

Agenda Including Addeds

Environmental and Ecological Planning Advisory Committee

The 3rd Meeting of the Environmental and Ecological Planning Advisory Committee

April 15, 2021, 5:00 PM

2021 Meeting - Virtual Meeting during the COVID-19 Emergency

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Environmental and Ecological Planning Advisory Committee

Report

The 2nd Meeting of the Environmental and Ecological Planning Advisory Committee
March 18, 2021
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: S. Levin (Chair), L. Banks, A. Bilson Darko, A. Boyer, S. Esan, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, B. Krichker, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau, M. Wallace and I. Whiteside and H. Lysynski (Committee Clerk)

ABSENT: E. Arellano, I. Arturo, A. Cleaver, J. Khan and I. Mohamed.

ALSO PRESENT: G. Barrett, C. Creighton, M. Fabro, J. MacKay, L.McDougall, M. McKillop, K. Oudekerk, B. Page, C. Saunders and E. Williamson

The meeting was called to order at 5:02 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that M. Wallace disclosed a pecuniary interest in clauses 4.2 and 5.1, having to do with the properties located at 1934 Commissioners Road East and 3095 and 3105 Bostwick Road, by indicating that the proponents of the above-noted applications are members of the London Development Institute, his employer.

2. Scheduled Items

2.1 Wastewater Treatment Operations Master Plan; Biosolids Management Master Plan; Greenway WWTP Flood Protection; Adelaide WWTP Flood Protection

That, the following actions be taken with respect to the Wastewater Treatment Operations Master Plan; Biosolids Management Master Plan; Greenway WWTP Flood Protection; Adelaide WWTP Flood Protection:

- a) the presentation appended to the agenda by Marcy McKillop, Environmental Services Engineer, BE RECEIVED for information;
- b) the Notice of Study Commencement and Public Information Centre for the Wastewater Treatment Operations Master Plan, BE RECEIVED for information; and,
- c) the Notice of Study Commencement for the Biosolids Management Master Plan, BE RECEIVED for information.

3. Consent

3.1 1st Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 1st Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on February 18, 2020, was received.

3.2 Notice of Public Meeting - 3080 Bostwick Road

That it BE NOTED that the Notice of Planning Application, dated March 11, 2021, from L. Mottram, Senior Planner, with respect to a Draft Plan of Subdivision and Zoning By-law Amendment related to the property located at 3080 Bostwick Road, was received

3.3 Notice of Revised Application and Public Meeting - 1153-1155 Dundas Street

That it BE NOTED that the Notice of Planning Application, dated March 11, 2021, from L. Davies Snyder, Urban Regeneration Planner II, with respect to an Official Plan and Zoning By-law Amendment related to the properties located at 1153-1155 Dundas Street, was received

4. Sub-Committees and Working Groups

4.1 14 Gideon Drive and 2012 Oxford Street West

That the 14 Gideon Drive and 2012 Oxford Street West Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for consideration.

4.2 Victoria on the River, Phase 6 - 1934 Commissioners Road East

That the Victoria on the River, Phase 6 (1934 Commissioners Road East) Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for consideration.

4.3 435-451 Ridout Street

That the 435-451 Ridout Street Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for consideration.

4.4 A Wetland Conservation Strategy for London: A Discussion Paper on Best Practices

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion on the Wetland Conservation Strategy Discussion Paper and Lessons Learned.

4.5 Kelly Stanton ESA Ecological Restoration Plan

That, the following actions be taken with respect to the Kelly Stanton Environmentally Significant Area Ecological Restoration Plan Working Group comments:

a) the Civic Administration BE ADVISED that the Environmental and Ecological Planning Advisory Committee (EEPAC) commends both the City of London and the report authors for their liaising with and involvement of local naturalists in the initial field work and community groups as part of follow-up plans; and,

b) the Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for consideration.

5. Items for Discussion

5.1 Notice of Application - 3095 and 3105 Bostwick Road

That a Working Group BE ESTABLISHED consisting of R. Trudeau (lead), L. Banks and S. Levin, with respect to the properties located at 3095 and 3105 Bostwick Road; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received a Notice of Draft Plan of Subdivision Official Plan and Zoning By-law Amendment dated March 10, 2021 from M. Corby, Senior Planner and the associated Environmental Impact Study.

5.2 2021 Work Plan

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee 2021 Work Plan, as of March 18, 2021, was received.

5.3 Medway Valley CMP Phase 2 Mapping

That the Civic Administration BE ADVISED that the Environmental and Ecological Planning Advisory Committee is supportive of the attached, revised, Medway Valley Conservation Master Plan Phase 2 mapping.

5.4 Nature is Reeling Article

That it BE NOTED that a TVOntario article entitled "Nature is Reeling" was received for information.

6. Adjournment

The meeting adjourned at 7:18 PM.



London
CANADA

P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

March 24, 2021

G. Kotsifas
Managing Director, Development and Compliance Services and Chief Building Official

I hereby certify that the Municipal Council, at its meeting held on March 23, 2021 resolved:

That the following actions be taken with respect to the 1st Report of the Environmental and Ecological Planning Advisory Committee (EEPAC), from its meeting held on February 18, 2021:

- a) the above-noted report BE RECEIVED; it being noted that the Planning and Environment Committee received a delegation from S. Levin, Chair of EEPAC, regarding this matter; and,
- b) the Civic Administration BE REQUESTED to report back on the lessons learned from the relocation of the Wetland at 905 Sarnia Road; it being noted that the Planning and Environment Committee received the document entitled "Compensation Wetland Monitoring - 905 Sarnia Road". (3.1/4/PEC)

C. Saunders
City Clerk
/ap

cc: P. Yeoman, Director, Development Services
J. MacKay, Ecologist, Development Services – Subdivisions
S. Langill, Executive Assistant to the City Planner, City Planning
Chair and Members, Environmental and Ecological Planning Advisory Committee

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3095 Bostwick Rd, Part Lot 76, London, ON
Review of EIS prepared by MTE for Southside Group
Reviewers: L. Banks, S. Levin, R. Trudeau, I. Whiteside

A. Piecemeal Approach

The entire property in question is referred to as the Legal Parcel (dotted line). An EIS Scoping Meeting was held on April 6, 2020 with respect to the Legal Parcel. The proponent has proposed the severance of 11.8 ha (solid line) from the Legal Parcel and refers to it in the report as the Subject Lands.

Piecemealing is a land use development approach that EEPAC does not support. Severance of the centre of the Legal Parcel must not preclude the review of impacts on the adjacent land. For example, the report did not identify any significant areas of concern from a hydrogeological perspective. The boundary of the Subject Lands may be >90 m from wetland features (b & c) that comprise units of North Talbot Wetland PSW, but the report does not suggest where the water comes from that feeds the PSW.



B. The Small Wetland Feature

The report states that the Subject Land development will avoid the natural heritage features identified for consideration in the Scoping Meeting for the Legal Parcel. The Submerged Shallow Aquatic Ecosite (SAS1), identified as inclusion 'd' on the above map, cannot be ignored.

Quoting from the Southdale Road West Improvements - Pine Valley to Colonial Talbot Road - EIS, August 2018:

“Vegetation will be removed to accommodate the widening of Southdale and Bostwick Road. This includes the removal of 0.03 ha of wetland habitat along Southdale Road. Details will be determined during detailed design phase.

This work will be completed in three phases:

Phase 1- Bostwick to Pine Valley 2022.

Phase 2 - Colonial Talbot Intersection 2024.

Phase 3 - Colonial Talbot Road to Bostwick 2031.

The wetland will be impacted in 2031 but not removed. Southside Group, The City and the owner of 735 Southdale Road must coordinate the fate of this small wetland feature. It is a good candidate for relocation. Selecting a location near the dug pond (inclusion 'a') might ensure a connection to the PSW, a minimally stressful wildlife transfer and a connection to the potential significant woodland (label 1 in the above map). However, it is premature to determine a location until additional field work is completed on the feature and on the Legal Parcel.

C. Incomplete Report - This EIS should not be accepted by Development Services

MTE surveyed the Legal Parcel in 2018. Where is the summary of Field work and Field dates? Amphibian Call Surveys, Breeding Bird Surveys, Species At Risk Assessment are missing from this EIS and could help to assess impacts and guide mitigation.

AECOM biologists, working on the Southdale Road widening EIS, set up species specific survey stations along the north perimeter of the Subject Land in June/July 2018. Both Bobolink (THR) and Eastern Meadowlark (THR) were identified during the surveys as well as other SAR species.

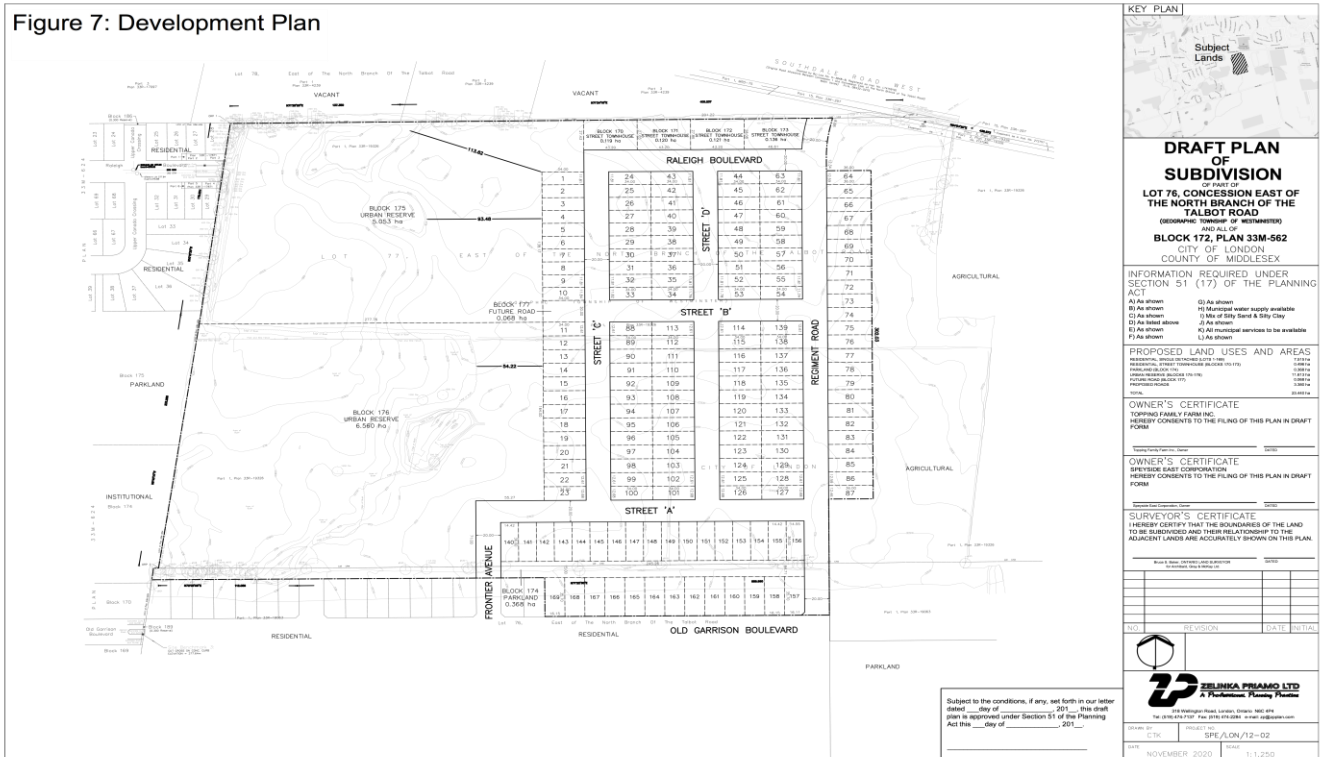
The Subject Lands were converted to row crop production in 2019 which provides an exemption to the ESA (2007). However, Eastern Meadowlark breed primarily in pastures and hayfields but are also found in weedy borders of croplands, roadsides, alfalfa fields and other open areas. The adjacent lands need to be considered and therefore wildlife surveys, impact assessment and mitigation measures must be included in this EIS. EEPAC reiterates that the City must begin to find lands to compensate for the loss of habitat for Eastern Meadowlark and Bobolink in the SW Area.

D. Presupposing Road Construction

The Development Plan overlay illustrates access to the subdivision from the south end with connections between Frontier Ave and Pack Road and Regiment Road and Pack Road. At the north

end, the overlay presupposes where the road will go west, with an eventual connection to Raleigh Blvd in the North Talbot Subdivision. This is not appropriate land use planning. There are wetland features west of the Subject Lands that are connected to the North Talbot PSW. Decisions concerning these wetland features have not been made yet.

Figure 7: Development Plan



E. Hydrogeological Study

Water Source for PSW

The report established that drainage patterns on the site suggest there is no flow from the Site to the PSW or to the woodlot. However, the report did not establish how the PSW or the woodlot are fed, whether it be surface water flows from another adjacent site or groundwater flows from surficial aquifers; indeed, it remains a possibility that the PSW's water balance could be maintained via indirect flows from the Site itself. We recommend a water balance assessment for the PSW itself to ensure that the proposed development does not impact the water quality or water quantity flowing into/out of the PSW. If this water balance assessment indicates any connection to the site, additional water quality protections measures may be necessary to ensure the ecological function of the PSW (i.e. limitations on salt and fertilizers).

Water Balance Assessment

The report identifies that both run-off and infiltration can be maintained at close to pre-development conditions if mitigation measures are put in place - these mitigation measures include rear yard swales, added topsoil thicknesses in landscaped areas, and, a bioretention facility within the Park block. However, none of these LID measures are currently included in the preliminary development plan for this Site. We recommend that these be added to the site design to demonstrate the feasibility of the proposed LID measures (i.e. confirmation that the proposed LID measures can actually be incorporated into the site design). Secondly, given that some of these LID measures will be placed on private property, the eventual home owners may lack expertise or wherewithal to properly maintain the LID measures. Thus, we recommend that the proposed LID system(s) necessary to achieve the minimum 80% target should be placed on public property, as the eventual homeowner may lack the desire or skill in maintain the LID measures and run-off may consequently increase over time as the efficacy of the LID measures wane.

A Contradiction in Surface Water Flow

The topography of the Legal Parcel is relatively flat, slopping downwards gently towards the southeast. Flow patterns in Areas A, C, D and E on the map below contradict this statement. Site topography indicate that there is no flow from the Subject Lands to the PSW. However, flow direction in areas A and C might suggest otherwise. What about Area B, where small wetland features are located? Why are flow direction arrows missing?



Recommendation 1 - Develop a wetland relocation plan for the Submerged Shallow Aquatic Ecosite on the Northeast corner of the Subject land. The City should take the lead on this now.

Recommendation 2 - Provide a summary of Field work and Field dates and Scoping Meeting notes before accepting this EIS as complete.

Recommendation 3 - Recommend a water balance assessment to ensure that the proposed development does not impact the wetland features on the Legal Parcel which appear to be part of the North Talbot PSW.

Recommendation 4 - Recommend LID measures mentioned above be added to the site design to demonstrate the feasibility of the proposed LID measures (i.e. confirmation that the proposed LID measures can actually be incorporated into the site design).

Recommendation 5 - The LID systems should be placed on public land.

Recommendation 6 - Place a holding provision on zoning until a Stormwater Management Plan has been developed.

Hi Heather,

I would like to request to add an item for discussion to the agenda for the next EEPAC meeting. I already ran this by the chair for permission.

I would like to ask city staff for an update about the draft secondary plan for the Byron Gravel Pits development. Specifically, I am concerned about ongoing slope rehabilitation work interfering with the breeding success of the large colony of bank swallows that will return to the site this spring. It would be good to touch base with staff to find out what kind of compensation or mitigation they have in mind for conserving this critical breeding habitat, especially considering that the Ministry of Environment, Conservation and Parks has indicated that protections for habitat under the Endangered Species Act apply in this case.

Thank you,

Brendon Samuels
Member, EEPAC
PhD Candidate, Department of Biology
The Advanced Facility for Avian Research
The University of Western Ontario

Byron Gravel pit - Bank Swallows

Prepared by Dr. Leanne Grieves and Brendon Samuels, EEPAC

Executive Summary

Bank swallows have declined by 93% within Ontario over the past 40 years, with an estimated population size of just 409,000 remaining individuals. In June 2020 a large and thriving breeding colony of bank swallows was identified at the Byron gravel pit in London West. Bank swallow colonies range from 10 to 2,000 nests, making the Byron pit colony – with 1,913 counted burrows as of June 9, 2020 – one of the largest in Ontario. Despite the protected status of bank swallows and their habitat under the Endangered Species Act (ESA), enforced by the Ministry of Environment, Conservation and Parks (MECP), the Byron gravel pit is being developed under mixed ownership into housing complexes and an outdoor recreation area. The development is further complicated by regulations under Aggregate Resources Act (ARA), enforced by the Ministry of Natural Resources and Forestry (MNR), that requires six aggregate license holders to “rehabilitate” the pit before development can proceed. This “rehabilitation” and the location of planned housing will destroy the cliff face and critical bank swallow nesting habitat along with it.

The City of London has not yet approved final plans for development, but site preparations have already begun. As of March 7 2021, fill is being dumped within the immediate vicinity of bank swallow nesting habitat. In June 2020, the MECP reached out to the developer to ensure best practices were being followed. Bank swallows are expected to return to their breeding site by mid-April 2021, so it is imperative to ensure that the developers continue to uphold their legal obligations under the ESA and the Species At Risk Act (SARA). Currently, it is unclear how conflicting legal obligations under the ARA and ESA will intersect, but the ARA has historically trumped the ESA.

We are requesting that City of London staff 1) provide an update on the status of the draft secondary plan for the Byron gravel pit development and 2) participate in a meeting with the developers, aggregate license holders, MECP, MNR and representatives from the Byron pit EEPAC working group to discuss plans for mitigating harm to this exceptional colony of Species at Risk.



Figure 1. Left panel: The Byron gravel pit site with location and extent of active bank swallow nests (as of August 2020) highlighted as yellow stars. Right panel: Land-use concept from draft secondary plan for the proposed development at the Byron gravel pit site. Note that the proposed housing and road along the north portion of the site would result in the destruction of the threatened bank swallow habitat.

Questions for City staff:

1. Who among City staff is responsible for overseeing the Byron gravel pit file? Is it still Bruce Page?
2. What is the current status of the draft secondary plan for the Byron pit development?
3. When is the next opportunity for public consultation about the plan?
4. What is the City's knowledge of ongoing work to deliver fill to the site, and how does this intersect with requirements under provincial regulations? (e.g., the Aggregate Resources Act, MNRF)
5. What plans are in place to ensure ongoing work at the site (i.e., dumping fill) will minimize disturbance to breeding bank swallows, per the Endangered Species Act and Migratory Bird Convention Act?
6. What compensation or mitigation is proposed for the breeding colony of bank swallows?
7. Can City staff, the developer(s), provincial ministry representatives and community representatives (e.g. EEPAC) arrange a meeting to discuss plans for the site, with a goal of ensuring suitable protection of and mitigation for the bank swallow colony and its critical breeding habitat.

City of London ESA Management

Since March 2020 we have continued to operate within the management framework, under the contract agreement with the City of London. However it was not without significant changes to daily operations and how we actually perform the duties/tasks. In 2020 we witnessed a major increase in use of the ESA's, with people wanting to get outside for recreation or simply to connect with others. With the increase in trail users, it brings a whole suite of stressors to the ESA's. Consequently those stressors were additional challenges for a reduced number of staff. Now that we are early into 2021 we are seeing a similar amount of activity in the ESA's, and expecting that to continue into the summer months. The increase in use brings about many issues we must adapt to. Increased use means more garbage and vandalism. There continues to be an increase in encampments and drug paraphernalia. Increased trail use puts pressure on the trail system itself and contributes to trail widening, worsening trail conditions in wet areas, damage to structures and more off-trail use.

All of this puts additional pressure on staff to try and mitigate the impacts, while keeping up with all the other projects in our agreement. The health and safety of staff is paramount, so we are using additional vehicles and more PPE, which leads to higher costs. Compliance with local public health regulations has forced us to decrease the number of seasonal staff. This will impact our ability to take on additional capital projects, and likely reduce the scope of some current capital work. In addition, we are having issues meeting the requirement of operation hours in the contract. Areas of operations such as enforcement hours are likely to be especially impacted due to the close contact with people, inherent with those duties.

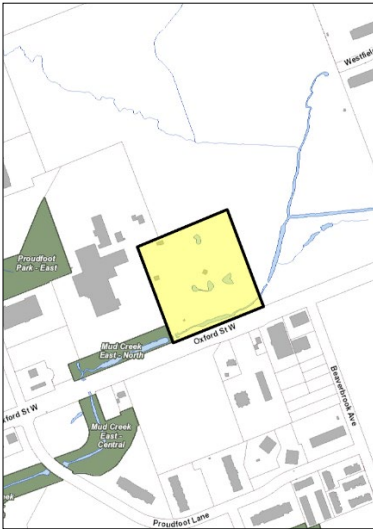
The measures taken to protect staff and maintain a high standard of health and safety are critical. However the cost of managing the ESA's to the standard we are used to is very high, and will likely continue throughout 2021.

Sandy Levin

NOTICE OF PLANNING APPLICATION

Official Plan Amendment

415 Oxford Street West



File: O-9335
Applicant: Edmar Land Ltd.

What is Proposed?

Official Plan amendment to add a Special Policy to the Neighbourhoods Place Type, for the subject site, to permit:

- Residential buildings up to a maximum height of 16 stories.



LEARN MORE & PROVIDE INPUT

Please provide any comments by **April 23, 2021**

Jasmine Hall

jahall@london.ca

519-661-CITY (2489) ext. 7150

City Planning, City of London, 206 Dundas St., London ON N6A 1G7

File: O-9335

london.ca/planapps

You may also discuss any concerns you have with your Ward Councillor:

Councillor Phil Squire

psquire@london.ca

519-661-CITY (2489) ext. 4006

**If you are a landlord, please post a copy of this notice where your tenants can see it.
We want to make sure they have a chance to take part.**

Application Details

Requested Amendment to The London Plan (New Official Plan)

Possible amendment to The London Plan to add a Special Policy to the Neighbourhoods Place Type portion of the subject site. This Special Policy would permit residential buildings up to a maximum height of 16 storeys. Possible amendments to Map 7 – Special Policies in the London Plan and the Official Plan, 1989 may be required.

The London Plan is available at london.ca.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the Official Plan designation of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include City Planning staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

This request represents residential intensification as defined in the policies of the Official Plan. Under these policies, City Planning staff and the Planning and Environment Committee will also consider detailed site plan matters such as fencing, landscaping, lighting, driveway locations, building scale and design, and the location of the proposed building on the site. We would like to hear your comments on these matters.

Attend a Future Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the Planning Act. You will also be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the Neighbourgood website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed official plan amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

Right to Appeal to the Local Planning Appeal Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the

person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

For more information go to <https://olt.gov.on.ca/contact/local-planning-appeal-tribunal/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

Accessibility

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Planning Justification Report

415 Oxford Street West

London, ON

Edmar Land Ltd.



February 22, 2021



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INTRODUCTION AND SUMMARY

Edmar Land Ltd. has made an application to the City of London to amend the 2016 Official Plan (also known as *The London Plan*) to broaden the range of permitted uses and building heights by way of a special policy on the lands at 415 Oxford Street West (the “subject lands”). The overall intent of the Official Plan Amendment application is to permit the range of residential uses and building heights consistent with the *Rapid Transit Corridor* place on the developable portions of the subject lands. An associated, City-initiated amendment to the 1989 Official Plan may also be required.

The purpose of the following Planning Justification Report is to evaluate the proposed Official Plan Amendment within the context of existing land use policies and regulations, including the 2020 Provincial Policy Statement, the 1989 City of London Official Plan (1989 OP), *The London Plan* (2016 OP), and the City of London Z.-1 Zoning By-Law.

No specific development concepts for the subject lands have been proposed at this time.

This report concludes that the proposed Official Plan Amendment is appropriate for the following reasons:

- The lands have frontage on a *Rapid Transit Boulevard* street type (Oxford Street West) with existing transit service and planned bus rapid transit service;
- The lands are surrounded by *Rapid Transit Corridor* and *Green Space* land uses;
- The current use and existing permitted uses do not fully utilize the subject lands;
- The proposed special policy supports and implements the planned function of the *Rapid Transit Boulevard* road typology and the broader intent of the 2016 OP; and,
- The existing residential and commercial uses would benefit from a greater intensity of residential units in an area of London.

SUBJECT LANDS

The subject lands, known municipally as 415 Oxford Street West, are located on the north side of Oxford Street, approximately 730m east of Wonderland Road, and approximately 80m west of Beaverbrook Avenue. The lands are generally square-shaped, with a lot frontage of approximately 194.2m (637.25ft) along Oxford Street W. and a lot area of approximately 3.89ha (9.62ac) (Figure 1).

FIGURE 1: SUBJECT LANDS



The subject lands are currently occupied by Forest Glen Golf Centre, consisting of a mini-golf course and small, 'pitch and putt' golf course. Large cedar trees line the north property line. Mud creek runs along the south property line (Oxford Street frontage). Access to the lands is currently provided from a full turns driveway on Oxford Street West with a twinned concrete culvert bridge over Mud Creek.

The subject lands are designated “Open Space” in the current City of London 1989 OP; are within the “Neighbourhoods” and “Green Space” Place Types in the 2016 OP; and are zoned “Commercial Recreation (CR)” and “Open Space (OS4)” in the City of London Z.1 Zoning By-law.

SURROUNDING LAND USES

The subject lands abut commercial land uses to the west (Fleetway Bowling, Canada Post, Fit 4 Less, Petro-Canada, Pizza Projekt); are proximate to high density residential to the northwest and east (Pineridge, Cherryhill cluster of apartment buildings); and are proximate to high density, institutional and open space land uses to the south (i.e. Timbercreek Apartments, Oxford Park Towers, Long Term Care Facility, Eagle Heights Public School and Mount Pleasant Cemetery respectively). Lands to the south are anticipated to redevelop for several high-rise mixed-use buildings.

FIGURE 2: SURROUNDING LAND USE



The lands also abut the ESAM / Katz proposed Draft Plan of Subdivision (City File No. 39T-99502) on lands located at 323 Oxford Street West, to the north and east. These lands are proposed for development for a range of medium- and high-density residential land uses, including high rise buildings proximate to Oxford Street West.

Mud Creek runs from east to west through the subject lands along Oxford Street West. Mud Creek is the drainage route for a large area of the City, including lands to the north, on the north side of the CP railway (CN Railway is to the south of the subject lands). The Mud Creek Environmental Assessment (Mud Creek EA) has set out specific plans for re-routing and modifying Mud Creek to improve storm water management qualities in the area, and to reduce the flood hazard impacts associated with the Creek. The Mud Creek EA provides the basis for contemplating future development in the area, including the subject lands and abutting ESAM lands. More information on Mud Creek and the Mud Creek EA is provided later in this report.

PROPOSED PLANNING ACT APPLICATION

As a result of settlements to appeals of the 2016 Official Plan, for which Edmar Land Ltd. was not a party to, the subject lands were designed "*Neighbourhoods*" and "*Green Space*" in the 2016 OP (Figure 3). Generally, the delineation between the two place types is the anticipated limit of flood hazard as a result of future Mud Creek re-alignment and infrastructure works, as set out in the Mud Creek EA.

The subject lands retain functional frontage along Oxford Street West, a "*Rapid Transit Boulevard*" road type in the 2016 OP. Abutting lands to the west are within the "*Rapid Transit Corridor*" place type, as well as lands to the east, on the east side of the future Beaverbrook Avenue extension. Given the above, it is proposed that a special policy area be applied to the "*Neighbourhoods*" place type on the subject lands to permit the full range of residential land uses and building heights contained in the "*Rapid Transit Corridor*" place type. No additional commercial or office uses are proposed at this time. More specifically, the proposed special policy is as follows:

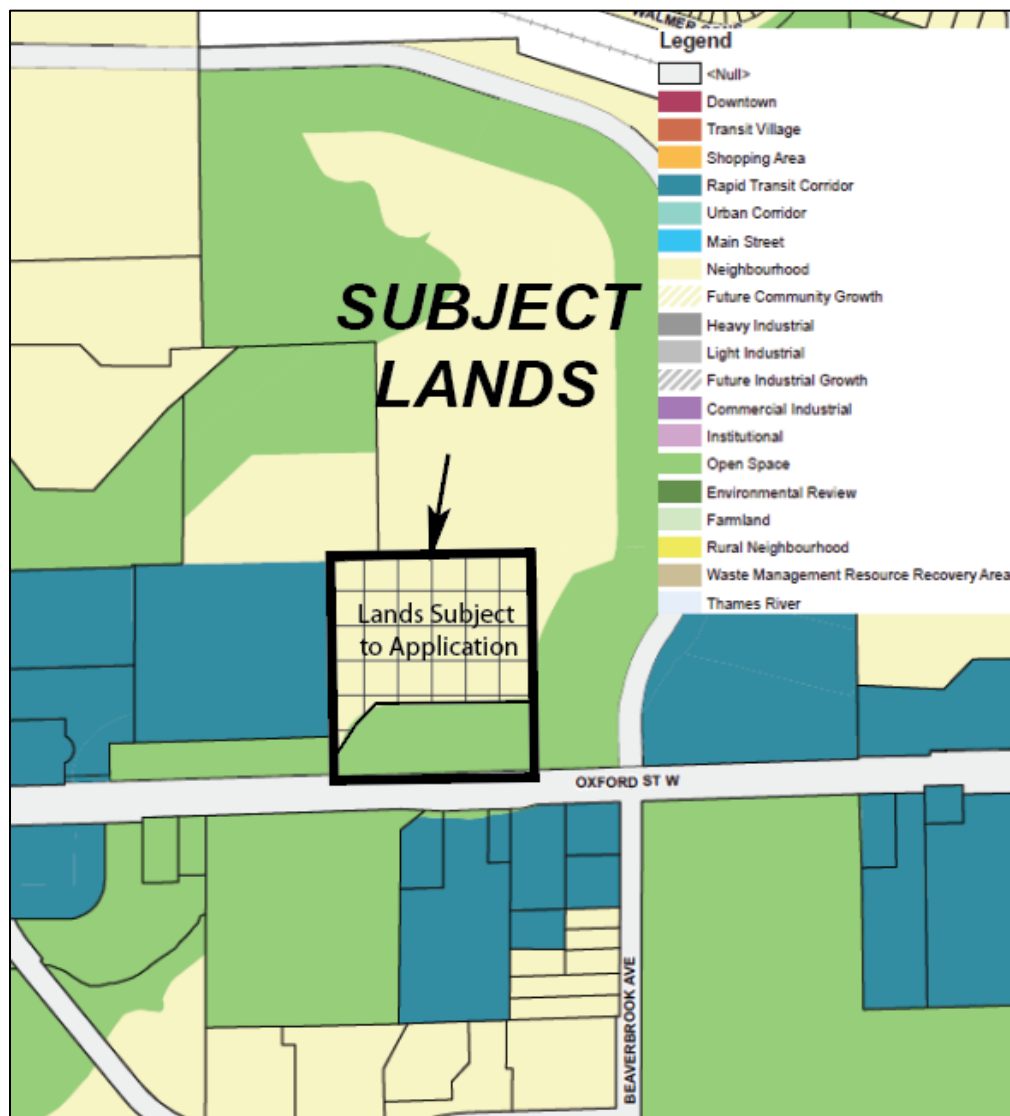
"Specific Policy Area (___) - 415 Oxford Street

For lands within the "Neighbourhoods" place type, the full range of residential uses and building heights of the "Rapid Transit Corridor" place type are permitted."

There is currently no specific development proposal contemplated for the subject lands. To ensure compatibility with abutting and adjacent land uses, the implementing policies of both Official Plans will be used to evaluate a future Zoning By-Law Amendment application. As such, urban design matters typically analyzed in a development application are not evaluated in this report.

Figure 3 (following page) shows the area subject to the proposed special policy.

FIGURE 3: THE LONDON PLAN MAP 1 (LPAT DECISION)



As the subject lands are currently within the "Neighbourhoods" place type along the highest order road in the City, current land use permissions contemplate a wide range of residential uses, including apartment buildings, up to 6 storeys in height. The overall effect of proposed special policy would therefore be to set the range of permitted building heights at 4 to 16 storeys.

PLANNING REVIEW and POLICY ANALYSIS

2020 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement is issued under Section 3 of the Planning Act and “provides policy direction on matters of provincial interest related to land use planning”. All planning applications, including an Official Plan Amendment application, are required to be consistent with these policies.

In this analysis section, relevant policies are *bordered and in italics*, with discussion on how the proposed application is consistent with that policy immediately after.

Policy 1.1.1

Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity;*

Along a Rapid Transit Boulevard (Oxford Street West), additional land use permissions consistent with other properties along Oxford Street is a logical extension of development and planned function in an area where the land use varies from high density residential, to commercial, retail and office. The proposed additional building height will increase the usability, efficiency, and intensity of the subject lands proximate to the broad range of uses along Oxford Street West, and a Transit Village further west. Such additional intensity on the subject lands will accommodate transit-supportive, market-based forms of housing in an area outside of any natural hazards. Development is directed outside of any hazard areas and a naturalization plan will be a component of future development on the subject lands.

Policy 1.1.3.1

Settlement areas shall be the focus of growth and development.

The subject lands are within the City of London Urban Growth Boundary, a defined settlement area.

Policy 1.1.3.2

Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed.*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The proposed additional building height on the subject lands contributes to the efficient use of land and resources. Given that the subject lands front on to a Rapid Transit Corridor, and abut other lands designated "Rapid Transit Corridor", it is appropriate to provide similar land use permissions.

As the subject lands are located along a planned transit corridor, transit use is expected. Additionally, new multi-use pathways are planned as part of the Mud Creek infrastructure works, which will facilitate higher connectivity and convenience for various modes of active transportation.

Policy 1.1.3.3

Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The subject lands are located along a planned rapid transit route and should be redeveloped at a density that supports transit usage. Given the planned function of lands along Oxford Street West, and the upcoming Mud Creek infrastructure works, the subject lands are an appropriate location for such development.

Policy 1.1.3.4

Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The proposed special policy is an appropriate development standard implementable through the Official Plan. A subsequent Zoning By-Law Amendment will further refine development limits on the subject lands based on a specific development proposal.

Based on the Mud Creek EA and ongoing flood modeling, development of the subject lands will avoid risks to public health and safety

Policy 1.1.3.5

Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

The 2016 OP sets out a target of 45% of all new residential development to be within the Built-Area Boundary. The proposed OPA will help achieve to this goal by permitting additional residential units on the subject lands.

Policy 1.1.3.6

New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The subject lands abut existing and planned development and, as part of the proposed OPA, would be permitted to develop with an appropriate range of residential uses and densities that allow for the efficient use of land, infrastructure, and public service facilities.

Policy 1.4.3

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

The proposed OPA is intended to make more efficient use of the subject lands and implement provincial and municipal intensification objectives. Any development on the subject lands that makes full use of the proposed height permissions will be inherently efficient and will make cost-effective use of municipal services. As Oxford Street West is anticipated to accommodate high-order transit service, the subject lands are well located to support, and be supported by, such transit services. Detailed development standards, such as building setbacks and other site-specific regulations, will be implemented through a future Zoning By-Law Amendment.

Policy 1.6.6.2

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential health risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

Any development on the subject lands will make use of full municipal services.

Policy 2.1.8

Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

There are no natural heritage features on the lands subject to the proposed OPA, and City staff have confirmed that an Environmental Impact Study (EIS) is not required. Future development of the subject lands will have regard for the naturalization program that is to be implemented as part of the Mud Creek infrastructure works

Policy 3.1.1

Development shall generally be directed to areas outside of:

- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards

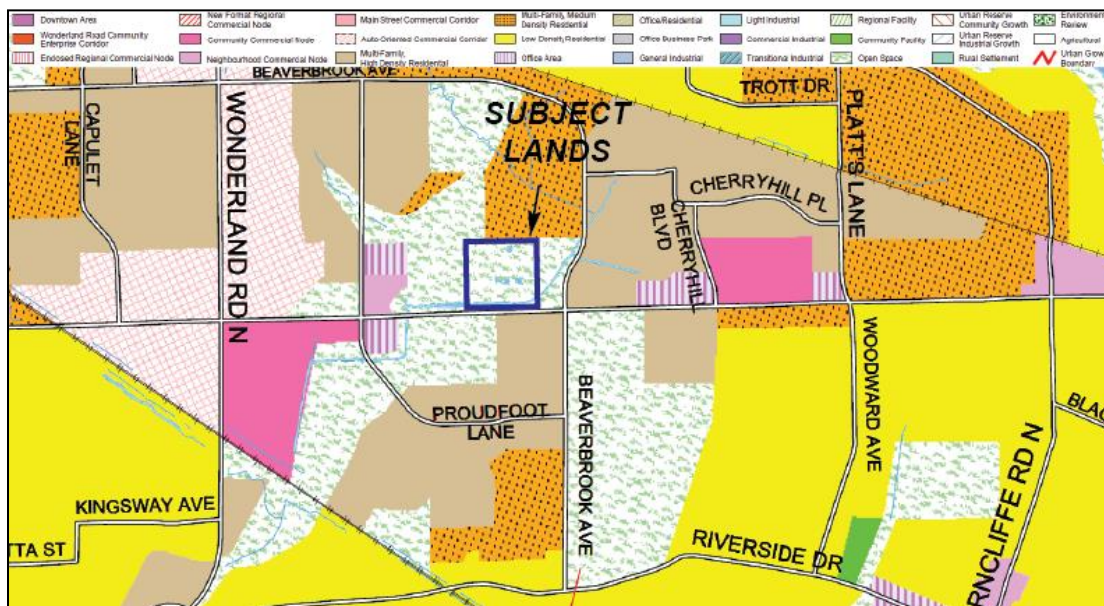
Extensive work has been undertaken to determine the developable limits of the subject lands, being lands outside of the regulatory flood limit. As the physical infrastructure works for Mud Creek are implemented, it is understood that flood modeling will be refined. At this time, the development limit of the subject lands is coincident with the "Neighbourhoods" and "Green Space" land use policy boundary, as denoted in Figure 3. Future development of the subject lands will proceed on best available hazard mapping. The proposed OPA does not impact flood hazards, or risks to health and safety, on the subject lands.

Given the above analysis, the proposed OPA is consistent with the policies and intent of the 2020 PPS.

1989 CITY OF LONDON OFFICIAL PLAN

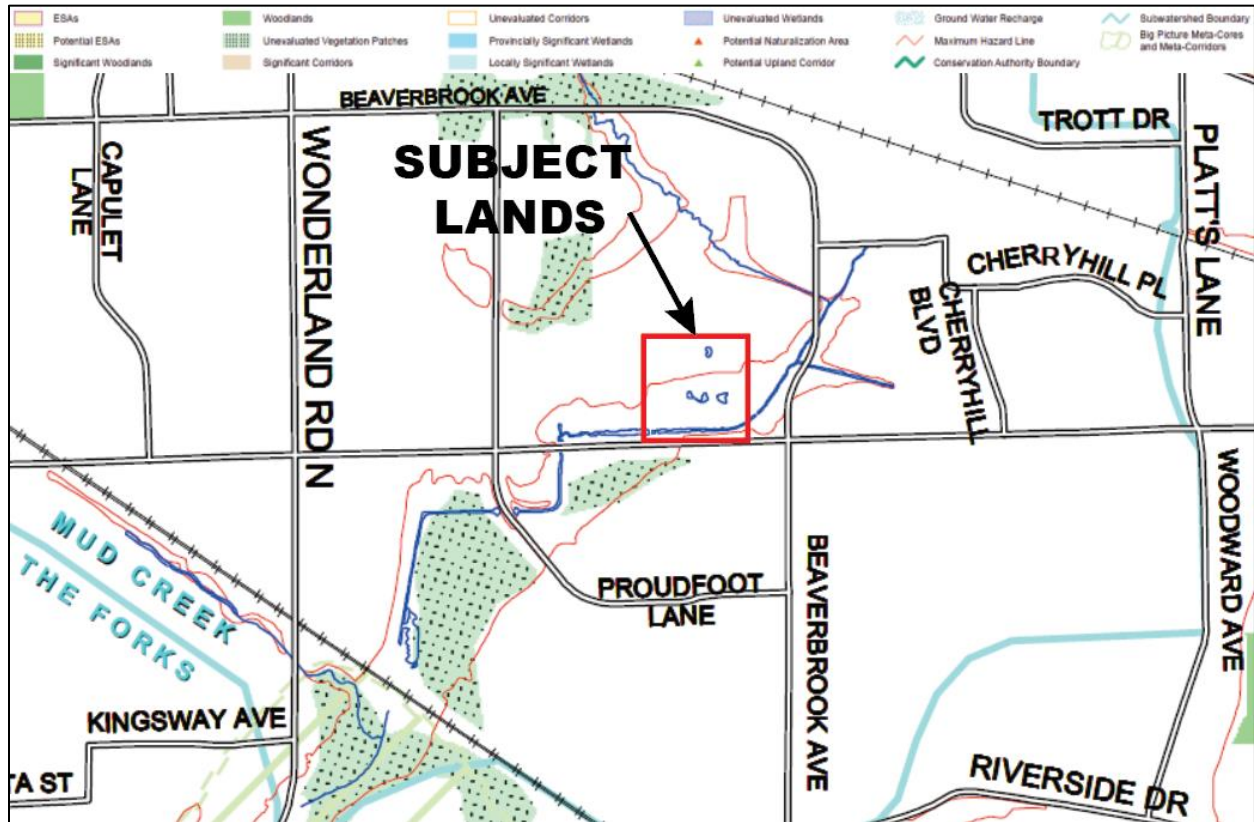
The subject lands are designated "Open Space" according to "Schedule A – Land Use" in the 1989 City of London Official Plan (Figure 4). This designation is generally applied to lands which are to be maintained as outdoor recreation, park space, or in a natural state. These lands include public and private open space, flood plain lands, lands susceptible to erosion and unstable slopes and natural heritage areas which have been recognized by Council as having city-wide, regional, or provincial significance (Section 8A.).

FIGURE 4: SCHEDULE A - LAND USE MAP



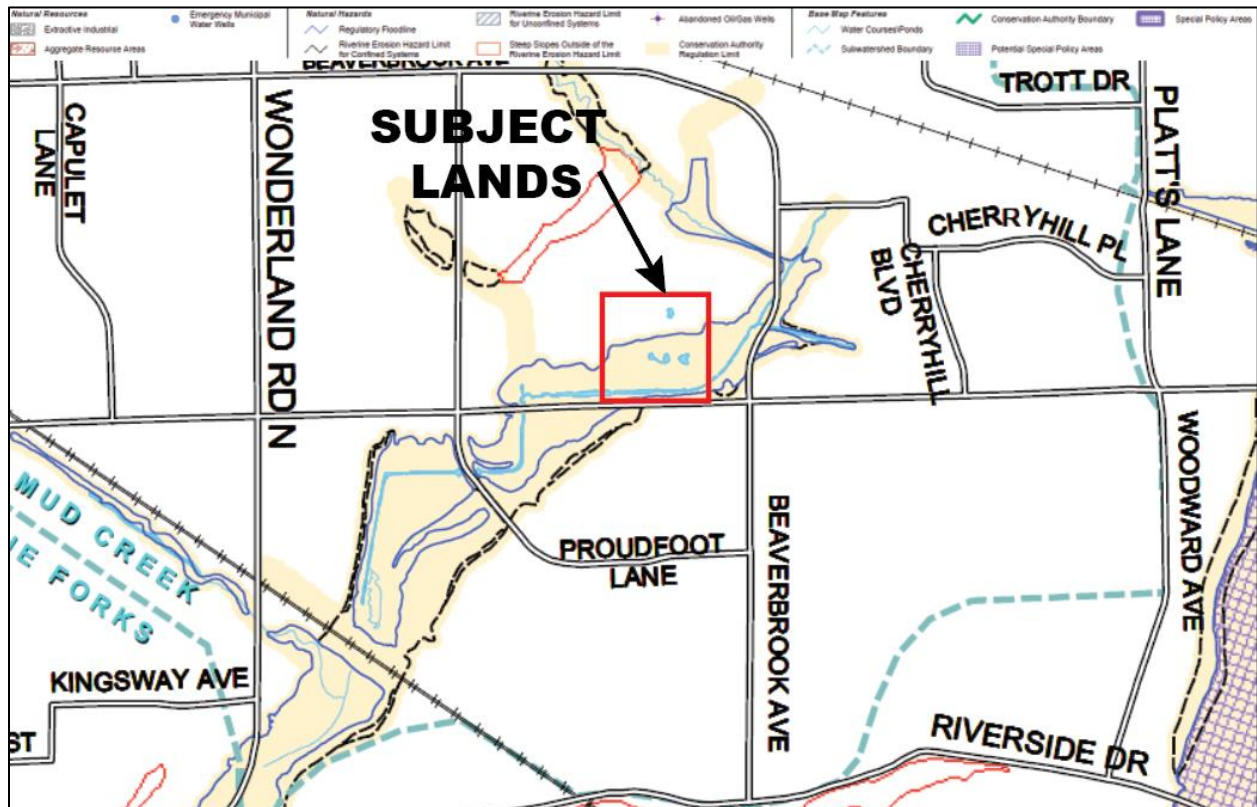
The subject lands show a maximum hazard line within its limits as per Schedule B-1 Natural Heritage Features (Figure 5).

FIGURE 5: SCHEDULE B-1 NATURAL HERITAGE FEATURES



The southern portion of the subject lands are within the Upper Thames River Conservation Authority (UTRCA) limits according to Schedule B-2 Natural Resources and Natural Hazards (Figure 6).

FIGURE 6: SCHEDULE B-2 NATURAL RESOURCES AND NATURAL HAZARDS



The 1989 OP has not been amended to reflect the Mud Creek EA and results of the ESAM appeal settlement, and is considered out of date. The 1989 OP is not reflective of the current planned function of the subject lands and areas proximate to Mud Creek. As the 2016 OP (The London Plan) is reflective of the current planned function and flood analysis for Mud Creek, the proposed OPA is more appropriately analyzed through the policies of that plan, rather than the 1989 OP.

Given that the 1989 OP is considered out-of-date as applicable to the subject lands and Mud Creek, it is proposed that the City of London initiate an Official Plan Amendment to update the 1989 OP to be consistent with the 2016 OP for the subject lands, including the proposed special policy.

2016 OFFICIAL PLAN (THE LONDON PLAN)

The 2016 City of London Official Plan, sometimes referred to as The London Plan (2016 OP), is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications), and represents Council's intended vision for land use planning. Subsequent to Council adoption and Ministry approval, a number of appeals were filed to LPAT and a number of policies, and all mapping, is not in force and effect. However, as the land use policies applicable to the subject lands were the result of a settlement, all in-force policies and site-specific mapping are considered applicable to the subject lands. Furthermore, as noted in the previous section of this report, the 2016 OP reflects the findings of the Mud Creek EA and is therefore the more appropriate Official Plan to evaluate the proposed Official Plan Amendment.

The subject lands were placed in the "*Neighbourhoods*" Place Type as a result of an LPAT settlement decision to re-designate the lands from the "*Green Space*" Place Type which reflects the findings of the Mud Creek EA. However, the subject lands were not designated "*Rapid Transit Corridor*" consistent with other properties fronting onto Oxford Street West, despite having such frontage. It is unclear why this decision was made. The "*Neighbourhoods*" designation is therefore anomalous at this location as there are no other "*Neighbourhoods*" designated lands fronting onto the same street classification. Furthermore, Tables 10-12 do not provide permitted uses and building heights for "*Neighbourhoods*" lands fronting onto a "*Rapid Transit Boulevard*" as this combination of place type and road frontage were never contemplated in the 2016 OP. Lands abutting to the west have a similar configuration as the subject lands, including Mud Creek running between the developable portion and Oxford Street West, and are within the "*Rapid Transit Boulevard*" place type.

It is therefore proposed that a special policy be added to the subject lands to permit the range of residential uses and building heights consistent with the "*Rapid Transit Corridor*" Place Type.

The principal differences between the current permitted uses and building heights and the proposed permissions through a special policy area are as follows:

- Currently, the "*Neighbourhoods*" designation would permit the maximum range of residential uses (including apartment buildings and mixed-use buildings) with a maximum standard height of **4 storeys, or 6 storeys with bonusing**;
- The proposed special policy area would permit the same range of uses, but with maximum standard **building heights up to 12 storeys, or 16 storeys with bonusing**, as the subject lands are within 100m of a proposed transit station

The increased building height will allow for a significant increase in the number of residential units that may be developed on the subject lands, making much more efficient use of the lands, consistent with the planned function of the Oxford Street West corridor.

The section below highlights how the proposed special policy conforms to the intent of the 2016 OP and is appropriate for the subject lands:

Policy 55 Key Direction #1 “Plan Strategically for a Prosperous City” states that this key direction is to create a strong civic image by improving neighbourhoods as well as revitalizing business areas. The proposed special policy contributes to the creation of a complete community, where residents can live, work, play, and shop, all in the same area. Intense, developments, proximate to a range of other uses, facilitate, create, and sustain great neighbourhoods for residents. Through the proposed redevelopment of the subject lands, the lands additional residential density will contribute to vitalization of the neighbourhoods and proximate business areas.

Key Direction #5 “Build a Mixed-Use Compact City” works to provide direction on achieving a city pattern of building inward and upward with a mix of housing types. The proposed amendment will contribute to building “inward and upward” in a compact, contiguous fashion along a road that is specifically planned for this purpose. The proposed land use permissions are consistent with the planned character of the neighbourhood and, given the proximity to commercial and recreational amenities, and the planned trail system along Mud Creek, will enhance walkability.

The proposed amendment to add a special policy to the “Neighbourhoods” Place Type, which better reflects the planned function of the “*Rapid Transit Boulevard*” road type, can assist in achieving a strong and positive neighbourhood character, sense of place, and identity.

All planning and development applications are to be evaluated with consideration for use, intensity, and form that is being proposed. The following criteria are used to evaluate all planning and development applications (Policy 1577-1578):

1. *Consistency with the Provincial Policy Statement and in accordable with all applicable legislation;*

The proposed OPA is consistent with the intent and policies of the 2020 Provincial Policy Statement (see Planning Review and Policy Analysis section of this report).

2. *Conformity with the Our City, Our Strategy, City Building, and Environmental policies of this Plan;*

The proposed planning applications are consistent with the intent and policies of the Our City and Our Strategy policies of this plan (see Planning Review and Policy Analysis section of this report). Importantly, the proposed OPA is consistent with, and will help achieve, the planned function of the “*Rapid Transit Boulevard*” street type, a fundamental principle of the 2016 OP.

3. Conformity with the policies of the Place Type in which they are located;

The proposed development is consistent with the intent of the “*Neighbourhoods*” Place Type and the “*Rapid Transit Corridor*” Place Type by permitting additional building height on one of the highest order roads in the City.

4. Consideration of the applicable guideline documents that apply to the subject lands;

There are no guideline documents that apply to the subject lands. The existing land use boundary limits are informed by the Mud Creek EA.

5. The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools Part of this Plan;

The subject lands will make full use of existing municipal services along Oxford Street West.

6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.

Although there is no specific development concept proposed at this time, any redevelopment of the subject lands will be required to comply with the implementing design policies of the 2016 OP, including general compatibility with abutting and adjacent uses. The subject lands are uniquely positioned abutting non-sensitive commercial uses to the west, open space to the south and east, and future medium density residential to the north. It is unlikely that the proposed additional building height will have any significant impact on proximate lands, given existing and planned uses. While the proposed OPA sets out a broad height permission across the entire developable portion of the subject lands, specific building designs such as terracing, podiums, and multiple-towered buildings may be used to ensure compatibility with abutting future development. Such specifications may be refined through a future Zoning By-Law Amendment application.

It is important to note that the proposed special policy would place similar land use permission on the subject lands as abutting lands to the west, which have a similar configuration; Mud Creek is located between the developable lands and Oxford Street (refer to Figure 3). In both instances, functional frontage is retained with direct pedestrian and vehicular connections to Oxford Street West. Therefore the proposed special policy is in keeping with the planning principles already applied to lands to the west along Oxford Street West.

Redevelopment of the subject lands under the current 2016 OP land use permissions would result in a gross under-use of the property and is not consistent with the purpose and intent of the "*Rapid Transit Boulevard*" street type.

Based on the above, the proposed planning act applications represent an appropriate and compatible form of development and is consistent with the intent of the "*Rapid Transit Corridor*" and "*Neighbourhoods*" Place Type in 2016 OP. It has been demonstrated that the proposed special policy permitting increased height and form permissions represents good planning for the subject lands, and will help achieve the objectives and goals of the 2016 OP

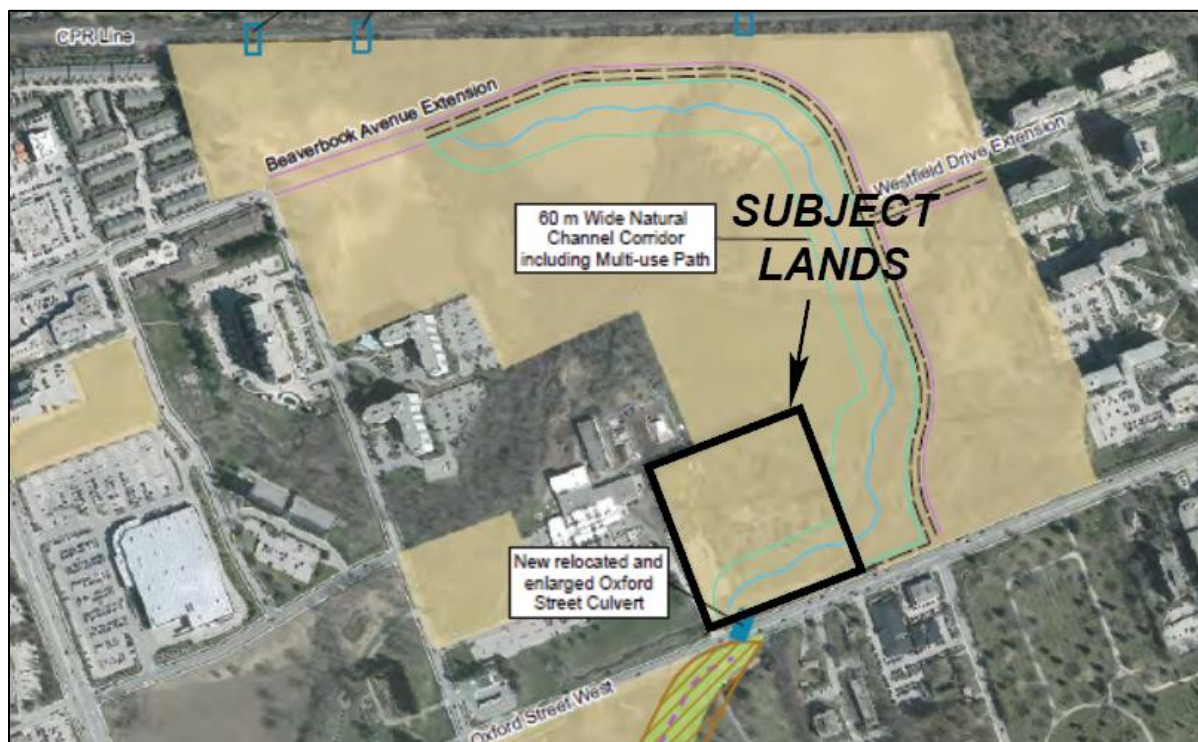
THE CITY OF LONDON ZONING BY-LAW

The subject lands are currently zoned with two different zones; the north portion of the lands is zoned "*Commercial Recreation (CR) Zone*"; and the southerly portion of the lands is zoned "*Open Space (OS4) Zone*" (Figure 7). The existing zones permits a commercial recreation establishments; golf courses; private clubs; private outdoor recreation clubs; private parks;

The objectives of the Mud Creek EA strategy are:

1. To mitigate the flooding impacts on developed and undeveloped public and private lands, and to reduce the frequency of flooding of the proposed Oxford Street Rapid Transit Corridor;
2. To rehabilitate sections of the Mud Creek corridor to a sustainable creek cross-section, which will improve the aquatic habitat in the short term and the terrestrial habitat in the long-term; and,
3. To protect natural heritage features and functions through retention where possible and where necessary, to provide appropriate mitigation/compensation so proposed or upgraded infrastructure satisfies Official Plan Policy 15.3.3.

FIGURE 8: MUD CREEK SUBWATERSHED ENVIRONMENTAL ASSESSMENT (excerpt)



The preferred solution for Mud Creek includes a variety of channel works, including clean out, new culverts, and importantly, re-alignment of the watercourse proximate to the subject lands. The overall impact to the subject lands is reduced flood hazard, more developable area, a new naturalized creek channel, and a multi-use pathway. More specifically, future development of the subject lands is to incorporate all, or a portion of, physical works set out in the Mud Creek EA as follows:

- Construction of an approximately 1 kilometer long natural corridor channel generally 60-metres wide from north of Oxford Street to the CP Railway. These lands are owned by Edmar Land Ltd (i.e. subject lands) and ESAM Lands;
- Compensation measures include the following:

- Wetland and terrestrial habitat re-creation for Species at Risk, and other wildlife;
 - Pools and riffles within the stream corridor to enhance the aquatic habitat;
 - A multi-use pathway and 5 metre buffer along the west side of the corridor; and,
 - Realignment of the sanitary trunk sewers to the road network to mitigate impacts from future sewer maintenance/replacement.
- Onsite storm water management controls (private permanent systems).

Figure 8 highlights “Potential Development Lands (on-site stormwater control)” in light brown, which includes the subject lands. Future development of the lands shall have an onsite stormwater management plan and could support a larger range of uses, height and form with this onsite plan.

The City of London is currently undertaking Phase 1 works, consisting of lands between Wonderland Road and the CP railway. Phase 2 works, between the CP railway and Oxford Street West, are anticipated to be started in 2022. The subject lands are located within the Phase 3 area, which is to be developer-led (i.e. not City of London), including refining the channel design details and updated flood mapping. Preliminary discussions suggest that Phase 3 works may proceed immediately after Phase 2 works.

The Mud Creek EA is the document which sets out the framework to consider intensive development of the subject lands. When combined with the policies and objectives of the 2016 OP, the Mud Creek EA sets up significant development potential on the subject lands, which the proposed OPA is intended to implement.

CONCLUSION

This report has been prepared in support of an Official Plan Amendment application to apply a special policy within the *"Neighbourhoods"* place type on the lands at 415 Oxford Street West to permit residential uses and building heights consistent with the *"Rapid Transit Corridor"* place type. The overall effect of the proposed special policy will allow apartment buildings with heights of up to 16 storeys.

The subject lands are an appropriate location for such residential intensity as they abut lands planned for the same intensity and are located with frontage on a *"Rapid Transit Boulevard"* road type. The proposed intensity on the subject lands is consistent with the fundamental planning principles of the 2016 OP and will help achieve the plan's goals of permitting intensive, transit-oriented development at key locations in the City. Furthermore, the Mud Creek EA sets out a framework for permitting intensive development on the lands.

The proposed special policy is appropriate for the subject lands and will result in forms of development that are compatible with abutting and adjacent lands.

The proposed OPA is consistent with the policies of the 2020 PPS; the policies and intent of the 2016 OP; and, represents good planning practice.



NOTICE OF PLANNING APPLICATION

Official Plan and Zoning By-law Amendments

Encouraging the Growing of Food in Urban Areas – City-wide

File: OZ-9332/City of London
What is Proposed?

Amendments to the London Plan and Zoning By-law to make it easier to grow food in the urban area in accordance with the Urban Agriculture Strategy, which was adopted by Council in November 2017. This project focuses on the “Growing” component of the Strategy and is being considered under the Strategy’s guiding principle to develop supportive municipal policies, regulations, and bylaws, and remove policy barriers to urban agriculture. The intent of the changes is to expand the permissions for urban greenhouses, consider policies and regulations to permit growing of food in most place types and zones, and review application process requirements for urban agriculture. Other City Departments, interested agencies, urban agriculture interest groups and the general public will be consulted before changes are made.



LEARN MORE & PROVIDE INPUT

Please provide any comments by **April 30, 2021**

Chuck Parker

cparker@london.ca

519-661-CITY (2489) ext. 4648

City Planning, City of London, 206 Dundas St., London ON N6A 1G7

File: OZ-9332

london.ca/planapps

You may also discuss any concerns you have with your Ward Councillor:

**If you are a landlord, please post a copy of this notice where your tenants can see it.
We want to make sure they have a chance to take part.**

Application Details

Planning Policies

Any change to the Zoning By-law must conform to the policies of the London Plan and the 1989 Official Plan, London's long-range planning documents. There are a number of policies in the London Plan which support urban agriculture, particularly the Food System policies (Policy 648-686). The 1989 Official Plan contains general references to agriculture and horticulture which support those uses in specific designations and zones.

How Can You Participate in the Planning Process?

You have received this Notice because you have been identified as someone who may have an interest in any proposed amendments. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include City Planning staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

Attend a Future Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the Planning Act. You will also be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the Neighbourgood website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed official plan amendment and zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

Right to Appeal to the Local Planning Appeal Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/contact/local-planning-appeal-tribunal/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

Accessibility

Alternative accessible formats or communication supports are available upon request. Please contact planning@london.ca or 519-661-4980 for more information.

Report to Community & Protective Services Committee

To: Chair and Members
Community & Protective Services Committee

From: Scott Stafford, Managing Director – Parks & Recreation

Subject: Invasive Species Management Update and Funding Plan

Date: March 30, 2021

Recommendation

That, on the recommendation of the Managing Director, Parks and Recreation:

- a) the invasive species management update provided in this report BE RECEIVED for information purposes;
- b) the financing for the continuation of the invasive species management program in 2021 BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix “A”; and,
- c) Civic Administration BE DIRECTED to bring forward a budget amendment case during the 2022 Annual Budget Update to establish funding from 2022 to 2024 for the further continuation of the invasive species management program.

Executive Summary

In 2017, the City of London was one of the first municipalities to bring forward a comprehensive City-wide Invasive Plant Management Strategy. With Council’s approval of the Strategy, a three year budget was established from the Woodland Acquisition and Management Reserve Fund to carry out yearly implementation – primarily in London’s parks and open space system. This report seeks funding approval for 2021 to continue the Program.

Several City Divisions have carried out numerous projects across the City to remove invasive species, with a particular focus on Phragmites. A summary of those projects is outlined in this report.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London has a strong and healthy environment: protect and enhance waterways, wetlands and natural areas.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Planning & Environment Committee – September 25, 2017. A report seeking Council’s approval of the London Invasive Plant Management Strategy (LIPMS) and establishing capital funding to carry out yearly implementation.

2.0 Discussion and Considerations

2.1 LIPMS Program Summary

The LIPMS set out a detailed vision for controlling multiple invasive species across the entire City. The following recommendations were identified to implement the strategy.

Some recommendations require their own specific strategy to fully and effectively address the problem:

- 1) Develop a *Phragmites* control program. This is the City's highest priority species, as it poses the biggest threat to the ecological integrity and long term health of the City's Natural Heritage System, and creates potential health and safety concerns.
- 2) Further expand what the City is already implementing in our Environmentally Significant Areas. Further expanding control measures will provide a significant net benefit to the City's ESAs over the long-term.
- 3) Further expand the City's Woodland Management Program to address invasive species City-wide more quickly.
- 4) Implement the Council approved Thames Valley Corridor Plan (TVCP), including the Natural Heritage, stewardship, and protection sections of the TVCP Action Plan regarding invasive species.
- 5) Over the long-term, develop further control programs for listed priority species over time, once recommendations 1 through 4 have been implemented and their effectiveness has been tracked, monitored, and verified.
- 6) Develop a process to include in the LIPMS a trigger to identify, map and treat *Phragmites* on vacant lands and future development lands and to work with the various owners.

The Ontario Invasive Plant Council noted that "The City of London is a provincial leader in municipal action against invasive plants. They're doing great work prioritizing invasive plant species and populations to help safeguard urban biodiversity hubs. London's strategic approach to invasive plant planning has helped provide a model for other municipalities to build from."

2.2 Invasive Species Projects

As a top priority, in 2018 staff finalized a city-wide *Phragmites* eradication program that has been implemented by several Divisions within their Programs: ESA Management; Storm Water Ponds; Road-side Operations, Parks Operations and Urban Forestry. All Areas need attention, as invasives species left in road-side ditches and storm ponds eventually migrate to London's downstream natural areas. Working through Service London, a specific process was established for people to report locations of *Phragmites* to the City that require attention. To date, we have received 108 reports.

Many of the City's capital projects now have a process to identify priority invasive species like *phragmites* within the project area and eliminate them before or as part of the project. This requires extra effort early on in the process to address the invasives before the construction project begins. Further education of project managers, and modifications to our internal processes are being looked at to make this effort more efficient.

Most contract documents now include "clean equipment" protocols, to help ensure that invasive species seeds are not transported to other invasive-free sites. More work is needed to make this new process consistent across many Service Areas.

Projects by Service Area:

In London's Environmentally Significant Areas (ESA) three of the five priority species in the LIPMS including *Phragmites*, Japanese Knotweed and Giant Hogweed have in large part been addressed, and are being monitored. Over 17,600 sq m of *Phragmites* in 50 sites in our ESAs has been eliminated. Dog Strangling Vine is being managed in Kilally Meadows following an Integrated Pest Management approach that includes removals

and a biocontrol agent approved by the Canadian Food Inspection Agency. In some ESAs including Kains Woods and Meadowlily Woods, the majority of the Buckthorn has also been removed, but in other ESAs Buckthorn control is still underway to protect and enhance the ESAs.

In 2019, the City received a letter of commendation from the National Invasive Species Centre for the excellent work completed under the LIPMS and the Adopt an ESA program: “Beyond the tremendous ecological benefits of this strategy, London is enabling community-led engagement around invasive species control such as the notable buckthorn removal work undertaken at the Kilally Meadows Environmentally Significant Area.”.

Within London’s 85 larger park woodlands, Common buckthorn (*Rhamnus cathartica*) is the primary invasive plant species that is affecting woodland diversity and health. Buckthorn is problematic as it is aggressive and thrives in poor conditions. It creates dense thickets that put their leaves out first in the spring and are one of the last species to lose them in the fall. It out competes native plants and creates monocultures. It can even alter soil composition so that it suits its own growth and not others. It also produces berries that contain seeds that are very long-lived in the soil “seed bank”. Due to all these factors it is very challenging to manage.

Since 2017, the invasive plants species program in woodlands has gained traction. Fifty one woodlands have been managed for buckthorn encompassing about 125 Ha. Whereas it sprouts from seeds, suckers when cut to the ground and is spread to new locations by birds, follow up applications are needed. Each year, all previous year’s sites are revisited as part of the program and “spot” treated where needed. Although progress has been seen in some woodlands, it is expected that 3-5 years of annual retreatment of the area is needed to eradicate buckthorn.

Woodlands are tracked as part of the City’s Corporate Asset Management (CAM) program. The presence of buckthorn stands affects the structural diversity and biodiversity attributes which make up 60% of the level-of-service rating. Addressing buckthorn in woodlands improves not only the natural forest system but also has a positive impact on the recreational user’s experience in the woodland.

In 2021, there are 21 new woodlands proposed for buckthorn removal along with revisits and spot treatment where needed. In addition to buckthorn, other invasive plant species that are managed in woodlands include: patches of phragmites, garlic mustard, wild carrot, thistle and Japanese knotweed.

Throughout London’s parks, 76 of 166 phragmites sites were addressed, equaling approximately 4.8Ha of land. About two-thirds of those sites are now “clean”, while the rest require the normal follow-up treatment in 2021. Additional park sites will be addressed in 2021.

Along London’s roadways, the Lower Thames Valley Conservation Authority (LTVCA) coordinated Phragmites management along the roadsides in their watershed in 2018-2019. The City split the cost for this work with LTVCA for the roadsides inside the City limits. Subsequently, a contractor was engaged to start to control the remaining 939 identified phragmites sites. To date, 12% of the sites (27% of the area of Phragmites) have been addressed. Annual work on the remaining sites should continue to control further spread and eliminate known phragmites on our roadsides.

In London’s storm water management ponds there are many factors in which we are dependant on in becoming invasive free (including phrag), the largest of which depends on the elimination of these types of species on lands adjacent to and upstream of SWM facilities. This is a longer term joint effort with land owners and developers to address. Through 2018 – 2020, specific actions included 54 stormwater management facilities being treated for invasive species (wet ponds). Of these, several facilities were treated twice over 2 consecutive years, and several were treated 3 times over consecutive years.

Work needs to continue to complete the treatments of these ponds and several new sites, and to begin working upstream.

Within the Thames River Corridor some work has been undertaken in natural areas and parks as part of the Programs above. Starting upstream at the Fanshawe dam, a specific project to eliminate Dog-strangling Vine (DSV) was undertaken, as it spreads its seeds downstream with river flow. Our contractor has removed over 31 hectares of DSV and it is monitored and addressed up as needed.

A specific comprehensive project along the Thames will be undertaken as part of the larger River Management Plan that was a recommendation of the One River EA. This work will first focus on the river banks between Boler Road and Wonderland Road and be coordinated with the Springbank Dam removal and shoreline restoration works.

3.0 Financial Impact/Considerations

3.1 Program Funding

To support an increase to the City’s efforts to control invasive species, in 2017 Council approved an additional \$350,000 per year in 2018 and 2019 and the funds were allocated to five Program Areas as follows: Thames Valley Corridor; Environmentally Significant Areas; Woodlands; Parklands; Storm Water Ponds; and Roadsides.

With the exception of the funding allocated for works specifically along the Thames River, each Division has utilized its portion of the funding from 2018 and 2019 and additional funding is required to continue work in 2021. This report seeks approval of \$375,000, as set out in Appendix “A”, to fund the work in 2021. The allocation of funding will be as follows:

| Program | Proposed 2021 Budget |
|-----------------------------------|-----------------------------|
| Environmentally Significant Areas | \$75,000 |
| Woodlands | \$75,000 |
| Parklands | \$75,000 |
| Storm Water Management Ponds | \$25,000 |
| Road-sides | \$100,000 |
| Thames Valley Corridor | \$25,000 |
| Totals | \$375,000 |

A funding request for continuation of the program implementation to eliminate invasive plant species in 2022 through 2024 will be brought forward in a budget amendment case as part of the 2022 Annual Budget Update process.

Conclusion

London’s proactive and comprehensive Invasive Plant Management Strategy is a provincially and nationally recognized Program to address the growing issue of invasive species in urban areas. The Program directly addresses one of Council’s Strategic Goals to protect and enhance our natural areas. With the proposed funding in 2021, London can continue to eliminate invasive species across the City.

Prepared and Submitted by: Andrew Macpherson
Division Manager, Parks Planning & Operations

Recommended by: Scott Stafford
Managing Director, Parks & Recreation

C J. Davies, J. Parsons, J.A. Spence, L. McDougall, B. Weber

S:\Committee Reports\2021 Committee Reports\Invasive Species Funding - AM2.docx

APPENDIX A

Appendix "A"

#21038

March 30, 2021
(Establish Budget)

Chair and Members
Community and Protective Services Committee

RE: Invasive Species Management Update and Funding Plan
(Subledger NT21PK01)
Capital Project UF1001 - Invasive Species Management

Finance and Corporate Services Report on the Sources of Financing:

Finance and Corporate Services confirms that financing for the continuation of the invasive species management program, while not currently included in the Capital Budget, can be accommodated by a drawdown from the Urban Forestry Reserve Fund and that subject to the approval of the Managing Director, Parks and Recreation, the detailed source of financing is:

| Estimated Expenditures | Approved Budget | This Submission | Revised Budget |
|--|------------------------|------------------------|-----------------------|
| Construction | 0 | 375,000 | 375,000 |
| Total Expenditures | \$0 | \$375,000 | \$375,000 |
| Sources of Financing | | | |
| Drawdown from Urban Forestry Reserve Fund (note 1) | 0 | 375,000 | 375,000 |
| Total Financing | \$0 | \$375,000 | \$375,000 |

Note 1: The funding requirement is available as a drawdown from the Urban Forestry Reserve Fund (formerly Woodland Acquisition and Management Reserve Fund). The reserve fund will have an uncommitted balance of \$2.3M with the inclusion of this program. A budget amendment case will be brought forward during the 2022 Annual Budget Update to establish funding from 2022 to 2024 for the further continuation of this program.

Kyle Murray

Director of Financial Planning and Business Support
lp



City of London Map

Notes

Thames Village

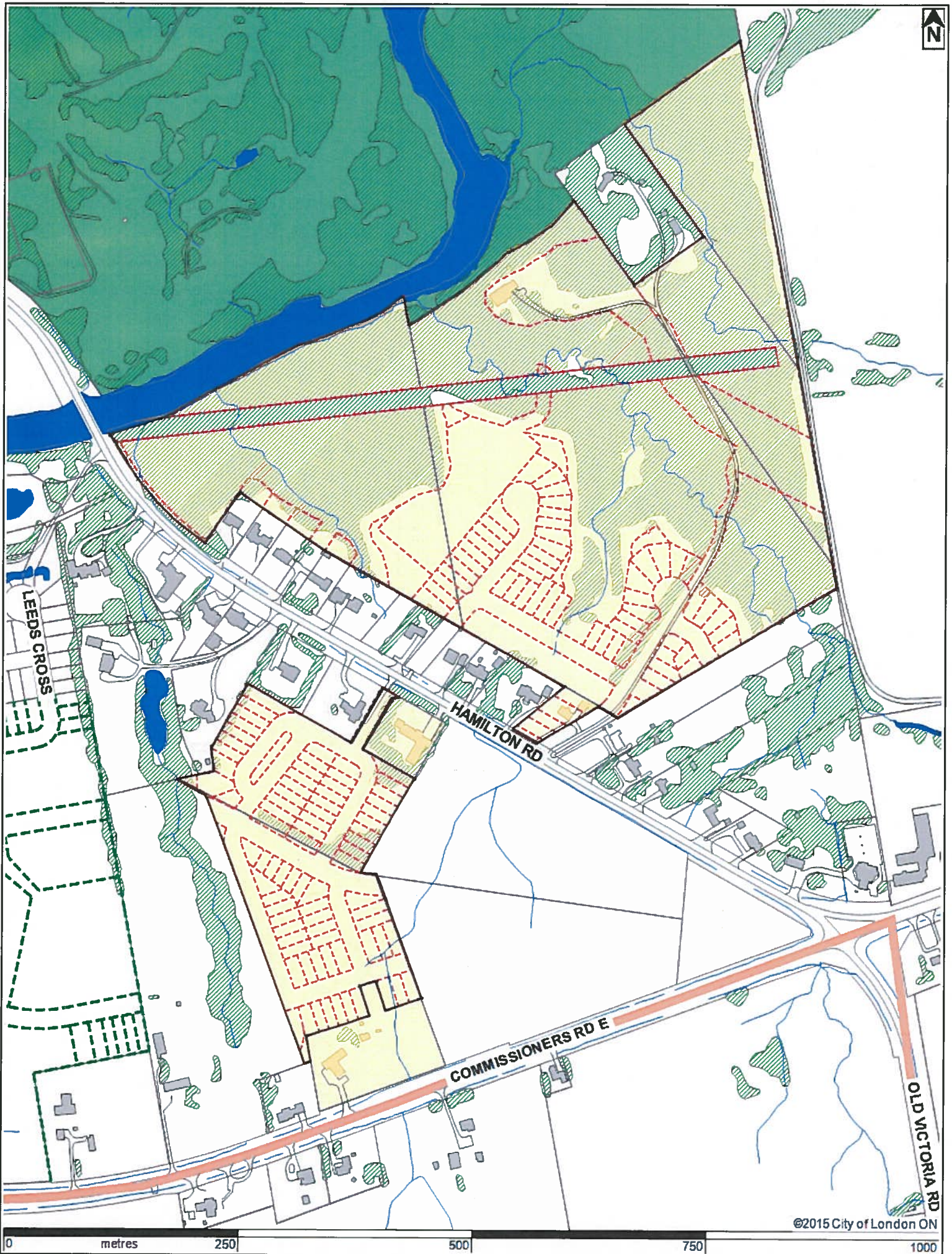


How does a pathway get in the buffer, an ESA AND cross a watercourse without being in an EIS?

0.3 0 0.13 0.3 Kilometers

NAD_1983_UTM_Zone_17N
© City of London

This map is a user generated static output from city of london site and is for reference only.








©2015 City of London ON

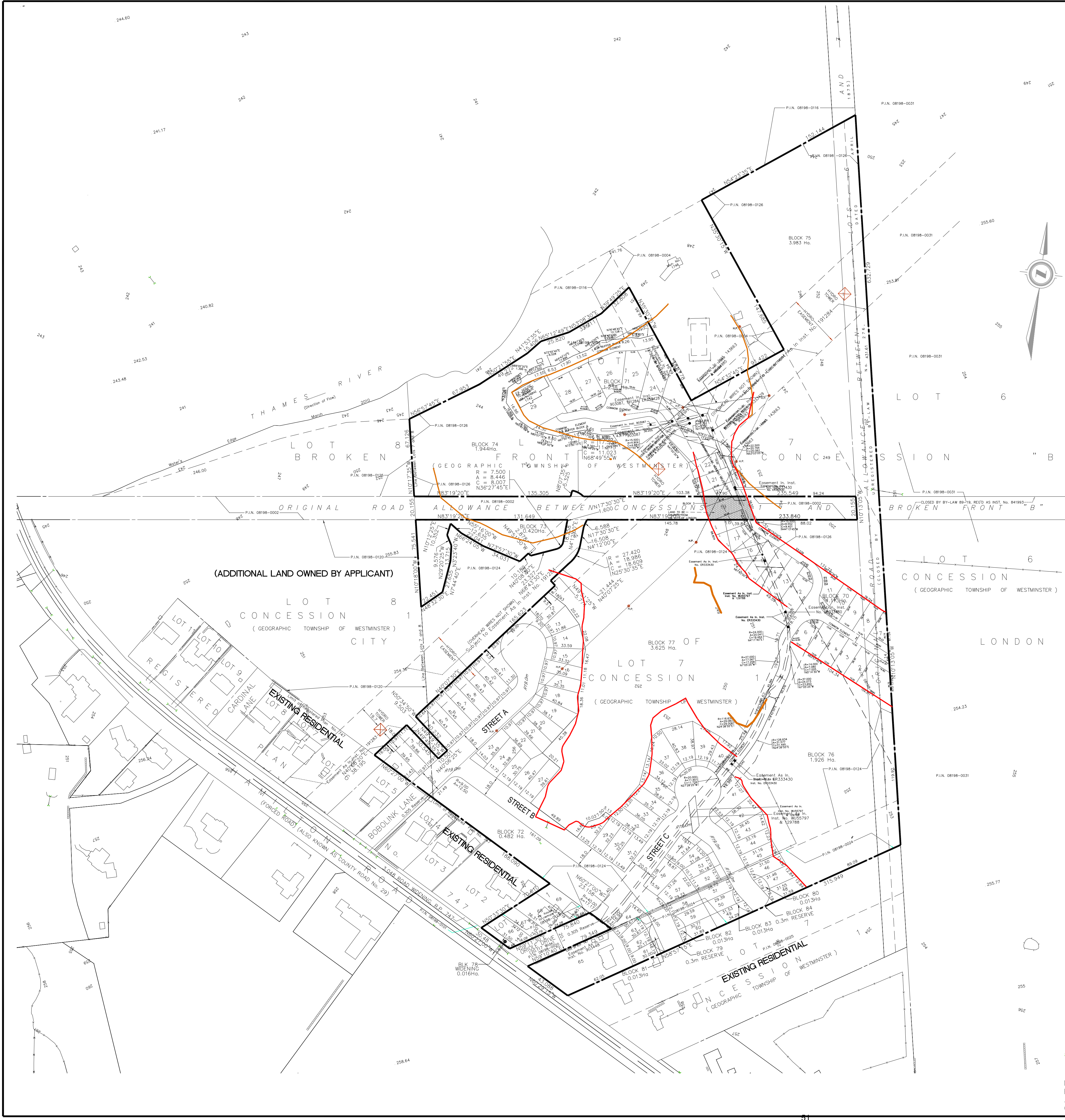
LOCATION MAP

Subject Site: 1691, 1738 and 1742 Hamilton Road
 File Number: 39T-13502/OZ-8147
 Created By: LM
 Date: 2015-01-21
 Scale: 1:5000

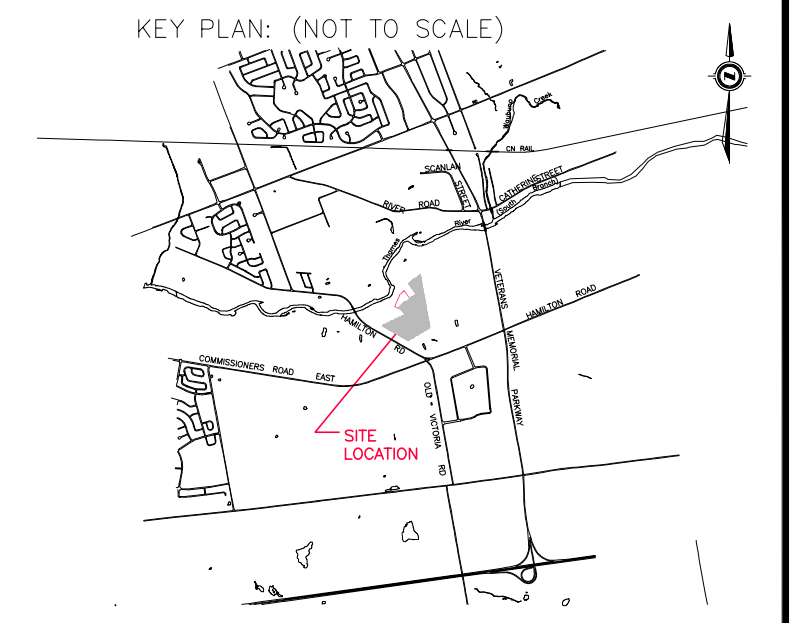
LEGEND

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers





File No. _____
 Subject to the conditions, if any, set forth in our letter dated ____ day of _____, 201____, this draft plan is approved under Section 51 of the *Planning Act* this ____ day of _____, 201____



— STABLE SLOPE LIMIT
 — DEVELOPMENT SETBACK LIMIT

DRAFT PLAN OF SUBDIVISION
 OLD VICTORIA SUBDIVISION
LEGAL DESCRIPTION
 PART OF LOTS 7 AND 8, CONCESSION 1
 PART OF LOT 7, BROKEN FRONT CONCESSION "B"
 PART OF THE ROAD ALLOWANCE BETWEEN LOT 6 & 7, CONCESSION 1
 PART OF THE ROAD ALLOWANCE BETWEEN LOT 6 & 7, BROKEN FRONT CONCESSION "B"
 (CLOSED BY UNREGISTERED BY-LAW 276, DATED APRIL, 1875)
 AND ALL OF LOT 1, REGISTERED PLAN No. 747
 (GEOGRAPHIC TOWNSHIP OF WESTMINSTER)
 IN THE
 CITY OF LONDON
 COUNTY OF MIDDLESEX

OWNERS CERTIFICATE
 I, DON DE JONG, AM AUTHORIZED TO MAKE A SUBMISSION OF THIS DRAFT PLAN AS THE AGENT FOR THE OWNERS:
 HAROLD BIGGS, GERALD ERIC TOPHOLME
 STEPHEN AYLMER CLINE, LOREL ELIZABETH CLINE
 CHARLES ANDERSON CLINE,

 DON DE JONG DATE
 THAMES VILLAGE JOINT VENTURE CORPORATION

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED, AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

 JUAN D. ZAPATA DATE
 ONTARIO LAND SURVEYOR
 ARCHIBALD, GRAY & MCKAY

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT
 (A) SEE PLAN (E) SEE PLAN (I) FINE GRAN SANDS & SILTS
 (B) SEE PLAN (F) SEE PLAN (J) SEE PLAN
 (C) SEE PLAN (G) SEE PLAN (K) FULL MUNICIPAL SERVICES
 (D) SEE PLAN (H) MUNICIPAL WATER (L) SEE PLAN

SCHEDULE OF LAND USE

| LAND USE | AREA (IN Ha) | % PERCENTAGE |
|--|---------------|--------------|
| SINGLE FAMILY RESIDENTIAL - LOW DENSITY LOTS 1 TO 69 | 3.196 | 16.51% |
| LOW DENSITY RESIDENTIAL (VLC) BLK 70 - 71 | 2.351 | 12.15% |
| MEDIUM DENSITY RESIDENTIAL BLOCK 72 | 0.482 | 2.49% |
| OPEN SPACE BLOCKS 73 - 77 | 11.898 | 61.48% |
| ROAD WIDENING BLOCK 78 | 0.016 | 0.08% |
| 0.3m RESERVE BLOCKS 79 - 80 | 0.002 | 0.01% |
| TEMPORARY TURNING CIRCLE BLOCKS 81 - 84 | 0.052 | 0.27% |
| ROAD ALLOWANCES STREET A TO C | 1.356 | 7.01% |
| TOTAL AREA | 19.353 | 100% |

DRAFT PLAN OF SUBDIVISION - TRV SUBMISSION MARCH 17, 2017
OLD VICTORIA EAST SUBDIVISION
 1738, 1742, 1752, 1756 HAMILTON ROAD

THAMES VILLAGE JOINT VENTURE
 609 WILLIAM ST. SUITE 200
 LONDON, ON N6B 3G1
 519-657-5989 info@tridangroup.com

DRAWN BY:
 PLANFILE No.: OVE SUBDIVISION
 DISK No.:
 SCALE: 0 15 60 1:1500
 DATE: APRIL 27, 2017 PROJECT No.: OVE DP

NOTE: BOUNDARY DIMENSIONS, UNDERLYING LOT FABRIC, EASEMENT DETAIL, EXISTING SURFACE FEATURE DETAILS AND MISCELLANEOUS DIMENSIONS AND NOTES WERE ADDED TO THIS PLAN BY ARCHIBALD GRAY & MCKAY LTD ON MARCH 17, 2017, AGM FILE WT-146-3 (WT1711DP1.DWG)

