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October 12, 2012

VIA EMAIL

Planning Committee
The Corporation of the City of London
City Hall
300 Dufferin Avenue
London, Ontario
N6A 4L9

Attention: Planning Committee Members

Dear Sirs/Madams:

**Re: COMMENTS ON THE LONDON SOUTHWEST AREA PLAN OCTOBER 2012
WESTMINSTER ZONING LAND ASSEMBLY (3226 & 3356 Westminster Drive & 3405
Dingman Drive – 240 Acres)**

Thank you for the opportunity to comment. We appreciate that city is taking steps in moving forward with planning initiatives. We think that the report is colourful and provides a starting point, however, in our analysis, it should be sent back for addressing areas that are incomplete. There needs to be better vision for the infill projects in Brockley area. We would also like to highlight that some issues that adversely impact our land assembly and investments, and such changes have been made without independent expertise or without consultation with us. We think that the plan should provide transparent cost estimates and evaluations, which would allow for better selection of the various options.

Please find attached a map showing our properties. This land assembly is where Sysco wanted to locate in London; however, city was not able to take advantage of this opportunity. We suggest that there are likely other good companies that would like to take advantage of the 401/402 exposure offered by our land assembly. The property is flat and it is located next to the sewers and to the city water. It is zoned in the former township zoning as M1(h) and M2(h) allowing industrial and commercial uses. It has exposure on the 401 and 402 eastbound highways. This is the site that can host a high exposure building or industry to attract jobs and industries and investment to London and could help our tax base without significant costs as an infill project. These are the types of infill opportunities are missed in this plan for Brockley Plan.

The SWAP plan objectives are good. It is the details and implementation strategy that needs to reviewed. How do we compare the options in terms of deliverables especially without costs and benefit analysis? How much industrial space do we need? What is the city strategy for industrial land? Does city want to downzone existing industrial zoned land and only provide land that it owns? Does it want to partner with developers? How much commercial space should be developed? Should we ignore the existing commercial opportunity along 401? Will the increased commercial space adversely impact existing downtown strategy? Do we really think that people prefer to walk 57metres across to access other stores or is it better to have designated mall space where mall owners pay to look after landscaping? We suggest now that the October 2012 SWAP is a draft, and it should be critically evaluated and sent back for enhancements.

We have the utmost respect for most of the planners and sincerely believe that most of the staff are respectful, however, there is one of the planners has made it his mission to attack the zoning on the property. It was purchased as M1(h) and M2(h) properties that would allow us to develop the excellent assembly for commercial and industrial growth. He thinks that zoning it as an urban reserve land is the same. We think that it is reasonable to expect that current planners will respect the vision of former Westminster Township planners for development along 401 in a similar manner that they are developing SWAP. We also expect that when we purchase a property in London it will not be downzoned nor will it have encumbrances without consultation or transparent process. Such has not happened on our properties. This type of attitude turns off potential investors in our city.

We are concerned with schedule 16 page 104 where someone has deemed our assembly to be substantially open space without any report or ground proofing. We find the designated open spaces on our property to be in error or simply wrong. We are respectful of lands and fully support green space adjacent to Dingman Creek for all properties. The property was previously owned by tree cutting company and the trees were removed. A report from a qualified forester shows it to be shrub, not a significant woodlot. No one has been to the site to assess. We do not want farmable or developable land designated without a study. The city planning land grab goes beyond reasonable limits with no transparent evaluation or study. If the city wants to use our lands for parkland or open space, it must not capture the land without compensation. We recommend a study be completed prior to putting so much of our land in this zoning when it is not significant woodlot. If the city wants to purchase it from us under expropriation, we will cooperate. But please do not use the SWAP exercise or the bias of the planners or the potential for removing our industrial land from competition with city zoned industrial lands as the basis for this designation over most of our property. We strongly recommend that such mapping only be placed after a qualified study and we submit such expropriations are not stated in the objectives of SWAP.

Recommendations:

1. We recommend that the report be sent back to allow for infill projects such as ours where we are inside the growth boundary, exposure on 401/402, with access to services immediately adjacent to our land assembly.

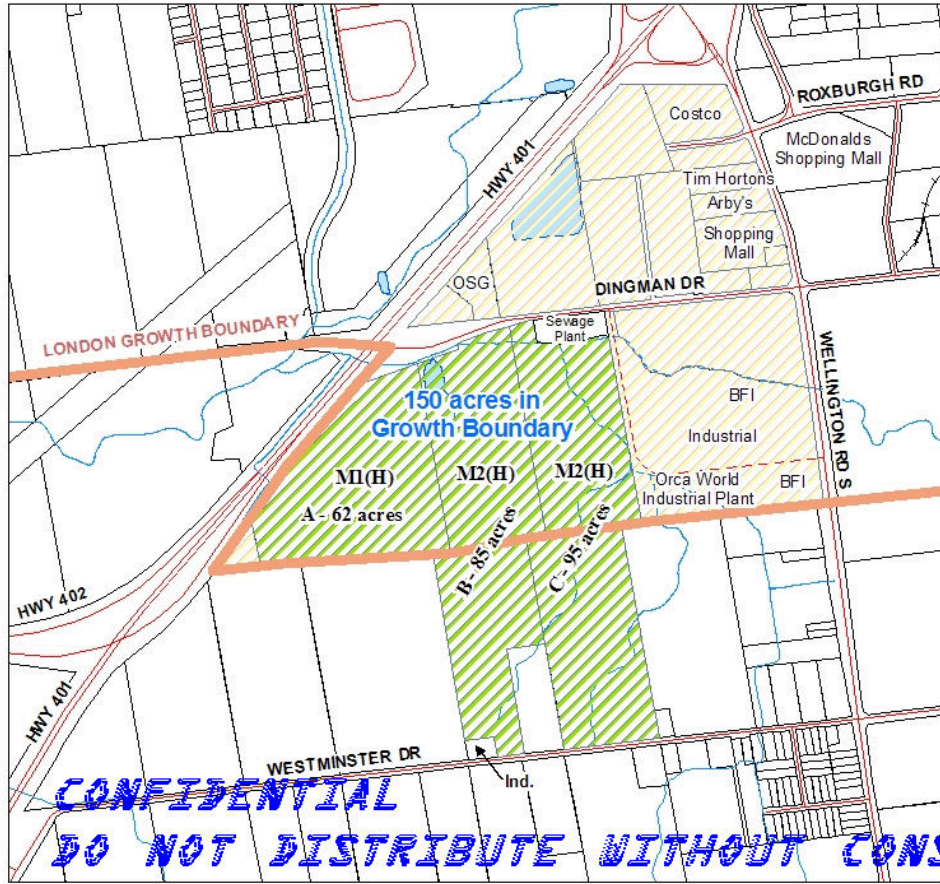
2. We recommend that city clearly communicate its strategy of developing the 401 corridor. This is missed opportunity especially when companies such as Sysco are looking for infill opportunities.
3. We recommend that the vision of former Westminster Township be respected on our land assembly for commercial and industrial development in a similar manner that SWAP should be respected by future planners.
4. In our property, city has placed a large open space without conducting any assessment. We suggest this is expropriation without just cause or compensation. We recommend that city compensate landowners whose lands the city is capturing without assessment for open space. We suggest the report be sent back until this matter is addressed.
5. The plan should provide more detailed need, costs and benefits analysis. We recommend that the financial data for infill projects should also be included in assessment of the plan. Again, this should include compensation for properties where there have been good stewards.
6. We think the Brockely Village Development is an afterthought for this study, in terms of where it stood in the report and for the scheduled public meetings. This area was the heart of London commercial and industrial growth where there was home of the London Knights, Zellers and Superstore Plaza and for those that remember the Treasure Island. Why should we not have development within the growth boundary located right off the major 401 highway on Wellington Road that exists now?
7. We think the report should be deferred until the industrial land development and commercial space strategy is developed. We think that the commercial space should also be reviewed. We also think that the plan does not adequately address the financial costs/benefits and impacts should be sent back for review. For our particular property, we offer 140 acres of industrial space that could be easily an infill project. We are also prepared to offer soccer fields on lands outside the growth boundary.

We would hope that the Planning Committee can improve the SWAP report by also bringing in business and investor perspectives. We can respect the investments and respect the various interests of landowners, residents, developers and investors to improve our community. We strongly urge you to send the report back until issues that we have highlighted are addressed.

Sincerely,

K Patpatia
for Flexion Properties Inc., 1787996 Ontario Inc.& J Manocha

London 401 Development Opportunity



Land Assembly

- 242 acres
- 150 acres inside Growth Boundary
- Zoning allows wide range of uses
- Hwy 401 exposure (700m)
- Access to Dingman Drive and Westminster Drive
- Privately held/owned
- Assembly consists of parcels 'A', 'B' & 'C'

August 2011

