

BNEC



Experience. The Difference.™

August 15, 2011

Bud Polhill, Chair  
Built and Natural Heritage Committee  
City of London  
300 Dufferin Avenue  
London, ON N6A 4L9

**Re: Agenda Item 21 - BNEC Committee  
Proposed Permanent SWM Facility - West Side of Wickerson Road  
Part 16, Plan 33R-16471**

---

Sifton Properties Limited is the owner of the above captioned lands on the west side of Wickerson Road, south of Byron Baseline Road.

The Wickerson SWM Class EA has recently been completed, and has identified an existing SWM facility on lands owned by Sifton as the preferred permanent SWM facility.

This EA has been filed, accepted by the Ministry and is in effect. For more than 1 year, Sifton has been working with staff to advance the Development charge claim for land and SWM pond construction. Please see attached a letter dated April 18, 2011 confirming our intent.

In June of this year, we understood from Berta Krichker that in order for the Ministry of the Environment to issue the permanent Certificate of Approval, the SWM lands "must first be acquired from Sifton Properties."

As the staff report has confirmed, the revenue paid to the fund was collected at the traditional value of \$247,100 per Ha. Almost the entire tributary area is now built out.

We wish to clarify one comment in the report:

***"It is the advice of Legal Services that the DC By-law is clear that the value of \$247,100 per hectare apply to lands inside the Urban Growth Boundary. The DC By-Law makes no mention of the value of land outside the Urban Growth Boundary."***

We reference you to section 1.18 in Schedule 7 of the DC bylaw. We note that Section 1.16 of the bylaw speaks to lands INSIDE the UGB. Section 1.18 was specifically developed to address lands OUTSIDE the UGB, as per this example.



Sifton Properties Limited • Seniors' Living • Residential Rentals • New Homes • Neighbourhood Developments • Commercial Leasing

195 Dufferin Ave., Suite 800  
London, ON N6A 1K7

Tel. 519.434.1000  
Fax. 519.434.1009

Sifton.com

**From Schedule 7 of the Bylaw:**

**1.18. Infrastructure Located Outside the Urban Growth Boundary(UGB)**

Storm water management facilities located outside the UGB which service lands inside the UGB are claimable proportionally to the total lands they will ultimately serve inside the UGB. Unless specifically sized and phased as mentioned in the DC Background Study. These claims are set up to the maximum as the same rates as facilities located inside the UGB,

Claims shall not be made for works that provide capacity that is above and beyond growth needs within the UGB.

We draw your attention to the following. "Storm water management facilities ..... are claimable proportionately to the total lands they will ultimately serve inside the UGB.

We also confirm from the staff report "It should be noted that all of the developable lands serviced by the SWM pond are located inside the Urban Growth Boundary."

We conclude that the revenue paid to the City was included in the DC rate, along with the claim criteria in section 1.18.

Finally, we understand realty services have been asked for a value of raw agricultural lands OUTSIDE the UGB. This SWM pond is not comparable to other lands outside the UGB.

Built infrastructure occupying 100 percent of the identified property is clearly not comparable to raw agricultural farmland.

**We ask City Council proceed to purchase the above captioned lands in accordance with section 1.18 of Schedule 7 identified in the DC bylaw.**

Yours truly,  
SIFTON PROPERTIES LIMITED

Phil Masschelein  
Vice President  
Neighbourhood Developments

PM:mg  
Attach.

cc: David Ailles, City of London  
Scott Mathers, City of London



Experience. The Difference.™

COPY

April 18, 2011

City of London  
300 Dufferin Avenue, 9<sup>th</sup> Floor  
London, ON N6A 4L9

**Attention: Ms. B. Krichker, P.Eng., M.Eng., Manager, Stormwater**

Dear Ms. Krichker:

**RE: MOE Certificates of Approval – Wickerson SWM Pond  
Part 16, Plan 33R-16471**

---

Sifton Properties Limited has been working with the City of London to dedicate SWM and associated lands for the SWM Facility on Wickerson Road.

A reference plan describing the limits of the required land that is consistent with the existing temporary Wickerson SWM Facility footprint has been deposited with the Registry Office, identified as Part 16, Plan 33R-16471, a copy of which is attached for your reference. Sifton and the City of London intend to carry out the conveyance and completion of the CSRF claim on or around May 30, 2011.

Yours truly,  
SIFTON PROPERTIES LIMITED

Wayne Reid  
Vice President  
Finance and Administration

I have the authority to bind the Corporation



Sifton Properties Limited • Seniors' Living • Residential Rentals • New Homes • Neighbourhood Developments • Commercial Leasing

195 Dufferin Ave., Suite 800  
London, ON N6A 1K7

Tel. 519.434.1000  
Fax. 519.434.1009

Sifton.com