

April 17, 2018

London City Council  
London City Hall  
300 Dufferin Avenue  
London, Ontario  
N6B 1Z2

**RE: Conservation Master Plan (CMP) - Medway Valley Heritage Forest ESA (South)**

VIA EMAIL: Mayor, Council and Clerk

Dear Council,

My wife and I own our home which is located at 1633 Gloucester Road. We purchased the property 11 years ago.

We both attended the Planning and Environment Committee meeting last night. While we had to leave around 9pm to get back to our children, I understand the meeting went until close to midnight with the committee being split on the vote, sending it to Council for consideration this coming Tuesday.

For those of you who were not in attendance, I can assure you, as will the correspondence on the City's website and the video recording of the meeting, that the overwhelming majority of those members of the public who previously submitted correspondence and those in attendance last night were adamantly against the approval of the CMP.

What astounded my wife and I, along with our neighbours, is that this CMP discussion, study and various meetings have allegedly been progressing for some 5 years, notwithstanding the City's failure to provide adequate notice of this process or to request anyone from our neighbourhood to participate on the "Local Advisory Committee". We only found out about this entire process about a month ago. In that very short period of time, we have tried to educate ourselves on the proposed CMP. This lack of notice and consultation is all in very stark contrast to the premise espoused early on in the CMP which states: "*The CMP process is to be undertaken in two phases, with community engagement and participation being a substantial component of each phase.*"

In discussions with our neighbours over the past few weeks since we learned about this initiative, it became very clear that our entire neighbourhood felt that the CMP as proposed is not something we agree with. As such, I prepared a petition that was explained and circulated to neighbours. Of the 89 homes in our neighbourhood, we were able to reach 59 neighbours, most of whom were present at the committee meeting last night. That petition was before the Planning and Environment Committee last night. None of these neighbours want the CMP approved. The other neighbours were simply not available to be contacted in the short period of time we had to reach everyone. As I understand it, one neighbor is in support of the CMP.

The overwhelming objection to the CMP came from many different perspectives, among others, a few of them are outlined below:

1. **Endangered/unique species preservation: both flora and fauna** – the concern here is that in building new access points, bridges and “hardened trails”, the construction, maintenance and new traffic in the area will lead to a loss of endangered and/or unique species.
2. **Hardened trails and 2 new bridges** – this topic provoked one individual to recite a few verses of the Joni Mitchell “Big Yellow Taxi” song about not knowing what you’ve got till it’s gone and paving paradise. While the report was leaving the so called details to “site specific determination”, since the valley is often prone to flooding, the trails will most likely have to be constructed of asphalt or concrete as all other forms of hardened surface are likely to wash away. Additionally, photos were shown of bridges installed in the valley north of Fanshawe which definitely did not fit with the environment and would have to have very significant spans across the creek to avoid them being washed away during heavy flooding which happens at many times throughout the year, but especially spring and fall.
3. **Protection of an environmentally sensitive area** – several people raised this issue: an ESA requires protection. This is not a park or other recreational place for people to congregate. This is a wilderness, an environmentally sensitive area, that is to be preserved and not to be developed.
4. **Setting Precedent** – if this CMP is approved it sets precedent for development in all ESAs when ESAs are meant to be protected, not developed.
5. **Human intensification of the valley** – the more access to the valley through increased access points, bridges and paved trails, the more human activity there will be in the valley. This will undoubtedly translate to more disruption and degradation to the valley itself. An environmentally sensitive area is not meant to be a site seeing area or recreational area to the public at large unlike a park. Instead, it is meant to be protected.
6. **Failure to provide adequate notice and consultation of the proposed plan** – the City contends that it provided notice on its website and in the Londoner. With respect, neither of these resources are regularly visited by the public. There was no consultation with the neighbours most directly affected. No one from our neighbourhood was made aware of or invited to be on the Local Advisory Committee. In fact, the neighbours were only recently made aware of this CMP initiative by an accidental conversation a few weeks ago with someone who has been involved in the process. Finally, there has been no consultation with indigenous people notwithstanding the disingenuous acknowledgement at the beginning of the CMP which states:

*“This Conservation Master Plan begins by acknowledging that the lands designated the Medway Valley Heritage Forest Environmentally Significant Area (ESA) is on aboriginal land that has been inhabited by Indigenous peoples from the beginning. As settlers, we're grateful for the opportunity to protect the ESA and we thank all the generations of people who have taken care of this land - for thousands of years.*”

*Long before today, there have been aboriginal peoples who have been the stewards of this place. In particular, the traditional territory of the Anishinaabeg, Haudenosaunee, Attawandaron (Neutral), and Wendat peoples is acknowledged.”*

7. **AODA** – my understanding is that among other areas, the CMP calls for a new Level 2 trail to be installed at access points 11 & 12 down to the valley. If anyone has ever walked those areas, they would likely be aware that there is a very significant elevation change (over 100 feet in many areas) between Gloucester Road and many parts of the valley floor. I do not see how the trail could be engineered at the proper slope without having several kilometres of switchback paved trail on the face of the hill leading down to the valley. This would destroy a great deal of forested area and wildlife habitat. It was demonstrated by many professionals that there are numerous exceptions to the AODA legislation that do not require the municipality to make trails accessible. I won't reiterate those here. Additionally, since the slope is so steep, it would be extremely dangerous to expect anyone in a wheel chair or with other disabilities to be able to navigate the proposed trail at these new access points even if the switchback trails were able to be constructed.
8. **Access** – The plan is calling for a new trail along Gloucester Road with two access points, one on Gloucester Road and one on Green Acres Drive. When the neighbourhood was developed in the 1950s the municipality retained access to the valley for the benefit of the neighbours on Gloucester, Ryersie and Green Acres as there was no nearby access. Now there is plenty of public access at Elsie Perrin Williams Estate which can accommodate a lot of parking safely. There is no need to add more and not one person from the public advocated for those access points. Quite the opposite.
9. **Safety and inconvenience** - If people decide to access the valley from Gloucester Road as proposed in the CMP there will be issues of safety for which the City will be held accountable (see liability issue in point #10 below). Gloucester Road is a very narrow road and becomes more narrow in the winter time. It is 23 feet in width at the best of times which doesn't allow much room for the passage of more than two vehicles. There are no sidewalks, gutters or curbs. That is what the neighbourhood wanted as it is a very quiet neighbourhood and the only people in the neighbourhood are its residents and their guests given there is no way out of the neighbourhood except through the entrance. Cars parking on a narrow street to access the valley when there is plenty of parking at Elsie Perrin only a few hundred yards away is an accident waiting to happen. Is the City wanting to deal with the financial and other burdens of more lawsuits?
10. **Liability** – if the City approved the CMP, there have been numerous warnings about liability exposure as there is minimal bylaw enforcement, maintenance is sporadic, and lighting is sparse in some areas and non-existent in most areas. There are other areas of liability that increase with greater traffic in the area including slip and fall claims.
11. **Cost** – the cost of this project was estimated at \$2.1million. I have been involved in numerous commercial construction projects. While that budget number seems extremely light for what is being proposed, there is also the cost of maintaining all of these proposed new access points, trails and bridges annually. There is very little support for the municipality to spend our hard earned tax dollars. My guess is that Councilors voting in favour of this CMP will pay for it at the ballot box in October.

12. **Increased criminal activity** – a professor of criminology spoke last night regarding the propensity for crime in the neighbourhood to increase as these new proposed trails provide a convenient method for criminals to escape from the neighbourhood.
13. **Slippery Slope** – pun intended. A few people raised the issue last night that the CMP is merely a stepping stone to develop the basin of the Medway valley now in order to ultimately make way for a vehicular bridge “linking” Gainsborough Road to Windermere Road. Clearly, this would have much bigger negative consequences for a whole raft of reasons that I sincerely hope we never have to address.

One only has to actually walk the site to appreciate the highly negative impact the CMP would have on the valley and to understand how many of the accessibility issues are not feasible given the terrain and steep slopes that exist throughout the valley.

For many of the reasons stated in prior correspondence to the City, those espoused last night and reiterated above, we adamantly oppose the approval of the CMP. We very much hope that you come to the same conclusion.

Please provide a copy of this correspondence in the formal package to Council at the upcoming meeting.

Sincerely,



Holden Rhodes

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