

To: Mayor and Members of Council.

From: Jacqueline Caranci - on behalf of the Longwoods Road Community

I REQUEST THIS LETTER BE INCLUDED WITH THE PUBLIC RECORD AGENDA.

Thank you for taking the time to read my follow up email. We had an interesting meeting at the Lambeth Community Centre, organized by councillor Anna Hopkins and attended by the London Planning Staff, Anna Hopkins and our Longwoods Community Association. We were advised that from a planning perspective this application does meet all requirements, so our ONLY LAST HOPE is to reach out to our London City Council - and hope they listen to our concerns and requests.

LONDON CITY COUNCIL:

We are opposed to Application Z-8735, 8076 Longwoods Road (just west of Lambeth), owned by Mike Abualhayja, for the following reasons.

1. It is contrary to Official Plan policies whose intent is to prevent conflicts with neighbouring land uses. The conflicts and troubles caused by the subject are worrisome for us. They include:
  - odour from the manure pile and dead sheep and goat carcasses;
  - the nuisance and health hazard from flies that live off the manure and carcasses;
  - animals straying onto neighbouring properties;
  - the traffic hazard caused by dangerous sight lines for highway traffic along the inside of the curve along Longwoods Road for trucks entering and leaving the site; and
  - the loss of property value associated with those nuisances.
2. It is contrary to the zoning regulations that are the purpose for the creation of the AG4 Zone in the Agricultural area.
  - The subject property is not an “undersized agricultural lot” as described in the Staff Report. The property was never intended to accommodate an intensive agricultural-commercial operation, as it was originally created as a “single family dwelling” lot in 2001 by a severance of a surplus farm residence. The City’s rationale for granting the re-zoning was... “to facilitate a surplus farm dwelling severance, and recognize the reduced property size of the dwelling unit. The subject property was re-zoned from an Agriculture (AG1) to an Agriculture (AG4) Zone through Z-7394, to recognize the single detached dwelling that was severed from the main farm...”.
  - A severance application for a livestock operation would NOT have been granted.
  - Granting the re-zoning application now would be undermining the intent and purpose of the AG4 Zone, as it would defeat the initial, and ONLY, purpose of the severance.
3. The neighbouring property owners made substantial capital investments on the understanding that the subject was a residential lot, and that the City’s Zoning By-law regulations would be enforced.
  - It is reasonable to assume that violators to those regulations would not be rewarded.
  - We are aware that the City is currently prosecuting the owner of the subject, Mr. Abualhayja, for violations of the Zoning By-law, and that court matter will be proceeding to the scheduled August 14 court date.
  - Prosecution is onerous and expensive, so the City must have good reason, meaning the ongoing violation has serious negative consequences, to prosecute a violation of the Zoning By-law. The use of fines and penalties is a last, rather than first resort, meaning that the owner’s violations have been ongoing for some time.
4. We understand that on May 30 Council instructed staff to report back with a revised by-law that would provide for a potential opportunity to ensure that the livestock operation is maintained appropriately.
  - It would seem that is an impossible task, as the owner has flagrantly violated existing by-laws for years and there is no reason to assume he will not do likewise with ANY other by-law in future.

- Given the existing conditions of the buildings and other constraints, it would be impossible to operate an abattoir legally on the property, in accordance with legislation governing such businesses. Apparently, that has not deterred the owner in the past, so approving this re-zoning application would only serve to embolden the owner to continue to flaunt the law in future.
  - Succumbing to the self-interest of one property owner would mean rewarding the illegal actions of that owner.
  - There would be no purpose to having by-laws if they can just be ignored.
5. No need has been demonstrated for another abattoir in the area.
- There are five other abattoirs within twenty minutes of London, including one in Mt. Brydges, less than ten minutes from Lambeth, which can process Halal meats. You can find these listed abattoirs on the government website.
  - Creating another abattoir would disadvantage those established businesses.
  - Millar Berry Farms is one of those businesses that would be (and is already) adversely affected by the subject business. An established and viable farm for over 50 years.
  - In addition, practically every grocery store in London offers Halal meats for sale.

We cannot see any justification for an application that is opposed by every resident in the area. It provides no benefit to the City or its residents: creates local disharmony and disamenities for neighbouring property owners; defeats the purpose for the creation of the lot; whose owner has steadfastly violated the City's zoning regulations; and for which there is no need.

In the event some members of Council still have diverging opinions regarding this application, we request that any decision be held off until at least after resolution of the City's prosecution of the subject owner that is currently before the court.

We are looking to the members of Council to assist us in this matter.

Sincerely,

Jacqueline Caranci (7620 Longwoods Road),  
Spokesperson  
Longwoods Community Association