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February 23, 2022

County of Middlesex
399 Ridout Street North
London, Ontario N6A 2P1

Re; 22447 Komoka Road
Attn: Marion Cabral, Planner

Dear Ms. Cabral;

Following the Council meeting on January 12, 2022, I have taken the time to review the comments that came up at that meeting as well as past meetings with respect to Mr. Powell's Property located at 22447 Komoka Road. My review will focus on a couple of points that have caused several deferrals.

Mr. Graham, represented by the firm of Zelinka Priamo, made a planning submission during the January 12th meeting that related to the findings in the Watson report that was commissioned by the municipality to assist in the official plan review. Mr. Graham's consultants implied that Mr. Powell's lands were outside the growth boundary, when in fact they are inside the growth boundary. This would appear to be another attempt to try and derail the current application, by Mr. Powell before Council.

The Watson Report (draft October 25, 2021) did calculate the expected yield of residential units (all types) expected in lands within the growth area, which once again Mr. Powell's subject lands are within this growth area. The only thing that the Watson Report did not reference was, the yield of the subject lands themselves, which has been identified in the current application before council. Their inclusion would simply reinforce the recommendation that land is not needed to be added to the Growth area. The exclusion of the subject lands does not detract from the planning merits of these applications.

There were other comments made with respect to the current zoning of Mr. Powell's land as to being A2 – Agricultural. To be clear, the zoning of A2-Agricultural was used as a zoning holding provision. Since the lands have been reclaimed from a previous aggregate extraction site, they have zero agricultural capability. Being in the growth area the expectation would be that they would be rezoned to their future urban use, in this case multi-family residential as per OPA- 46 and Zoning amendment ZBA-20-2019. The Current Official Plan does not designate the lands as Agricultural but rather Parks and Open Space, of which the municipality has not expressed a want or need for this designation.

Since my involvement as planner and consultant for Mr. Powell, I am witness to and believe to understand the reason for several deferrals. They are as follows:

- I am advised by others of the changes to the pond. Mr. Graham has continually mis stated facts about planning and a berm that he built on Mr. Powell's property. The original intent was to block out any views that Mr. Graham felt unacceptable. Mr. Powell agreed to let him build this berm, however Mr. Graham intentionally built a dam instead, that caused significant ground water changes and problems in the area. He was then told in collaboration with the Upper Thames that he had to remove the dam and open it back up. At the January 12, 2022, council meeting, Mr. Graham once again mis stated and over embellished and incorrectly described the berm /dam and what had happened. This caused Council to pause with major concern, and ultimately question their own staff's report which recommended approval of Mr. Powell application. Ms. Rebecca walker of LDS Consulting has been involved with this project from its inception. She has provided a summary and response to this misinformation (Copy attached).
- Secondly, the existing pond that is on Mr. Powell's property has been the subject of several studies and discussions with municipal staff with it possibly functioning as a regional stormwater facility for the municipality. The municipality commissioned Stantec to study this and it is their finding at present that they would recommend that the municipality have the option to convert the existing pond to a storm water management facility. This pond, owned by Mr. Powell, can be made available to the municipality and should not be interfering, deferring or delaying the application any more than it already has. The pond and the proposed buildings can co-exist without problems, as LDS and municipal engineering staff have recognized. The future of the pond and the planning applications should not be conjoined.

My client has suffered lengthy delays over the past few years. Without complaining and being respectful of the process. We feel that we are at a point where there has been enough information and new current information submitted to Mr. Rob Cascaden, that can in turn be shared with Council, to help them make an informed decision. We are hopeful of two things, one that we can be aligned with Council as we feel this decision will be appealed by the neighbor and two that you can bring this before council as soon as possible, so that my client doesn't have to appeal the deferral.

Regards
Knutson Development Consultants Inc.


Ric Knutson
President

Cc email: client
Municipality Attn: James Hutson (with attachments)

Attachments:
LDS letter dated February 11, 2022 and Stantec report.