters of their decision including slope protection, building height and disturbed area (less than 2.5 acres) are valid and can and should be used to redesign a site plan that respects Rosenberg’s decision”. Our community is urging you, Don’t**

let the developer and his lobbyist tell you it can't be done. The OMB continued "The Board has every confidence the professional design team, can accommodate the needs of the environment, the privacy of the neighbours in a pleasing well designed building."(12). Today, this siteplan as presented does not meet those ends.

Those opposed to this siteplan did not agree with every aspect of the OMB's decision, but we respected the process. We played by the rules. Most of us accepted that there would be some building on that site, subject to certain restrictions and requirements. The developer on the other hand has completely disregarded the process, by continually bringing back larger and larger development plans. This council needs to make a statement to the community that those with wealth and connections are expected to play by the same rules as regular folks. City council is suppose to be the representative of the people intervening when the rules of play are violated, not turning a blind eye so a persistent developer can proceed with his dream.

Throughout the OMB hearings City Planners, Developers, the Construction Industry, Engineers, Ecologists, Environmentalists, Historians, Community Groups, Neighbours and concerned citizens shared their expertise and input. The Board carefully took into consideration this input and rendered decisions. To allow a development to proceed that so clearly exceeds the restrictions of these decisions, sets a precedent and sends a clear message to the public. Don't worry about the OMB or bother participating in the process, we'll pick and invoke the decisions as convenient.

**As taxpayers we are shocked that unanswered questions about the slope stability remain. Does this council want to be the one that is responsible for a potential liability? The public is not fooled, we remember what happened ten years ago with Lawson Estates. The mess at Lawson Estates, in 2002-2003 cost London more than \$500 000, because proper engineering work had not been done. If I were a Councillor I'd be asking, since City Council has taken the authority to make this decision from staff, what is the Councillor's liability if something goes wrong because outstanding stability questions have not been answered?**

**During planning meetings some Councillors have questioned "Why has this process dragged on so long?" "Let's get this done." "The poor developer, I can't believe he's had to wait like this." The public is not fooled. The community knows this developer has delayed himself by bringing back outrageous siteplans for what might be the most difficult piece of land to develop in London. Siteplan after siteplan after siteplan that is outside the confines of the OMB's decision. The OMB and city continuously tell the developer he needs to go one size smaller, and he keeps coming back and saying, supersize me.**

**Councillors, we like you, we know you have other jobs, your on committees, involved in your communities you deal with countless other issues, we'd forgive if you if you admitted you didn't know the nuances of every report you are sent. But the public has done its research. You have a full house here, who have given countless hours to understanding the issue. We are united and we are sending**

**you a clear message, the people you represent do not support this development as presented. We are engaged Londoners, most of us have lived in this city our entire lives, we see the entirety of issues facing London and we are shouting from the hilltop, this issue is important for our community and we urge you to vote against this siteplan. The community knows that this siteplan just as the one in 2009 “flies in the face of the Rosenberg decision.” [...] The siteplan (still) does not meet the spirit and intent of the Rosenberg decision” (11). On behalf of the community I will be submitting a petition with the signatures of over 550 Londoners urging you to reject this siteplan.**

**Some have said regardless of size and design once the building is built, it will be beautiful and we will forget, the public is not fooled. Now, some may tell you don't worry about this vote, the public will forget by the next election, you should not be fooled either. A vote against this siteplan, is your opportunity to send a clear message to our community that Council expects developers to abide by the process, that although we want jobs, we understand that creating them is more complex than charging ahead with any and every proposed development. Most importantly, send a message that Londoners can trust their elected officials to stand up for a fair process for all.**