



June 14, 2017

City of London, Development Services
300 Dufferin Avenue, 6th Floor
P.O. Box 5035
London, ON
N6A 4L9

Dear Secretary/Treasurer,

RE: Application for Consent to Create a new Land Parcel; London Valley III Inc.; 6188 Colonel Talbot Road in the City of London.

Proposal

Mainline Planning Services Inc ('agent') is retained by London Valley III Inc ('owner') to make application to the City of London for a consent to sever an existing agricultural land parcel located at 6188 Colonel Talbot Road ('subject property') into two new lots.

On February 21, 2017, we attended a pre-submission consultation meeting hosted by the City Planner on the file ('Justin Adema'). The City Planner directed that a Planning Justification report is required to support the applications. Mr. Adema clarified that our professional planning opinion needs to address how the proposed severance is supported by any relevant policies including those of the Province and the City of London. Furthermore, Mr. Adema confirmed that the Official Plan requires that in this case the proposed severance of agricultural land will be conditional on obtaining a Zoning Bylaw Amendment, as the proposed lots will not satisfy all performance standards required by the Zoning By-law.

Based on the direction of City Planning Staff, we respectfully submit development applications for concurrent approval of the Committee of Adjustment and City Council to permit the severance of a 4 Ha parcel from the subject property which is 18.3 Ha in area. The following letter report provides the details of our submission and our professional opinion which we trust will be well received as justification to support our Consent Application.

Applications

As requested by City Staff, our submission includes the following documents and plans.

- Two (2) completed copies of the application for consent form;
- Two (2) copies of the Owner's Letter of Authorization;
- Two (2) 11"x17" copies of the draft reference plan prepared by an Ontario Land Surveyor;
- A cheque in the amount of \$1,100.00 for payment of the consent application fee;
- One (1) completed copy of the zoning bylaw amendment application form;
- One (1) 11"x17" copy of a site sketch showing all existing buildings and the lands to be severed and retained;
- A copy of the Record of Pre-Application Consultation;
- A cheque in the amount of \$7,000.00 for payment of the zoning bylaw amendment application fee;
- A copy of Demolition Permit No. 17 011294 000 00 DM;
- Two (2) copies of the Planning Justification Report; and,
- A CD containing digital versions of the above documents.

Planning Justification Report

Executive Summary

It is our professional planning opinion that this application to sever the above referenced property into two new lots represents good planning. The Consent of the Committee to sever this property is appropriate for the following reasons:

- A plan of subdivision is not necessary for the proper and orderly development of the municipality pursuant to S.53(1) of the Planning Act;
- The prescribed information or material is provided pursuant to S.53(2) of the Planning Act;
- The severance and resulting parcels conform to the Official Plan;
- The necessary Zoning By-law Amendment application has been submitted and is reasonable; and
- The severance will result in development that is in character with the existing agricultural and agriculturally-related land uses adjacent to and in the neighbourhood of the subject lands.

Background

The Rural Context:

The subject site is in the south-west portion of the defined City of London administrative boundary and is currently outside of the limit of the established urban growth boundary. The area is characterized by agricultural land uses – predominantly cash crop open field farming on smaller land parcels.

Our review of the parcel registry indicates that the area surrounding the subject site is subdivided into significantly smaller land parcels than the minimum 40 Ha farm parcel identified in the Official plan for traditional agricultural use (see Figure 2). Our planning review focused on the community ('the subject area') within which the subject site is located for context and discussion. The subject area, bounded by the City of London administrative boundary to the west, Wonderland Road to the east, and Highways 401 and 402 to the south and north, respectively, appears to be in transition with the emergence of non-agricultural uses along major arterial roads that are zoned Light Industrial ('LI6' and 'LI7') and Highway Service Commercial (HS1-2).

Based on our review, it is our professional planning opinion that a fracturing of farmland into parcels significantly smaller than 40 Ha. was permitted to support smaller cash crop farm operations. There is sufficient municipal precedence to indicate that the rural context of the subject area is moving to non-traditional farming practices interlaced with non-agricultural uses both by Zoning Bylaw Amendment and Minor Variance applications.

The Subject Property:

The municipal address of the subject property is 6188 Colonel Talbot Road. The subject property is located approximately 1km north of the Highway 401 interchange on the east side of Colonel Talbot Road. The subject property is an interior lot located between a commercial lot upon which there is an existing printing establishment and a rural lot that is currently farmed. The subject property is rectangular and its depth continues to the Highway 401 right-of-way which abuts at the subject property's eastern boundary. The subject property is approximately 18.3 Ha in area, generally flat, and gently sloping to the southeast.

The subject property, together with adjacent lands, was historically farmed for soya beans under lease by a local farmer. More recently, a non-traditional agricultural operation (indoor hydroponic mushroom farm operation) was constructed on the subject property in accordance with City approvals, and a 4 Ha portion of the property was subsequently leased to a Japanese Farm Corporation to grow Maitake mushrooms in the indoor hydroponic farm building.

The Surrounding Area:

The property is adjacent to agricultural land on its northern and southern boundaries and those lands are farmed for soya beans. The existing land uses surrounding the subject site are as follows.

- North and South: The abutting parcels are zoned "Agricultural Zone 2 (AG2)" and are actively farmed for soya beans.
- East: The eastern lot line of the subject lands fronts on Highway 401.
- Southwest: The lot abutting the subject property at its southwest boundary is zoned "Highway Commercial 1(2)" and is used for a printing business.
- West of Colonel Talbot Rd: The lots on the west side of Colonel Talbot Road are zoned "Agricultural Zone 2 (AG2)". These lots appear to be used for residential purposes.

The Land Severance Application

Consent of the Committee is requested to sever one (1) new lot from an existing 18.3 Ha parcel located at 6188 Colonel Talbot Road. The new 4 Ha lot ('land to be severed') will permit the sale of land to the existing tenant. The proposed 4 Ha lot is sufficient to ensure the viability of the existing mushroom farm operation as it includes lands recently developed. The indoor mushroom farm was recently constructed in accordance with Building Permit No. 16 049996 000 00 AG and is serviced by existing well water, septic sewer services and existing utility infrastructure that includes, but may not necessarily be limited to, the driveway, parking lot, and landscaped areas. The proposed severance is described in a site sketch showing all existing buildings and the lands to be severed and retained (see Figure 1), and in further detail by a reference plan prepared by an Ontario Land Surveyor, as submitted with the Consent Application.

The remaining 14.3 Ha. of the subject parcel ('land to be retained') will continue to be farmed by the owner for soya beans so there is no change to the existing size of the farm utilized for soya production. The retained parcel is described in a reference plan prepared by an Ontario Land Surveyor. The retained parcel will have a 36.3m frontage but the property widens to 104.2m at 40m setback from the road and then widens to 204m for the remainder of its depth (i.e. 203m wide for over 400m of the lot).

As per S.1225_, S.1228_ and S.1698_ of the London Plan ('the Official Plan'), a Zoning By-law amendment is required to support the Committee's Consent to Sever. This policy was designed to maintain a minimum 40 Ha parcel size for traditional farming purposes. The character of the subject property and surrounding area farm community is primarily established smaller parcels utilized for the production of cash crops which is not needed on traditional farm parcels defined by the Official Plan. As such, nearly all parcels in the area do not conform the Official Plan and are legal but not conforming to the Zoning Bylaw. Based on the aforementioned, it is our professional planning opinion that compliance to the Zoning Bylaw is a technical requirement that formalizes an existing and viable farm lot condition. In this case, the subject property as a whole does not conform to the Bylaw so both of the new lots, once created, will be deficient with respect to the lot area (min. 40Ha required) and frontage (min. 300m required) performance standards.

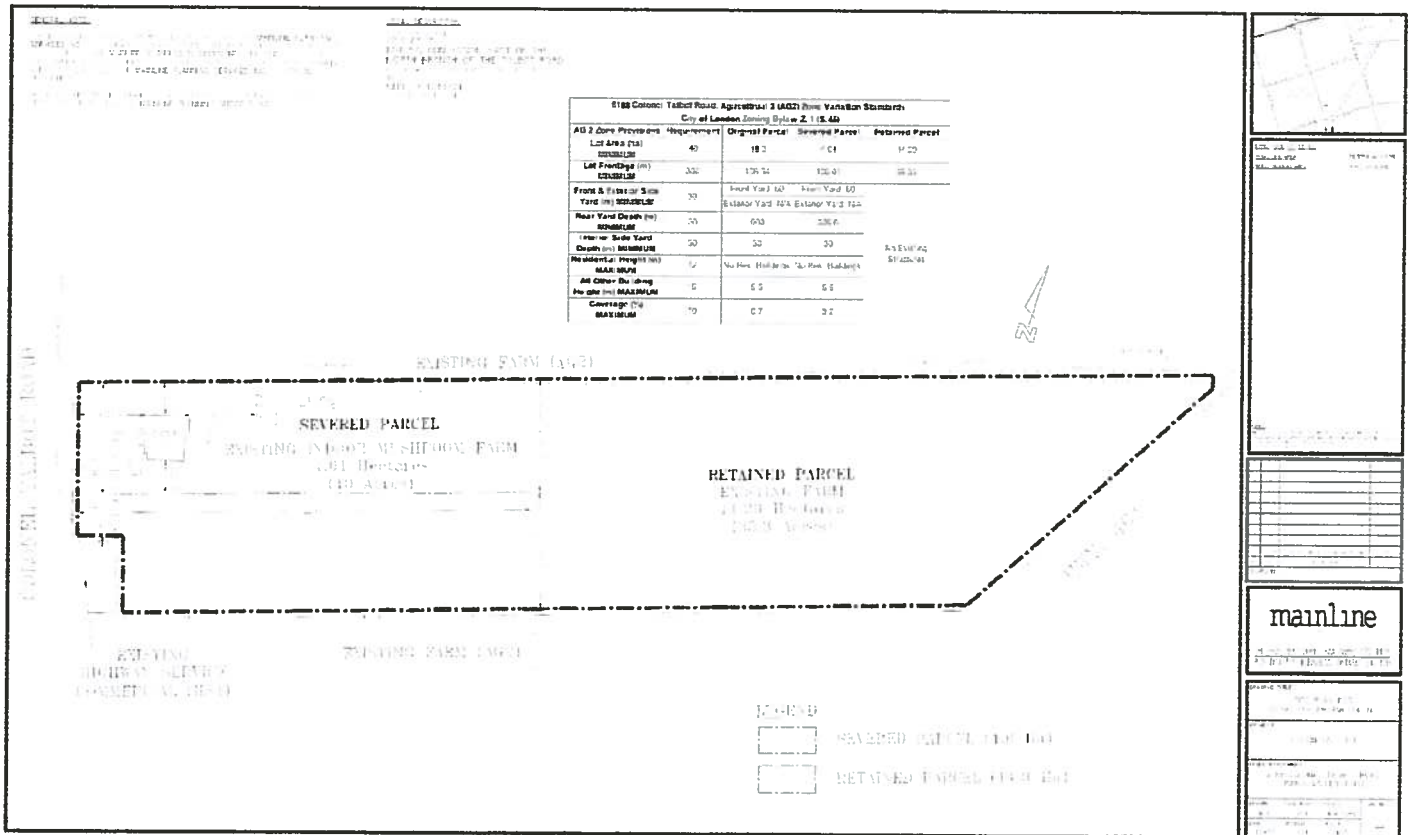


Figure 1: Site Sketch Showing Proposed Land to Be Severed and Land to Be Retained

Why the Severance is Needed?

In the summer of 2016, a portion of the property was leased to a Japanese Company who chose London to locate its North American flagship farm operation designed to provide Maitake mushrooms a headquarters for the production and distribution of Maitake mushrooms. Maitake mushrooms are a rare cash crop that grows naturally in the rugged mountainous terrain of Japan.

The owner of the subject property successfully marketed London as the best location for an innovative Japanese Corporation looking to expand their production of Maitake Mushrooms ('Maitake Farm Operation') for distribution in North America. The Maitake Farm Operation is a sophisticated indoor hydroponic crop growing facility utilizing state of the art technology to duplicate a delicate environment located high in the Japanese mountains where maitake mushrooms thrive. The Maitake Farm Operation is proven to produce this rare and desirable mushroom in quantities that are economically viable and sustainable. The facility is cutting edge non-traditional farming that does not require more than a 4 Ha land parcel to successfully produce an economically viable cash crop.

Recently, financing conditions included a requirement to own the land supporting the Maitake Farm Operation. Lenders are concerned that land ownership is essential to securing the future of the Corporation and its production of mushrooms in London. In order to secure the tenant, the owner was required to deliver a property that is properly zoned to permit the production of Maitake Mushrooms. The City of London was very supportive of this tenant company and the new jobs created as well as their ongoing contribution to the City through property tax as well as supporting local industry through the supply network. The City approved building and occupancy permits and in the Fall of 2016, the Maitake Farm was open for business and producing mushrooms.

The creation of a 4 Ha parcel is needed by both the owner and the tenant to ensure the successful operation of this farm business. Without the severance, the tenant could consider relocation which would cause unnecessary financial hardship on all concerned including the current owner, employees and the City as a viable corporation and contributing ratepayer could be lost.

It is our professional planning opinion that the proposed severance application is desirable to all parties including the purchaser, present owner and the City of London.

- The severance is desirable to the Purchaser as it is needed to secure financing for his farm operation to continue in London.
- The severance is desirable to the Finance Company to justify the release of funding requested by the Maitake Corporation to operate their mushroom farm operation. It was determined that funding will only be provided based on the 4 Ha of land determined viable for the mushroom farm.
- The severance is desirable to the current owner because he cannot otherwise close on the sale of land to the Japanese Company for whom the existing Maitake mushroom facility ("farm operation") was constructed and operational in the Fall of 2016. The delay in closing is not only a financial hardship but a glaring impediment that could affect his business. The successful operation of this farm business is closely monitored by other Japanese companies interested in locating branch companies to London.
- The severance is desirable to the City of London as it will ensure the financial viability of an existing farm corporation established by foreign investment, the successful long-term investment into the City's economy of a company providing new employment and economic benefit to the City's corporate community through both primary and secondary employment as well as other support services. Beyond benefiting the commercial tax base, the Maitake Corporation will bring worldwide interest in its operation and attention to London as a market for additional investment.

The Proposed Severance is Consistent with the Planning Act

It is our professional planning opinion that the Committee's approval of the proposed consent is consistent with Section 53 of the Planning Act and the municipal Official Plan and as such may be considered good planning for the following reasons.

- **A Plan of Subdivision is Not Required**
No new municipal infrastructure, building, or structure is required to facilitate the orderly, independent functioning of each proposed land parcel. Furthermore, there is only one (1) additional lot being created by this application. Therefore, land division by plan of subdivision is not necessary for the proper and orderly development of the parcel pursuant to Section 53(1) of the Planning Act.
- **A Complete Application is Submitted to the Committee**
The prescribed information or material necessary for the Committee's consideration is provided by the applicant pursuant to Section 53(2, 3) of the Planning Act.

The Proposed Severance Conforms to the Relevant Policies in The London Official Plan ('London Plan', 'the OP'):

The London Plan, as approved December 30, 2016, designates the subject property as 'Farmland', as per Map 1 – Place Types of the London Plan. The farmland policies of the London Plan provide the policy framework for evaluating proposed agricultural land severances, to which we provide our comments below.

- **OP Policy Statement:** *"S.1225_ Within the Farmland Place Type, consent to sever will be granted where consistent with the Provincial Policy Statement and only if the use of the land is in conformity with all applicable policies of this Plan, and in accordance with the provisions of the Zoning By-law, and it is clear that a plan of subdivision is not required for the orderly development of the lands. Where a consent contravenes the Zoning By-law, the granting of a consent will be conditional upon the approval of a zoning by-law amendment."*

Planning Opinion:

As discussed in further detail below, this request for consent is consistent with the policies of the Provincial Policy Statement as the proposed lots are appropriate for the type of agricultural uses in the area and are of adequate size to allow flexibility for future changes in the type/size of agricultural operation. Please note that the existing agricultural uses are permitted by the London Plan and the Zoning By-law. Technical amendments to the Zoning By-law concerning the size of the parcels created by the severance application are needed despite the original parcel being legal not conforming to the Bylaw.

- **OP Policy Statement:** *"S. 1226_ Applications for consent [within the Farmland Place Type] will be reviewed for conformity with the following criteria:*

1. *An uneconomical extension of any major municipal service will not be required."*

Planning Opinion:

The application conforms to this criterion. No major municipal service is required by this application for consent.

2. *"Ribbon development of any type along highways or major streets will be prevented. "*

Planning Opinion:

The application conforms to this criterion as the severance will not result in ribbon development.

3. *"As a condition of consent being granted, the applicant shall demonstrate that an adequate supply of potable water that meets the requirements of the Ontario Drinking Water Standards can be provided to the proposed lot(s), and that there will be no impacts on adjacent properties that are serviced by private water wells. The applicant shall also demonstrate that the development of private on-site waste water systems and private stormwater systems on the proposed lot(s) will not have an adverse impact on existing area properties serviced by private water wells. The reporting must meet the requirements of the Ministry of the Environment and Climate Change Procedure D-5 Technical Guidelines for Private Wells: Water Supply Assessment. A peer review by a qualified professional of this report may be required, at the applicant's expense."*

Planning Opinion:

The application conforms to this criterion as the use of land is established and the site was

developed pursuant to City approvals. The building and structures were constructed in accordance with all necessary permissions including a building permit. The city inspected all works including the septic system design and construction and confirmed that an adequate supply of potable water is provided by wells drilled on the property.

4. *"As a condition of consent being granted, soils will be suitable or made suitable to support an individual on-site wastewater treatment system subject to the approval of the authority having jurisdiction. "*

Planning Opinion:

The application conforms to this criterion as noted in our reply to criterion 3 above. For greater clarity, the site has a recently installed individual on-site wastewater treatment system that has been approved by the authority having jurisdiction.

5. *"All parcels must have access to a public street. "*

Planning Opinion:

The application conforms to this criterion. All parcels have access to Colonel Talbot Road.

6. *"The Minimum Distance Separation policies in the Our Tools part of this Plan are complied with. "*

Planning Opinion:

The application conforms to this criterion. The existing uses comply with the MSDS requirements noted in the Official Plan and by the Ministry of Agriculture.

7. *"Both the severed and retained parcels created by the consent would conform with the provisions of the Zoning By-law and are appropriate for the use proposed".*

Planning Opinion:

The application conforms to this criterion as the existing use of land will continue following the severance and therefore will continue to be appropriate for the use of land. The existing agricultural use of land will continue in general conformity to the zoning bylaw. The use of land will simply be split onto two new land parcels. The severed parcel will continue to support an indoor mushroom farm operation while the retained parcel will continue to be farmed for soya beans. Given that the existing parcel size is legal conforming to the requirements of the Zoning By-law the amendment(s) required to support the new parcels are technical and will recognize existing deficiencies in lot size and frontage as per *S.1228* of the London Plan, allowing the existing use of land to continue.

8. *"The proposed consent will not detract from or result in the loss of area of any wetland, woodland, or other environmental feature identified or delineated on Map 5 - Natural Heritage. "*

Planning Opinion:

The application conforms to this criterion. The proposed consent will not detract from or result in the loss of any environmental feature identified or delineated on Map 5 – Natural Heritage.

9. *"Both the severed and retained parcels would conform with the Consent to Sever Lands policies in the Our Tools part of this Plan, where applicable."*

Planning Opinion:

The application conforms to this criterion. The severed and retained parcels conform to the Consent to Sever Lands policies contained in the *Our Tools* section of the Official Plan, as discussed below.

- **OP Policy Statement:** *"S.1699_ When reviewing an application for consent to create a lot(s), the Consent Authority will consider all the policies of the London Plan and the following criteria:*

1. *That any lot(s) to be created would conform to the policies of this Plan, the Zoning By-law, and any applicable area study or guideline document."*

Planning Opinion:

The proposed lots are in conformity with the policies of the Farmland Place Type and are in general conformity to the provisions of the Zoning By-law. A zoning by-law amendment application has been submitted to recognize deficient lot frontage and lot area for the severed and retained lands, as per S.1225_, S.1228_ and S.1698_ of the London Plan.

2. *"That the matters which, according to the Planning Act, are to be regarded in the review of a draft plan of subdivision have been taken into account. "*

Planning Opinion:

A plan of subdivision is not required for the orderly development of this property. A consent to sever is sufficient to create the new lots.

3. *"That the size and shape of any lot(s) to be created would be appropriate for the intended use, and would generally conform with the intent of the policies of this Plan and the Zoning By-law as they pertain to the subject area".*

Planning Opinion:

The size and shape of the proposed lots is appropriate for the intended use of land. The existing use of land will not change with the creation of the lots but will guarantee the economic viability of the mushroom farm. It is important to note that the existing use of land for the mushroom farm and the production of soya bean will continue post-severance. As such, with the necessary site-specific zoning amendments, the intent of the policies of the London Plan and the Zoning By-law will be maintained as they pertain to the subject property and the subject area. We note that the parcels in the vicinity of this property and the subject property itself were subject to historical severances creating primarily residential parcels, some commercial properties and hobby farms of various sizes. These lots are considered legal conforming to the Official Plan and Zoning By-law.

4. *"That the size and shape of any lot(s) to be created is compatible with adjacent development and conforms to any development agreements registered against the title of the subject land".*

Planning Opinion:

The existing parcel is compatible with adjacent development. The proposed severance will simply demise the subject property to recognize the singular ownership of farm enterprises being the existing indoor mushroom farm operation and the existing soya bean crop grown on the retained land. We are not aware of any development agreements registered against the title of the subject land that would preclude the existing agricultural operations or limit their continuation post severance. Please note that land to be severed containing the indoor mushroom farm operation was developed in conformity to approved building permit number 16 049996000 00 AG. No structures exist on the retained land which will continue to be farmed for soya.

5. *"That the creation of any lot(s) would have the effect of infilling an existing developed area where the pattern of land use has been established, and would not have the effect of extending a developed area."*

Planning Opinion:

The proposed lot will create a new agricultural parcel in an established agricultural neighbourhood and will not extend or increase any existing developed area.

6. *"That the proposed lot(s) would front on, or have access to, an existing public street and would not involve the opening or extension of a public street."*

Planning Opinion:

The proposed lots will have direct frontage and access to Colonel Talbot Road.

7. *"That the proposed lot(s) would not unduly reduce the accessibility of abutting lands suitable for development."*

Planning Opinion:

The proposed lots will have no effect on abutting lands.

8. *"That access to the proposed lot(s) would not create traffic problems or hazards and that policies of this Plan regarding street access would be complied with."*

Planning Opinion:

Access to the proposed lots will not create traffic problems or hazards.

9. *"That adequate municipal services and utilities would be available."*

Planning Opinion:

The new parcel containing the indoor mushroom farm operation is an existing farm operation that is privately serviced by well water and a septic bed. Adequate utilities are connected and the farm operation and is operating as intended.

10. *"That any health and safety matters relating to the Building Code are adequately addressed."*

Planning Opinion:

All health and safety matters relating to the Building Code are adequately addressed with respect to the new lot containing the indoor mushroom farm operation. Please consider that the City issued an Occupancy Permit in 2016.

11. *"For a consent application pertaining to lands within the Farmland or Future Growth Place Types, that the lot to be created would conform to the Farmland policies of this Plan."*

Planning Opinion:

The property currently conforms to the Farmland policies of London Plan. The Committee's severance approval will simply sever the property into two lots with no impact on existing farming operations and will allow the corporation that owns the indoor mushroom farm operation to own their property, which is essential to financing their business in London. This administrative measure will provide the capital to maintain their equipment and finance the farm including salaries for their employees. Otherwise, the optics for the Municipality or neighbouring properties will not be affected as the new parcels will remain actively farmed without change in agricultural practice than it does presently as one parcel. In conclusion, post-severance, the farm operations will continue to conform to the City's Farmland policies.

The Severance is in Conformity Zoning Bylaw

The parcel is zoned for 'Agricultural Zone Variation 2 (AG2)' land-uses, as indicated on *Key Map A117 of Schedule A1* of the City of London Zoning By-law.

The subject parcel is approximately 18.3 Ha in area which is less than the minimum area required by the Zoning Bylaw. Nevertheless, the property currently conforms to the By-law as it is considered legal non-conforming. The proposed severance would create an additional 4 Ha parcel ('the Severed Lot') reducing the existing parcel to 14.3 Ha ('the Retained Lot'). The Severed Lot will be sold to the Maitake Corporation (the owner of the existing indoor mushroom farm operation). The remainder of the property will not be sold and the existing owner will continue to farm it for soya beans.

The resulting parcels are in general conformity to the Zoning By-law as the existing use of land is permitted in the AG2 zone variation. Due to the deficient size of the original lot, the resulting parcels will not satisfy the applicable minimum lot frontage and/or lot area standards for the AG2 zone. As such, the creation of new lots in this case will require an amendment to the existing Zoning Bylaw to establish a site-specific exception zone to allow for reduced lot frontage and area requirements for the proposed severed and retained lots.

It is important to consider that despite the deficiencies noted above, the general intent and purpose of the AG2 zone is maintained by this proposal as the use of land remains unchanged and the agricultural function will remain as viable as it is presently. The new parcels will have sufficient frontage on Colonel Talbot Road to provide for safe access and egress and, further, both the retained and severed lands will retain the same area

of land used for the already established and viable agricultural operations that exist presently (i.e. cash crop farming and indoor mushroom growing facility).

It is our professional opinion that the Committee's approval of the proposed consent and Council's approval of the proposed site-specific zoning amendment will create lots that will support agricultural operations that conform to the City of London Official Plan ('OP'), maintain the intent and purpose of the Zoning By-law, and will ensure the economic viability of the Maitake Corporation.

Provincial Policy Statement ('PPS')

The Provincial Policy Statement 2014 ("the PPS") came into effect on April 30, 2014 and requires that all decisions in respect to the exercise of any authority that affects a planning matter is consistent with the PPS. The primary policy direction of the PPS focuses on building strong and economically viable communities, protecting and preserving environmental and economic resources, and protecting human health and safety. Municipal Official Plans must be brought into conformity with the PPS and development decisions by an approval authority must be consistent with PPS policy.

It is our professional planning opinion that the proposed severance is permitted by the PPS under S.2.3.4.1(a), provided that "the lots are of a size appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations". We believe that in this case, a severance permitted by the Committee will result in two new farm parcels that are consistent with the policy objectives of the PPS (2014) and respectfully provide our opinion as follows.

Section 2.3.4.1(a) of the PPS states:

"2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- a) Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural uses(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;"*

Mainline Planning conducted an analysis of aerial photography and City of London parcel data obtained from *City Map* to determine the predominate land-use and existing lot sizes in the area of the subject site.

The study area boundary is noted in Figure 2 and includes 85 land parcels. The study area is bound to the west by the City of London administrative boundary, to the east by Wonderland Road, and to the north and south by Highways 402 and 401, respectively.

Our review of zoning classifications assigned to land parcels within the study area reveals that approximately 70.6% of parcels in the study area (i.e. 60 of 85 parcels) are zoned for agricultural uses and 4.7% of parcels in the study area (i.e. 4 of 85 parcels) are zoned for agricultural related commercial uses (See Table 1). The remaining 24.7% of parcels in the study area (i.e. 21 of 85 parcels) contain non-agricultural land uses as follows: residential (12.9%), light industrial (5.9%), highway service commercial (2.4%), and neighbourhood support uses (3.6%).

Aerial photography of the study area indicates that most of the agriculturally zoned properties are utilized for cash crop farming. There is no evidence indicating that the study area contains substantial livestock operations (i.e. barns, manure stockpiles, lagoons, etc.). With respect to our review of properties that conform to the existing Zoning Bylaw, it appears that **only 5% or 3 of the 60 land parcels used for agriculture meet the minimum area zoning standard of 40 Ha.** Furthermore, it appears that smaller farm parcels are prevalent

Zoning Classification	Count	% of Total Parcels
Residential Zoning	11	12.9
Industrial Zoning	5	5.9
Highway Service Zoning	2	2.4
Open Space Zoning	2	2.4
N. Facility Zoning	1	1.2
Ag Commercial Zoning	4	4.7
Ag Zoning	60	70.6
Total	85	100.0

Ag Parcel Sizes (Ha)	Count	% of Ag Parcels
0-5	21	35.0
5-10	9	15.0
10-15	5	8.3
15-20	8	13.3
20-25	4	6.7
25-30	1	1.7
30-35	4	6.7
35-40	5	8.3
40-45	2	3.3
45-50	1	1.7
Total	60	100.0

in the study area and appropriate for a viable cash crop farm operation. The information in Table 1 reveals that 58% of the 60 farm parcels in the study area (i.e. 35 of 60 existing farm parcels) are 15 Ha or less in area of which 35%, or 21 parcels, are 5 Ha in area or less.

Based on the information provided in Table 1, it is our professional planning opinion that the proposed severance is good planning as the resultant lots are of a size appropriate for the type of agricultural uses common in this area (i.e. cash crops such as mushrooms and soya beans). It appears that all but 3 land parcels in the study area fail to meet the minimum 40 Ha area performance standard in the City's Zoning By-law. In addition, 60% of these parcels are less than 15 Ha in area including 35% that are 5 Ha or less in area. The data in Table 1 supports our planning opinion that a severance of the subject site to create 2 new lots and secure a major farm operation and employer in London is consistent with Provincial Policy. The proposed severance will produce lots that are "sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations" which is proven to be the norm for this agricultural study area.

Given the prevalence of small agriculturally zoned farm parcels, it can be concluded that the "agricultural uses common in the area" consist of already fragmented, small lot, cash crop farming operations. The proposed severance is consistent with these key characteristics and the proposed lot sizes are equal to, or greater than, the size of many existing agricultural parcels in the area. As such, it is evident that the proposed severance will result in lots that can support the common agricultural use in the area, with potential to support operations that are larger in scale than the typical small-scale cash crop farm within the study area. For these reasons, we offer that S.2.3.4.1 (a) of the PPS is satisfied.



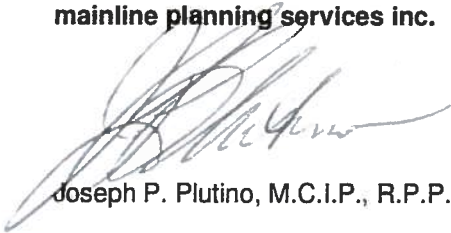
Figure 2: Study Area

In conclusion, we respectfully submit that in our professional opinion the Committee's consent will result in development that satisfies the policies of the Provincial Policy Statement, the in-force Municipal Official Plan and maintains the intent of the Zoning By-law. As such, we offer that the proposed consent represents good planning as the resulting properties will be an appropriate size for the proposed agricultural uses and are consistent with the character of existing agricultural lots in the area.

We trust that our comment is well received and request that staff support our professional planning opinion that the proposed severance is appropriate for the orderly development of land, and consistent with Provincial and the City's policy supporting viable agricultural opportunity. Further, we wish to acknowledge and thank planning staff for their preliminary comments and assistance to ensure our application is complete.

Sincerely,

mainline planning services inc.

A handwritten signature in black ink, appearing to read 'Joseph P. Plutino', written over the printed name below.

Joseph P. Plutino, M.C.I.P., R.P.P.