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File: OZ-8271  
4 of 5  
Planner: Mike Corby

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: THE CITY OF LONDON A PORTION OF 1424 CLARKE ROAD, 2120, 2204 HURON STREET AND 16090 ROBINS HILL ROAD PUBLIC PARTICIPATION MEETING ON MARCH 4, 2014</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to a portion of the properties located at 2120, 2204 Huron Street and 16090 Robins Hill Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Schedule 'A' of the Official Plan to change the designation of the subject lands **FROM** a General Industrial designation, **TO** an Environmental Review designation.
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Holding General Industrial (h\*GI) Zone **TO** an Environmental Review (ER) Zone.

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to a portion of the properties located at 1424 Clarke Road:

- (c) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Schedule 'A' of the Official Plan to change the designation of the subject lands **FROM** a General Industrial designation, **TO** an Environmental Review designation.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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OZ-8120 – June 18, 2013, June 20, 2013 Reports to Planning Committee

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this Official Plan and zoning change is to identify and protect significant natural heritage features on the subject sites where they exist and remove the natural heritage designation where no significant features have been identified as being present.

Municipal Council has directed City Staff to undertake a review of "Unevaluated Vegetation Patches" shown on Schedule "B-1" of the Official Plan that are not shown as "Open Space" or "Environmental Review" on Schedule "A" of the Official Plan in an effort to make the schedules

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align with each other.

**RATIONALE**

- i) The recommended amendment is consistent with the Provincial Policy Statement, 2005.
- ii) The recommended amendment is consistent with the City of London's Official Plan,
- iii) The recommended amendment reconciles the inconsistencies between Schedules "A" and 'B-1'
- iv) Provides protection under the "Tree Conservation By-law" for certain woodlands which are currently unprotected.
- v) Removes ecological designations on lands/features which do not provide significant ecological functions and allows these lands to be developed in conformity with their underlying designation.

**PLANNING HISTORY**

Through a previous planning application that was processed by municipal Staff a discrepancy between the Official Plan, Schedule "A" Landuse map and Schedule 'B-1' Natural Heritage Features map was identified in which the woodlands identified on Schedule 'B-1' was not identified on Schedule "A". In an effort to avoid future inconsistencies of the same nature Council directed staff on August 27, 2013 to identify all Unevaluated Vegetation Patches on Schedule 'B-1' that are not protected by an appropriate land use designation on Schedule "A" of the Official Plan. Once identified, Staff were directed to determine the significance of each vegetation patch and make the appropriate changes to Schedules "A" and 'B-1'.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

**Middlesex London Health Unit:**

*The Middlesex-London Health Unit (MLHU) recognizes the need to identify and protect significant natural heritage features on subject sites where they exist and to remove the natural heritage designation where an evaluation has not identified the presence of a significant feature. In order to do this, Municipal Council directed City Staff to undertake a review of "Unregulated Vegetation Patches" shown in Schedule B-1 of the Official Plan that are not shown as "Open Space" or "Environmental Review" on Schedule A of the Official Plan has been conducted in order to ensure that both schedules' are aligned. This has resulted in 26 applications for amendment to the Official Plan & Zoning By-law.*

*In general, the MLHU supports the proposed amendments that result in designation changes that protect numerous natural heritage features throughout the city. These amendments align with the policies contained within the Provincial Policy Statement (2005), the City of London Strategic Plan (2011 – 2014), policies within the City of London Official Plan (2006) and key directions provided by the ReThink London Discussion papers (2013).*

**City of London Strategic Plan and Official Plan Policies**

*Protecting natural areas is consistent with the Strategic Result of 'A Green and Growing City' to "value and protect our environment". In addition, several Official Plan policies support protecting areas within the city for integration into the City's overall parks network and to protect significant features and ecological functions (Sections: 8 - Open Space Land Use Designation and 15 - Environmental Policies). Preserving such spaces serves to enhance the City's image as the Forest City', and provide a break in the urban landscape.*

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Provincial Policy Statement

1.5 Public Spaces, Parks and Open Space

1.5.1 Healthy, active communities should be promoted by:

b) providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, open space areas, trails and where practical, water-based resources;

2.1 Natural Heritage

2.1.4 development and site alteration shall not be permitted in:

b) significant woodlands south and east of the Canadian Shield unless it has been demonstrated that there will be not negative impacts on the natural features or their ecological functions.

ReThink London Discussion Papers

Building a Greener City - Community consultations identified the need for greater conservation of natural resources, protection of our natural heritage, environmental management and promoting "Natural Capital" such as woodlands and Environmentally Significant Areas.

Building Strong and Attractive Neighbourhoods – Community consultations also identified the need to protect what we cherish by protecting the environment, establishing ecological connections between woodlands, environmentally significant areas and corridors.

The Value in Preserving Natural Heritage Features

As the city of London continues to grow and expand, preservation of natural areas ensures that habitats and species unique to the area will be protected. These areas will also provide Londoners for generations to come with a means to connect with nature and opportunities to find refuge from city life. Evidence indicates that access to natural features helps to support both the physical and mental well-being of individuals as well as that of neighbourhoods and communities (Johnson & Marko, 2007; Canadian Institute of Planners, 2010). Protecting these natural areas will serve to enhance the parks and trails systems already in existence within the Forest City.

Conclusion

City Council is to be commended for taking action to ensure that significant natural heritage features are protected and remain protected and accessible. Current as well as future generations stand to benefit from these measures that "provide a balanced approach to preserving and protecting our natural environment, knowing it is essential to our prosperity, sustainability and quality of life" (City of London Strategic Plan, 2011 – 2014, p.15).

**EEPAC requested the following:**

- a) any woodland that is not deemed significant as the result of a desktop exercise be classified as "Environmental Review" until the woodlands' significance can be determined through the completion of more detailed environmental studies; and,
- b) the EEPAC receive the desktop exercise results for the patches, if possible.

**Ministry of Natural Resources** - There appear to be unevaluated wetlands associated with the identified stream corridor in the Notice of Application as well as along the shoreline of the Thames River. The unevaluated wetlands appear to be a combination of swamp and marsh.

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<b>PUBLIC LIAISON:</b>	<p>On November 18<sup>th</sup>, 2013, Notice of Application was sent to all property owners within 120 metres of the properties which were subject to a proposed change. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on October 31<sup>st</sup>, 2013.</p>	<p>No Replies were recieved</p>
<p><b>Nature of Liaison:</b></p> <p>The purpose and effect of this Official Plan and zoning change is to identify and protect significant natural heritage features on the subject sites where they exist and to remove the natural heritage designation where an evaluation has not identified the presence of a significant feature.</p> <p>Municipal Council has directed City Staff to undertake a review of “Unevaluated Vegetation Patches” shown on Schedule “B-1” of the Official Plan that are not shown as “Open Space” or “Environmental Review” on Schedule “A” of the Official Plan in an effort to make the schedule’s align with each other.</p>		
<p><b>Responses:</b> None</p>		

<b>ANALYSIS</b>
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Patch 08022 (1424 Clarke Road ,2120 & 2204 Huron St, 16090 Robins Hill Road)

A portion of this patch covers a large meadow area which was formerly treed, but the trees were removed to provide safe sightlines for the airport. The meadow area of land should be protected and maintained as meadow and thicket habitat. However, without a full review of the patch it is difficult to define the appropriate limits of this large patch. Until such time as the accurate limits of the boundaries and significance of the patch can be fully evaluated Staff are recommending a change to Schedule “A” of the Official Plan to Environmental Review. The zoning is also recommended to be changed to an Environmental Review (ER) Zone to implement the new Official Plan policies.

<b>CONCLUSION</b>
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The report is being tabled in response to a Council resolution to review unevaluated vegetation patches in the City that are not protected by either the Zoning By-law or Official Plan. Staff has identified a 4 part strategy. The subject sites fall under Part 2 as the lands are recommended to be rezoned and re-designated through this report to protect their ecological function or recognize that they no longer provide an ecological function due to their site alteration or provincial land use permissions.

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<b>PREPARED BY:</b>	<b>REVIEWED BY:</b>
<b>MIKE CORBY CURRENT PLANNING</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING</b>
<b>SUBMITTED BY:</b>	<b>RECOMMENDED BY:</b>
<b>ANDREW MACHPERSON, OALA MANAGER, ENVIRONMENTAL AND PARKS PLANNING</b>	<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>

January 29, 2014  
MC/mc

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Planner: Mike Corby

**Bibliography of Information and Materials  
OZ-8271**

**Request for Approval:**

City of London Official Plan and Zoning By-law Amendment Application Form, completed by The City of London, October 11, 2014.

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

City of London. Ecologist Report on Schedule “B-1” Patch Evaluations

**Correspondence: (all located in City of London File No. Insert File No. OZ-8271 unless otherwise stated)**

**City of London –**

Clavet, Y., Storm Water Management Unit. Email to M. Corby, December 5, 2013

**Departments and Agencies -**

Crieghton C., UTRCA. Various Memo’s to M. Corby. December 18, 2013.

Lysynski L., EEPAC. Letter to M. Corby. January 29, 2014.

McClure K., Ministry of Municipal Affairs and Housing (MMAH). E-mail to M. Corby, December 16, 2013.

Dalrymple, D., London Hydro. Memo to M. Corby. November 20, 2013.

McCall B., Middlesex-London Health Unit. E-mail to M. Corby, December 2, 2013.

Legault D., NAV Canada. Letter to M. Corby, November 25, 2013

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**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2014

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for the City of London, 1989 relating to a portion of 1424 Clarke Road, 2120 & 2204 Huron Street and 16090 Robins Hill Road.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13.*

PASSED in Open Council on March 18, 2014.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

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**Planner: Mike Corby**

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is:

1. To change the designation of certain lands described herein to Environmental Review on Schedule "A", Land Use, to the Official Plan for the City of London to protect the natural features until further review is completed.

**B. LOCATION OF THIS AMENDMENT**

1. This Amendment applies to a portion of land located at 1424 Clarke Road, 2120 & 2204 Huron Street and 16090 Robins Hill Road in the City of London.

**C. BASIS OF THE AMENDMENT**

The recommended Official Plan amendment to protect unevaluated vegetation patch 08022 on Schedule Land Use map of the Official Plan. This is considered appropriate after reviewing the significance of the existing woodland as per Official Plan Policy 15.4.5.1 and determining that portions of the patch could contain significant natural features. No delineation of the open space should take place until further review is complete to accurately identify the areas of importance.

**D. THE AMENDMENT**

The Official Plan for the City of London is hereby amended as follows:

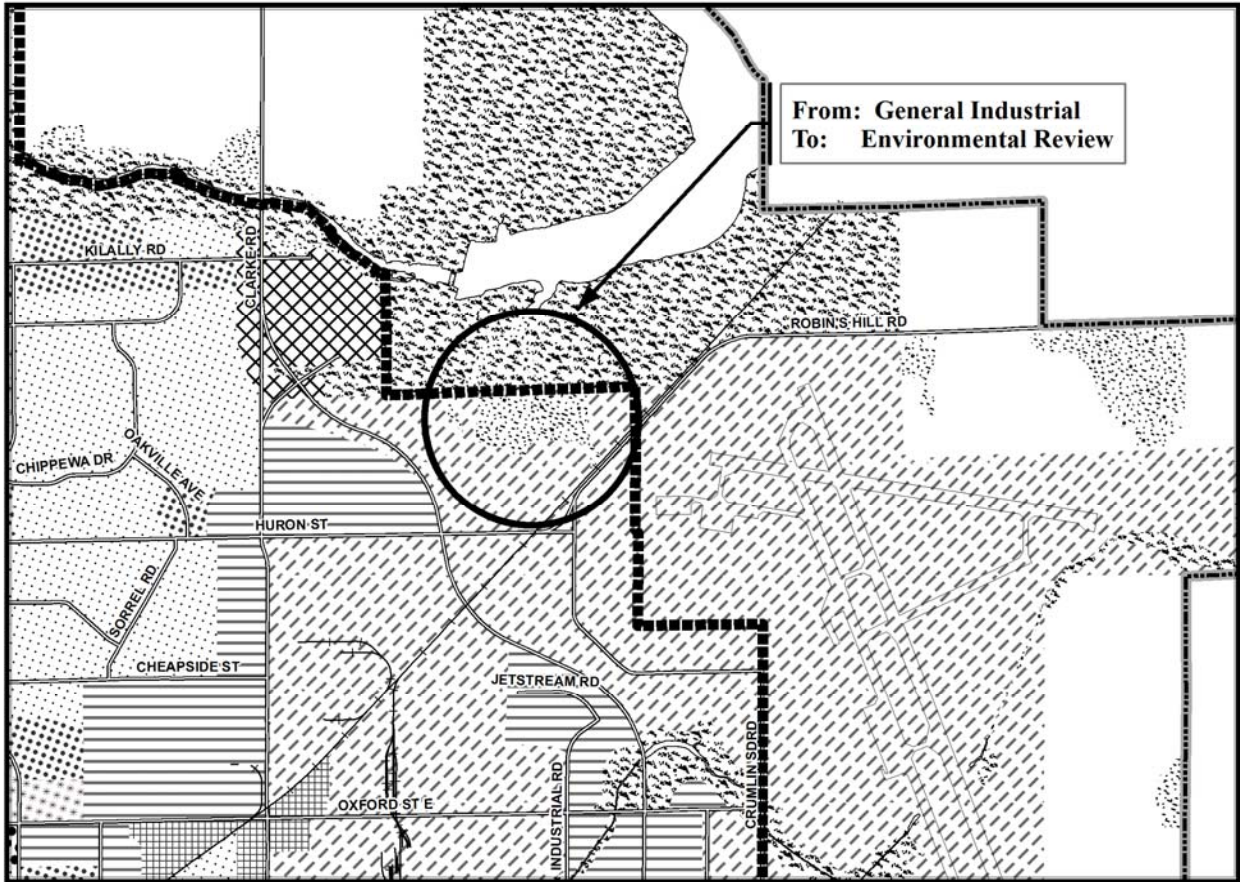
1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating a portion of those lands located at 1424 Clarke Road, 2120 & 2204 Huron Street and 16090 Robins Hill Road in the City of London, as indicated on "Schedule 1-9" attached hereto **FROM** General Industrial **TO** Environmental Review.



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 Planner: Mike Corby

AMENDMENT NO:



**Legend**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li> Downtown</li> <li> Enclosed Regional Commercial Node</li> <li> New Format Regional Commercial Node</li> <li> Community Commercial Node</li> <li> Neighbourhood Commercial Node</li> <li> Main Street Commercial Corridor</li> <li> Auto-Oriented Commercial Corridor</li> <li> Multi-Family, High Density Residential</li> <li> Multi-Family, Medium Density Residential</li> <li> Low Density Residential</li> <li> Office Area</li> <li> Office/Residential</li> </ul> | <ul style="list-style-type: none"> <li> Office Business Park</li> <li> General Industrial</li> <li> Light Industrial</li> <li> Regional Facility</li> <li> Community Facility</li> <li> Open Space</li> <li> Urban Reserve - Community Growth</li> <li> Urban Reserve - Industrial Growth</li> <li> Rural Settlement</li> <li> Environmental Review</li> <li> Agriculture</li> <li> Urban Growth Boundary</li> </ul> |
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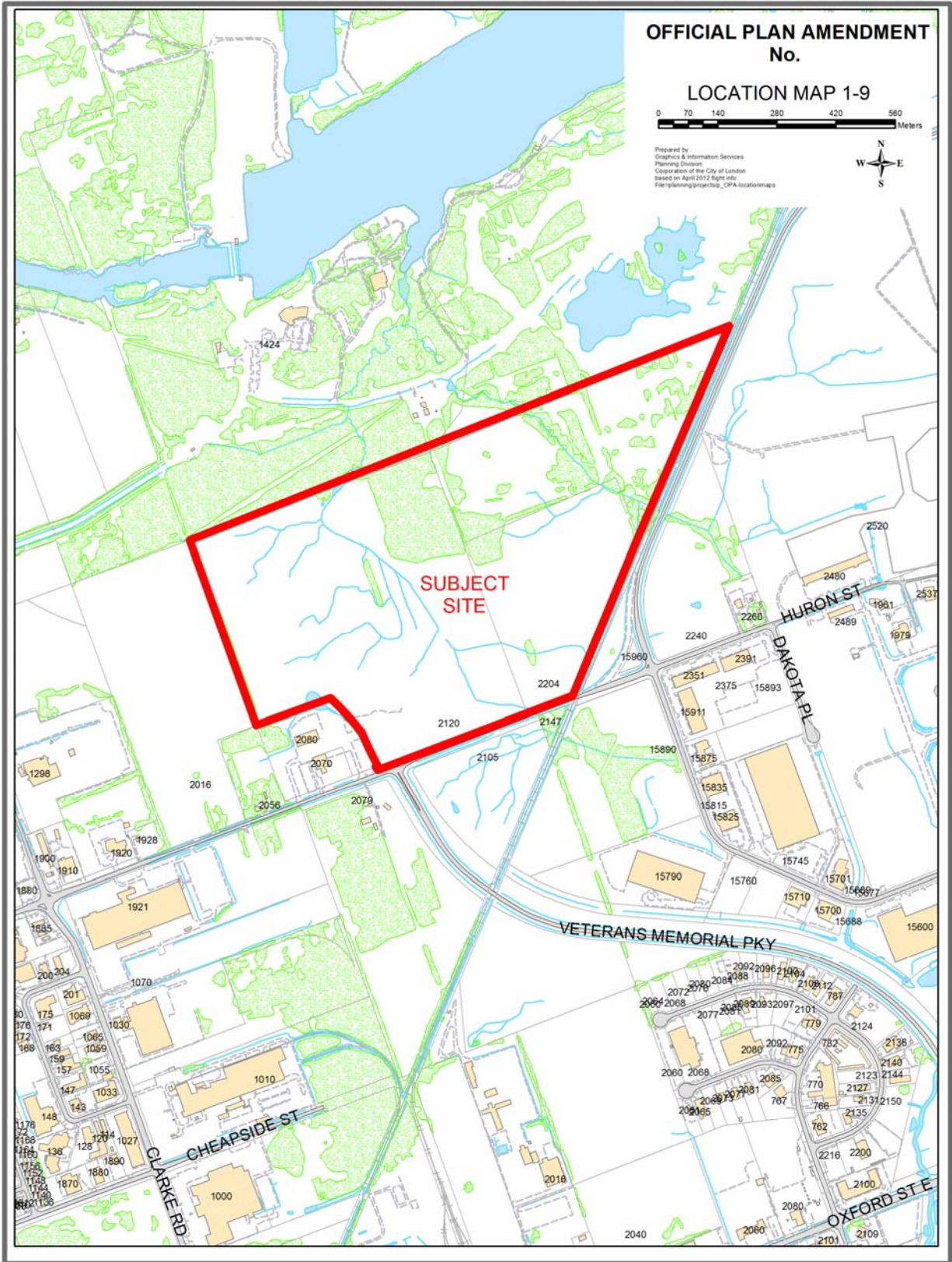
*This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.*

<p><b>SCHEDULE 1-9 TO OFFICIAL PLAN</b></p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1200 1500 Meters</p>	<p>FILE NUMBER: OZ-8271</p> <p>PLANNER: MC</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/02/10</p>
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PROJECT LOCATION: e:\planning\projects\ip\_officialplan\work\consolid\0\amendments\OZ-8271\_map\_9\_2120\_2204\_Huron\_St\_16090\_Robin's\_Hill\_Rd\mxd\OZ-8271\_9\_OPA\_SchA\_amendment.mxd

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Planner: Mike Corby



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**Appendix "B"**

Bill No. (number to be inserted by Clerk's Office)  
2014

By-law No. Z.-1-14\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone a portion of land located at 2120 & 2204 Huron Street and 16090 Robins Hill Road.

WHEREAS The City of London has applied to rezone a portion of lands located at 2120 & 2204 Huron Street and 16090 Robins Hill Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of lands located at 2120 & 2204 Huron Street and 16090 Robins Hill Road, as shown on the attached map comprising part of Key Map No. A.104, **FROM** a Holding General Industrial (h\*GI) **TO** an Open Space (OS5) Zone.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on March 18, 2014.

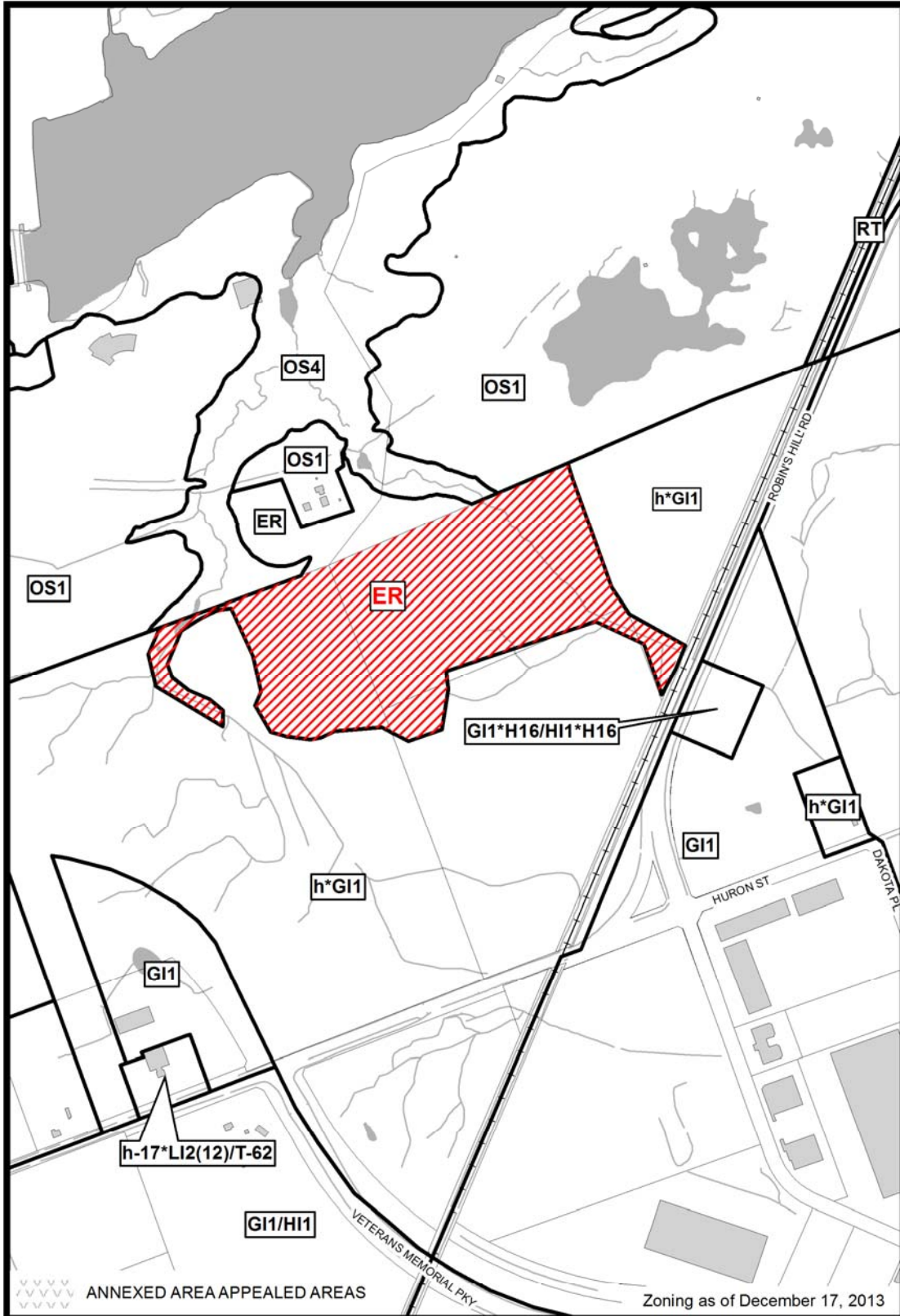
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk


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AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: OZ-8271\_9  
 Planner: MC  
 Date Prepared: 2014/02/06  
 Technician: CK  
 By-Law No: Z.-1-

SUBJECT SITE 

1:7,000

0 35 70 140 210 280 Meters



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Planner: Mike Corby

**Appendix “C”**

<b>Patch # and Addresses</b>	<b>Recommended Action</b>	<b>Rationale and OP Significant Woodland Criteria met in the Patch</b>
<p><b>08022</b></p> <p>(2120, 2204 Huron Street, 16090 Robins Hill Road)</p>	<p><b>Designate as ER on A</b></p>	<p><b>08022</b> - Located in the North Thames Subwatershed in the northwest of London, this patch is part of a large area of upland woodland, plantation forest and old field meadow. Two tributaries that drain into Fanshawe Lake are located in this patch and they connect a series of patches to the lake. It is located on an area of groundwater recharge. The area of meadow was formerly treed, but the trees were removed to provide safe sightlines for the airport. This cleared area of land should be protected and maintained as meadow and thicket habitat. It is recommended to protect this patch by designating it as ER land use on Schedule A until such time as the accurate limits of the boundaries and significance of the patch can be fully evaluated.</p> <p>OP Criteria met: subject to further review</p>