

Attention: City of London - Planning and Environment Committee
2011 Official Plan Review – Land Needs Background Study

2011 Official Plan Review Opinion

Introduction

We represent the landowners in the WEST TALBOT LANDOWNERS ASSOCIATION, and we are of the opinion that the Land Needs Background Study, though thorough and very comprehensive, overlooked sections of the current Official Plan. To be more specific, section 2.2.1 iii of the Vision Statement states that the Official Plan is to “*protect agricultural lands outside of designated growth areas from incompatible development or activities that detract from the long term viability of farming*” and section 2.2.1 iv states “*to protect and enhance natural features and attributes that are significant to the maintenance of ecosystem health in the Thames River and Kettle Creek watersheds.*” In addition the Land Needs Background Study neglected to take into consideration five Planning Principles as per section 2.3.1 of the current Official Plan.

2.3.1. ii) *Land use planning should promote among land uses in terms of scale, intensity of use and potentially related impacts.*

2.3.1 iii) *Land use planning should be conducive to the maintenance and enhancement of environmental quality and conservation of natural, cultural and built heritage resources*

2.3.1. v) *Planning for urban growth should encourage a compact urban form which is conducive to the maintenance and efficient use of services and facilities and which minimizes the loss of productive farm land*

2.3.1 vi) *An Official Plan should enhance the character of residential areas and direct redevelopment and intensification activities to locations where existing land uses are not adversely affected*

2.3.1 vii) *Land use planning should be closely coordinated with the planning and implementation of infrastructure and transit improvements, to enhance the efficiency and accessibility of all modes of travel in the transportation network, and to provide an appropriate level of service throughout the City of London*

We therefore respectfully request that with regards to these two Vision Statements and five Planning Principles that the Urban Growth Boundary be expanded to include the lands situated South of Southdale Road, West of Colonel Talbot Road North, North of Pack Road and East of Dingman Creek.

Background

There is a portion of Section 2.10. Agricultural Land Farming and the Rural Community which describes our situation; ***“The resulting trend is the consolidation of farms into fewer, larger farms to achieve economies of scale.”*** The location of these lands does not offer us the opportunity to consolidate into a larger farming operation. This option is simply not available to us and therefore the long term viability of farming and utilizing the economies of scale is lost.

“It is important the agricultural industry be allowed the flexibility to adjust to changing conditions, while protecting it from various threats that impede farm operations. These threats to agriculture in the City of London include the increased pressure for non-farm related uses in rural areas which may constrain agricultural practices, fragment land ownership, inflate agricultural land prices and contribute to land use compatibility problems. They also include the potential for a higher incidence of vandalism, illegal dumping, trespassing and non-local traffic that can be associated with the proximity to a large urban area.”

These lands have been enveloped and though not necessarily fragmented, these lands have been isolated by being fronted on three sides by urban development and by a conservation area and creek on the fourth. As a result the ability to run a farming operation has been severely impeded.

Our property values are not competitive. Our proximity to the city has raised the land values making it impossible to sell it for farm land. Also any farmer would face the same difficulties that we are currently facing. Because these lands are outside of the Urban Growth Boundary they are of little to no interest of a developer. In short if we wanted to sell we couldn't.

Trespassing is rapidly increasing due to the urban development of the area. City of London residents are using the wooded area and trails located on our properties for their recreational use. These activities include the use of ATV's, Dirt Bikes, snowmobiles, off leash dog walking, paint balling and the discharge of firearms. We have posted numerous No Trespassing signs however they are destroyed soon after they are posted.

Illegal dumping of garbage on these properties is a going concern.

The incompatibility with the surrounding urban development has resulted in a serious erosion problem through our land and wooded area causing the loss and uprooting of trees (photographs available). This erosion is a direct result of runoff from the urban development to the north of these properties.

One landowner has had issues with their insurance company in relation to the volume of traffic and horses in pasture. The insurance company did not want the liability of a horse getting loose and causing an accident on Colonel Talbot Road North so were very hesitant to continue to insure the property.

“The implications of land use change for agriculture and the potential impacts of agricultural operations on non-farm land uses will be fully considered. “

In this situation the reverse needs to be considered and that is the implications and impact of non-farm land uses on agriculture.

These properties are in a unique situation in that they are currently fronted on two sides by urban development (north and east), by Urban Reserve on the south and have a conservation area, that is part of the Upper Thames River Conservation Authority, and the natural barrier of Dingman Creek on the west side of these lands. It is our opinion that the impact of urban development on agricultural operations has not been fully considered during the review of the Official Plan.

Section 2.2.1 iii of the Official Plan states ***“Protect agricultural lands outside of designated growth areas from incompatible development or activities that detract from the long-term viability of farming.”***

This vision is not being realized. The urban development around these properties is adversely affecting the long-term viability of farming these lands. We are no longer able to farm these lands with the same intensity as we did in the past. The surrounding incompatible urban development has detracted from our ability to earn a living by farming.

2.2.1 iv) ***“To protect and enhance natural features and attributes that are significant to the maintenance of ecosystem health.”***

The inclusion of these lands will play a significant role with regards to the Cities environmental protection of the Dingman Creek watershed and ecosystem. In fact 40% of these lands are wood lots and either abut or incorporate the Dingman Creek watershed and ecosystem.

2.3.1.ii) ***“Land use planning should promote among land uses in terms of scale, intensity of use and potentially related impacts.”***

The Dingman Creek watershed and the Upper Thames Conservation Authority property will provide a natural buffer and boundary between urban and rural thereby, maintaining a comfortable distance between urban development and agriculture use.

2.3.1 iii) ***“Land use planning should be conducive to the maintenance and enhancement of environmental quality and conservation of natural, cultural and built heritage resources”***

We have attended the meetings for the South West Area Plan and during these meetings it was made clear that green space is an essential need for the area. These properties offer a large acreage of wood lot bordering Dingman Creek and the Upper Thames Conservation Authority property and this natural area would provide valuable green space which was identified by the residents of London as a necessity in the development of the area.

2.3.1.v) ***“Planning for urban growth should encourage a compact urban form which is conducive to the maintenance and efficient use of services and facilities and which minimizes the loss of productive farm land”***

These properties are no longer productive as farm land. Lands that we use to rent in the past, to take advantage of the economies of scale, are no longer available for our use as they have been consumed by urban development.

2.3.1 vi) ***“An Official Plan should enhance the character of residential areas and direct redevelopment and intensification activities to locations where existing land uses are not adversely affected”***

This guideline is not being satisfied in this instance as the urban and commercial growth to the east and north of our properties has adversely affected our ability to farm the land. This impact has escalated over the past few years as the urban and commercial development has expanded and thus will continue to impact us in a negative way as the area continues to grow.

2.3.1 vii) ***“Land use planning should be closely coordinated with the planning and implementation of infrastructure and transit improvements, to enhance the efficiency and accessibility of all modes of travel in the transportation network, and to provide an appropriate level of service throughout the City of London”***

In recent years as the urban and commercial land development has expanded into the area, the traffic volume on Colonel Talbot Road North has increased significantly. The inclusion of these lands within the Urban Growth Boundary would benefit the planned community in the south west area regarding the proposed future arterial road corridor from Boler Road through to Colonel Talbot Road North.

Closing Remarks:

We are of the opinion that the Land Needs Background Study failed to;

1. Investigate those lands that are unique and that are currently being adversely affected by the current proximity of urban development and agricultural use.
2. Respect the Vision and Principles as stated in the Official Plan
3. Take into consideration the significance these lands can play in fulfilling the vision of the South West Area Community.
4. Take into consideration the need for future transportation routes in this area.
5. Take into consideration the need for future waste management needs in this area.

The City of London has taken great care to outline official policies that respect and promote the healthy development of both urban and rural areas. It is now the responsibility of City officials to ensure that their policies are being effectively implemented.

We therefore respectfully offer the opinion that even though the report concludes that there is no justification to amend the City's Urban Growth Boundary, that there is sufficient justification to include these properties within the Urban Growth Boundary. And we recommend that consideration be given to continuing the Urban Growth Boundary north from where it currently intersects Pack Road and to continue the Urban Growth Boundary by following Dingman Creek north to where Dingman Creek meets Southdale Road.

We are making this request based on the section 2.6.8 of the current Official Plan, Identification of Growth Areas:

- ii) *Proposed expansion areas represent a logical extension of the urban area having regards to the principle of maintaining a compact urban form;*
- iv) *Growth will be directed to areas that can be appropriately integrated with existing or planned communities;*
- v) *Growth will be allocated to areas that can be adequately integrated with and accessed from the network of existing and planned arterial roads and are suitable for the provision of transit services.*
- vi) *Council will consider alternatives for the direction and sequencing of growth having regard for the effects on natural features and ecological functions and agriculture.*
- viii) *Expansion to the Urban Growth Area onto prime agricultural lands will only be considered where there are no reasonable alternatives which avoid agricultural areas or which would be accommodated on lower priority agricultural lands;*
- x) *Impacts from new or expanding Urban Growth Areas on agricultural operations which are adjacent to the Urban Growth Area shall be mitigated to the extent feasible.*

The proposed expansion is a logical extension of the urban area and will compliment the South West Area Development Plan. In addition it will provide the opportunity for the building of the arterial road extension to relax the traffic congestion.

The inclusion of these wood lots and Dingman Creek watershed and ecosystem would greatly enhance the efforts to protect our natural heritage.

It is too late to protect these agricultural lands from incompatible urban development or activities. Simply stated the urban and commercial development in this area has had a significant effect on our

current ability to farm these lands and will continue to detract from the long term viability of farming these lands.

There are no reasonable alternatives to consider other than including these lands within the Urban Growth Boundary.

We therefore ask that our request be mitigated to the fullest extent feasible.

Respectfully

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