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October 15, 2012

**PEC Chair and Members
The Corporation of the City of London
P.O. Box 5035
206 Dundas Street
London, Ontario
N6A 4P9**

Re: For the PRC meeting of October 15, 2-12- Planning Division file – O-7609 -- RESPONSE to City's SOUTHWEST AREA PLAN – October 2012 draft -- and in particular the Johnstone lands – 36 has (90 acres) at 284 Exeter Road, west of White Oaks Road, London, Ontario.

Dear PEC Chair and Members:

This is to advise that the Johnstone family, owners of the lands at 284 Exeter Road object to the Southwest Area Plan as documented in the October 2012 version. The reasons are:

1. Approximately 70 acres of the 90 acres are proposed to be designated SIGNIFICANT WOODLAND. The Johnstones' contend that the area of woodlands is between 10 t 20 acres. Some major considerations are as follows.
 - a. The Secondary Plan does not sufficiently take into account the Bradley Avenue extension (proposed across the north end of the subject lands) in that when it was established in 2005 and supported by environmental studies, the wooded areas were not found to be significant.
 - b. Our environmental studies indicate that the proposed route of the Bradley Avenue extension crosses some of the potentially better lands for woodlot significance.
 - c. Environmental impacts of the future divided 4 lane arterial road will likely have a negative effect on the remainder of the wooded lands.
 - d. The existing SWM pond collects the storm water from the sub-watershed area that was to provide water to the woodlands (and wetland) and therefore is likely not sustainable.

2. The Subject Land Status Report – SLSR - completed by Biologics in July, 2011 (and provided to City Staff) for the lands have not been fully taken into account.

3. The specific application of the City's Significant Woodland policies "over-designate" the lands as SIGNIFICANT WOODLOT and therefore the extent of the designation is much larger than it should be.
4. The Secondary Plan showing much of lands being designated as OPEN SPACE and the OPA schedule A – Land Use showing the same lands designated as ENVIRONMENTAL REVIEW is inconsistent and misleading, notwithstanding the proposed policy on page 112 section 20.5.16.4 (ii) – noting that the stated Schedule 3 should be Schedule 4;
5. The information provided in the APPENDIX 2, page 143, for the subject lands as "patch 10094" is incomplete. It should also read ... "*supplemented by land owners SLSR, July 2011*", and appropriate qualification should also be documented on page 134 – the Assessment of Woodland Significance.
6. The OPEN SPACE "corridor" designated at the southerly end of the subject lands, at a minimum width of 60 m is too wide to be accommodated and unnecessary to establish a proper corridor. This stated width on page 55 should read "*... ranging from 5 to 30 m depending on the EIS*".
7. The extension of Breck Ave. from the south and Dowell Drive from the east should be extended onto and across the subject lands to connect with westerly adjacent proposed roadways – thereby providing the necessary base roadway system.
8. Sufficient studies have been done through the Biologic's Subject Land Status Report (SLSR), July 2011, such that Schedule B-1 in the City's Official Plan should designate the area as UNEVALUATED VEGETATION PATCH, and not SIGNIFICANT WOODLAND. This designation would permit the full evaluation of the SLSR by the City and not prejudice the ongoing discussions and negotiations to take place during the approval processes of specific development applications.

Base Conclusion – The Secondary Plan conveys a much different expectation than what may actually occur after further studies have been completed. The extent of the green-coloured OPEN SPACE designation may be much different than what is shown on the Secondary Plan. The ENVIRONMENTAL REVIEW designation provides for further studies and this eventuality. The Secondary Plan should not create expectations which are unrealistic. The Johnstones' appear to have no other choice than to object.

The Johnstones' and their legal counsel – advise that based on the sufficient environmental studies which have been completed, and sufficient actions have been taken with respect to the Bradley Avenue extension are of the opinion that the more appropriate land use designation that should be shown on Schedule A – Land Use of the Official Plan is not ENVIRONMENTAL REVIEW - but rather URBAN RESERVE – COMMUNITY GROWTH or MULTI FAMILY MEDIUM DENSITY RESIDENTIAL and MULTIFAMILY HIGH DENSITY RESIDENTIAL. Appropriate studies

would be carried out to preserve natural heritage significance during the approval processes for zoning and subdivision applications.

Possible Solution –

1. A special policy for the Johnstone lands is required given its size and location. The policy would read as follows:

“On the lands at 284 Exeter Road, currently owned by the Johnstone family, a special policy is provided to apply to the 36 ha, such that unique circumstances are taken into account as part of the SWAP initiative and as part of future specific development applications for subdivision and zoning. The uniqueness is based on its’ large area, potentially significant woodlands, the Bradley Avenue extension traversing the northerly edge of the lands, and the transitional location being between existing industrial to the south and east contrasting with residential to the west and north. The ENVIRONMENTAL REVIEW designation and the UNEVALUATED VEGETATION PATCH designations in the Official Plan, as well as the OPEN SPACE designation in the SWAP will be interpreted from more detailed studies on the natural heritage and other studies carried out as part of the submission and processing of development applications for subdivision and zoning.”

2. Modifying the Secondary plan to reduce the extent of the OPEN SPACE designation ON THE Johnstone lands, and replacing it with more Multi Family Medium Density Residential land use designation.

PLEASE SEE THE EXERPTS of the SWAP on NEXT PAGE TO ILLUSTRATE SOME OF THE REQEUSTED CHANGES.

Thank you for your consideration.

Yours truly,

**Kirkness Consulting Inc.
Urban and Rural Planning**

Per: Laverne Kirkness, BES. RPP. MCIP.

Encl.

cc. Alan Patton

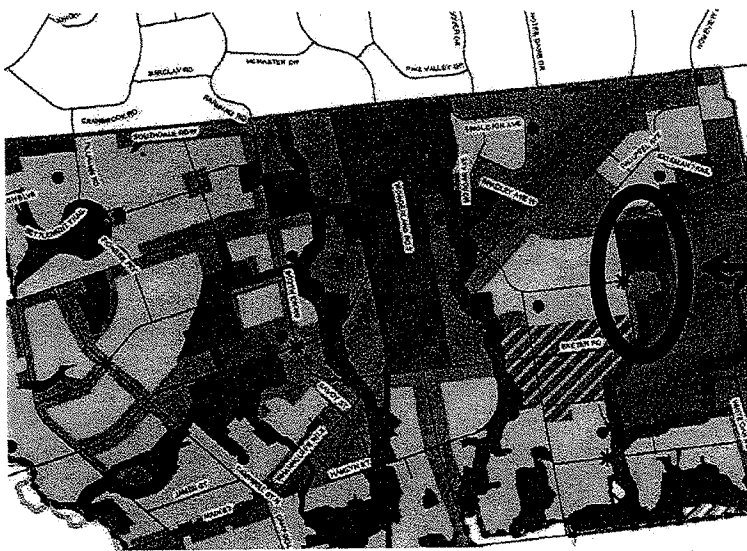
cc. Gregg Barrett, Planning Administrator – Policy

cc. Heather McNeely, Senior Planner - City

cc. Dave Hayman – Biologics

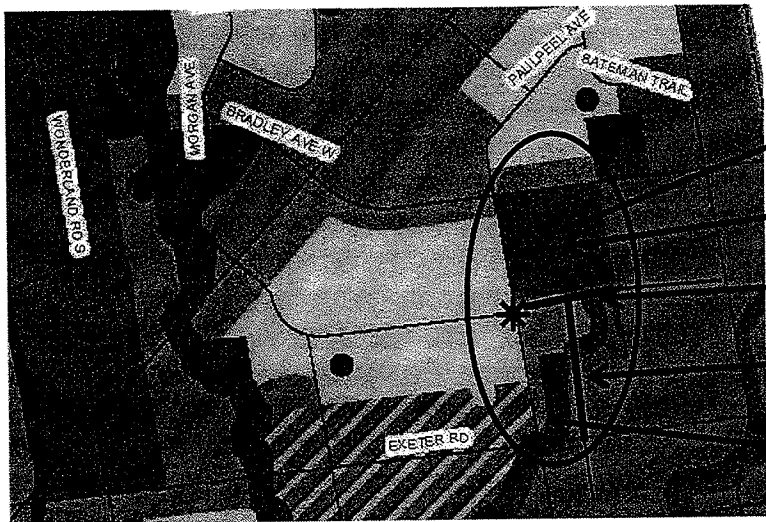
cc. Matt Johnstone

cc. David Johnstone



Future Bradley Avenue extension

Johnstone lands - 36 ha – mostly designated OPEN SPACE on SWAP



- Requested changes to SWAP:**
1. Special policy for the Johnstone lands and denote on SWAP.
 2. Reduce OPEN SPACE and replace with MFMDR
 3. Insert westerly extension of Dowell Drive
 4. Insert Beck Ave. extension from south – northerly into the site
 5. Narrow the OPEN SPACE corridor