

West Kains Land Corp

#301 - 100 Wellington Street
London, ON N6B 2K6

October 31, 2012

The City of London
300 Dufferin Avenue
London, ON
N6A 4L9

ATTENTION: Ms. Berta Krichker

Dear Ms. Krichker

Re: Tributary 'C'

West Kains Land Corp is providing this letter as confirmation of our outstanding concerns with respect to the current status of the Tributary 'C' Municipal Class Environmental Study Report, Schedule 'C'. It is our understanding that at this time, you wish to file the completion of the document. However, we strongly feel that the EA process is effectively incomplete as there are too many unknowns still remaining.

Firstly, we strongly believe that the functional design needs to be completed prior to the finalization of the EA. Please note that this is not an extra cost for the overall project, as the functional design was always required. We are simply requesting the timing of the functional design be advanced and completed as part of the EA. The primary reason for this is to eliminate the current uncertainty described in the EA document with regard to potential thermal impacts to the Tributary. The current Draft EA document indicates that the exact location and size of SWMF 'A' is unknown, and would only be known after thermal modelling is completed which is a component of the functional design. The functional design should also include clarification of all monitoring requirements including timing and expectations. We would point out that there is no impact to the City's operating budget in carrying out the functional design now since that work is already contemplated in the Development Charges/CSRF program.

Secondly, it is our belief the groundwater recharge contribution area (particularly west of Westdel Bourne) as identified in the Golders report from 1997 is overstated. For all of the lands west of Westdel Bourne (where Tributary 'C' and SWMF 'A' are located), there were only two monitoring wells drilled in an attempt to model the ground water flows. Based on our experience during the construction of our lands immediately north of Tributary 'C', we strongly believe that nearly all of this area groundwater flows to the north and north west – that is to the Thames River, not Tributary 'C' itself. If the groundwater recharge area is overstated, then the recommended size of SWMF 'A' is too large. If we are correct, then the City of London stands to save considerable money related to the land purchase component of the overall costs; the savings here could be substantially higher than the cost of the functional design we are requesting. Additionally, since the city is ultimately responsible for the ongoing

maintenance of all SWMF's, reducing the size of them could have a positive impact on future operating budgets.

Lastly, we are of the opinion that a small parcel of land north of SWMF 'A' between future Kains Road and Ashgrove Court could be utilised to provide a greater measure of safety regarding larger storm events flushing warmer waters directly into Tributary 'C'. An outlet cooling trench which would lengthen the time storm water has to cool prior to discharging to Tributary 'C' during larger rainfall events could provide added security for this unique cold water fishery resource.

We do understand that the request to include the functional design into the EA process is unique, but only because the receiving watercourse has been identified as a cold water fishery, which is unique to London itself. Additionally, without having any certainty in the EA of the final size and location of SWMF 'A', West Kains Land Corp is unable to proceed with any planning applications, The SWMF size and location will impact both future road locations, and lotting patterns.

We trust that this information is sufficient to make the decision to request additional funding at this time to complete the functional design of SWMF 'A' as part of the EA documentation. We kindly ask that you include this formal request for consideration at the Civic Works Committee meeting scheduled for Monday November 12th.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig Linton', written in a cursive style.

Craig Linton
Land Development Project Manager
519-672-4011