

5 of 5

Planner: Mike Corby

то:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: THE CITY OF LONDON A PORTION OF 2470, 2536 and 2544 COLONEL TALBOT ROAD, 947 LONGWORTH ROAD PUBLIC PARTICIPATION MEETING ON MARCH 4, 2014

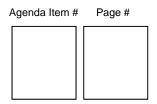
RECOMMENDATION

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 property located at 2536 and 2544 Colonel Talbot Road;

- (a) The proposed by-law <u>attached</u> 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 Low Density Residential, **TO** an Open Space designation;
- (b) The proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Schedule 'B-1' of the Official Plan to change the designation of the subject lands **FROM** an Unevaluated Vegetation Patch, **TO** a Significant Woodland;
- (c) The proposed by-law <u>attached</u> 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** an Urban Reserve (UR1) Zone and a Resource Extraction (EX) Zone which regulates resource extraction operations which may be operated alone, or in conjunction with other uses, through compounding **TO** an Open Space (OS5) 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 property located at 2470 Colonel Talbot Road:

- (d) The proposed by-law <u>attached</u> 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** an Urban Reserve Community Growth designation and a Low Density Residential Designation, **TO** an Open Space designation;
- (e) The proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Schedule 'B-1' of the Official Plan to change the designation of the subject lands **FROM** an Unevaluated Vegetation Patch, **TO** a Significant Woodland;
- (f) The proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Schedule 'B-1' of the Official Plan to **DELETE** a portion of Unevaluated Vegetation Patch 10059.



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Planner: Mike Corby

(g) The proposed by-law <u>attached</u> 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 (d) above, to change the zoning of the subject property **FROM** a Resource Extraction (EX) Zone which **TO** an Open Space (OS5) 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 property located at 947 Longworth Road:

- (h) The proposed by-law <u>attached</u> 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** an Urban Reserve Community Growth designation **TO** an Environmental Review designation;
- (i) The proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Schedule 'B-1' of the Official Plan to **DELETE** a portion of Unevaluated Vegetation Patch 10059.
- (j) The proposed by-law <u>attached</u> 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 (h) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR2) Zone **TO** an Environmental Review (ER) Zone.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

OZ-8120 – June 18, 2013, June 20, 2013 Reports to Planning Committee

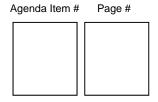
PURPOSE AND EFFECT OF RECOMMENDED ACTION

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 schedule's 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.



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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).

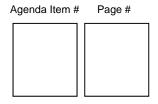
City of London Strategic Plan and Official Plan Policies

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.

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



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<u>Building a Greener City</u> - 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.

<u>Building Strong and Attractive Neighbourhoods</u> – 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).

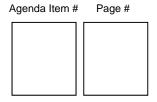
EEPAC requested the following:

- 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

This OPA/ZBA proposes to amend Schedule B-1 from unevaluated vegetation patch to PSW and significant woodland. Based on the mapping provided it is difficult to identify where the PSW boundary is. Also based on MNR's review of aerial photography it appears as though there are additional unevaluated wetlands on the subject site that extend beyond the PSW boundary.

PUBLIC LIAISON:	On November 18 th , 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 st , 2013.	9 replies were received
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Nature of Liaison:

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.

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.

Responses:

2470 Colonel Talbot Road, 947 Longworth Road & Surrounding Area

- Some owners concerned about loss of aggregate lands or potentially developable lands
- Public pleased about the potential protection of woodlands.

ANALYSIS

Patch 10059 (2470, 2536 and 2544 Colonel Talbot Road, 947 Longworth Road)

Patch 10059 is a large unevaluated vegetation patch which spans several abutting properties and is part of a large natural connection that runs through the area. The patch as a whole has scored 5 high and 3 medium making the patch significant. A large portion of the patch has been protected through a previous plan of subdivision and is zoned and designated accordingly. The portion of the patch that spans 2470, 2536 and 2544 Colonel Talbot Road is important to the natural connection that runs through the area and is recommended to be re-designated as Open Space on Schedule "A" and Significant Woodland on Schedule 'B-1'. The appropriate Open Space (OS5) Zone is also recommended to be placed over the vegetation patch.

A portion of the unevaluated vegetation patch which falls over 2470 Colonel Talbot Road is recommended to be deleted from Schedule 'B-1' as it falls within an existing gravel pit license area and the trees have been removed to allow these lands to be extracted.

The unevaluated vegetation patch located on 947 Longworth Road is currently zoned for extraction. This section of land also has an existing pit license which takes precedent under the land use planning legislation in Ontario. Therefore Staff are recommending that the portion of the unevaluated vegetation patch which falls within the extraction zone be removed from Schedule 'B-1'. A section of this patch extends south on the subject lands past the area where the existing pit license terminates and it has been determined that this section should be protected until a comprehensive review can take place. This portion should be re-designated on Schedule "A' as Environmental Review and zoned Environmental Review (ER).

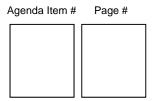
CONCLUSION

This 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 strategy which separates these vegetation patches into four separate categories based on the required course of action. The subject sites fall under Category 2 as the lands are recommended to be rezoned and re-designated through this report to protect their ecological

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function or recognize that they no longer provide an ecological function due to their site alteration or provincial land use permissions.



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

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

January 29, 2014 MC/mc

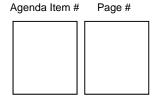
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Responses to Public Liaison Letter and Publication in "Living in the City"

Blinn Holdings 2470 Colonel Talbot Road Dan & Hiljia Cartmell 10-920 Southdale Road. W Jay Patzer Drita Imerovski 823 Thistleridge Cres, London ON Marvin Recker 1460 Norman Ave, London ON, N6K 2A7 Brent & Cheryl Taylor 987 Thistleridge Cres, London MHBC Planning on Behalf of LaFarge MHBC Planning on Behalf of 952 Southdale Road Norquay Developments (Craig Linton) on behalf of 947 Longwoods Road, London ON	Written
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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

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

City of London -

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

Departments and Agencies -

Creighton C., UTRCA. Various Memo's to M. Corby. December 18, 2013.

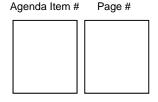
Lysynski L., EEPAC. Letter to M. Corby. January 29, 2014.

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 2536, 2544 and 2470 Colonel Talbot Road, 947 Longworth Road.

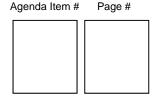
The Municipal Council of The Corporation of the City of London enacts as follows:

- 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. <u>PURPOSE OF THIS AMENDMENT</u>

The purpose of this Amendment is:

- 1. To change the designation of certain lands described herein to Open Space on Schedule "A", Land Use, to the Official Plan for the City of London to protect the natural features identified.
- To change portions of unevaluated vegetation patch 10059 on Schedule 'B-1'
 Natural Heritage Features of the Official Plan for the City of London to a Significant Woodland.
- 3. To amend Schedule B-1- Natural Heritage Features, to delete "Unevaluated Vegetation Patch".

B. <u>LOCATION OF THIS AMENDMENT</u>

1. This Amendment applies to a portion of lands located at 2470, 2536 and 2544 Colonel Talbot Road, 947 Longworth Road in the City of London.

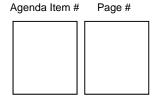
C. <u>BASIS OF THE AMENDMENT</u>

The recommended Official Plan amendments are to protect appropriate portions of unevaluated vegetation patch 10059 on Schedule "A" Land Use and Schedule 'B-1', Natural Heritage Features of the Official Plan and remove portions of unevaluated vegetation patch 10059 from Schedule 'B-1'. This is considered appropriate after reviewing the significance of the existing woodland as per O.P. Policy 15.4.5.1 and determining that portions of the patch contained significant natural features while others did not.

D. <u>THE AMENDMENT</u>

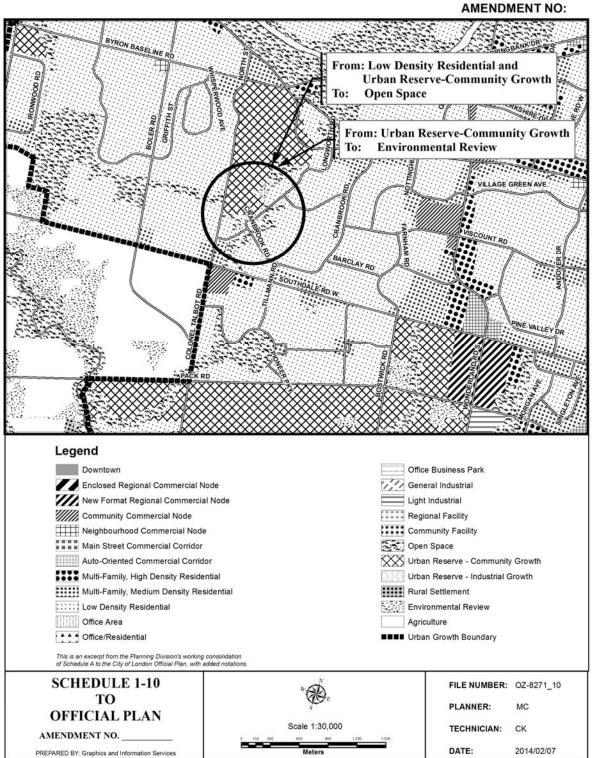
The Official Plan for the City of London is hereby amended as follows:

- 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, 2536, 2544 Colonel Talbot Road in the City of London, as indicated on "Schedule 1-10a" attached hereto FROM Low Density Residential TO Open Space.
- 2. 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, 2470 Colonel Talbot Road in the City of London, as indicated on "Schedule 1-10a" attached hereto FROM Urban Reserve Community Growth and Low Density Residential TO Open Space.
- 3. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating a portion of land located at, 947 Longworth Road in the City of London, as indicated on "Schedule 1-10a" attached hereto **FROM** Urban Reserve Commercial Growth **TO** Environmental Review.
- 4. Schedule 'B-1'- Natural Heritage Features of the Official Plan for the City of London is amended by designating portions of vegetation patch 10059 as indicated on "Schedule 1-10b" **FROM** Unevaluated Vegetation Patch **TO** a Significant Woodland.
- 5. Section Schedule B-1 Natural Heritage Features of the Official Plan for the City of London is amended by deleting portions of Unevaluated Vegetation Patch 10059.

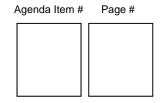


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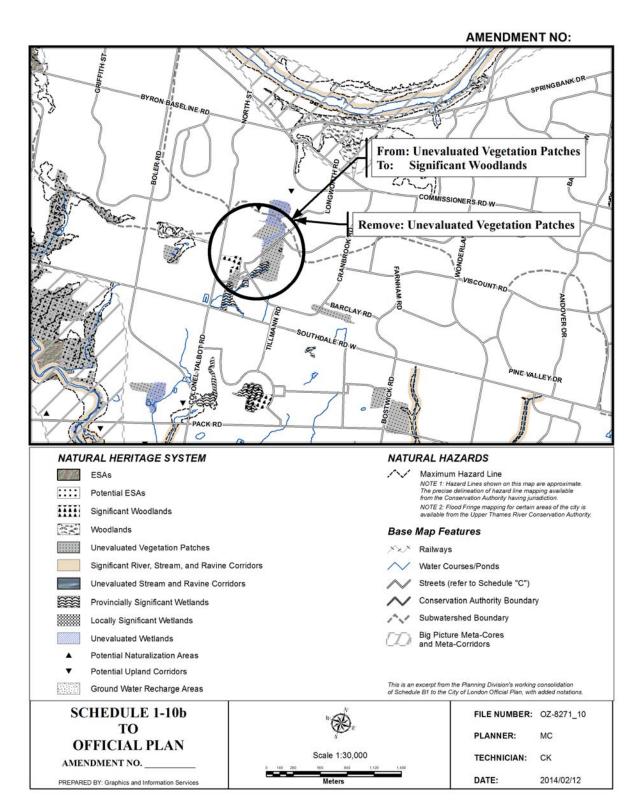
Planner: Mike Corby



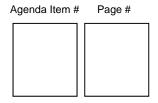
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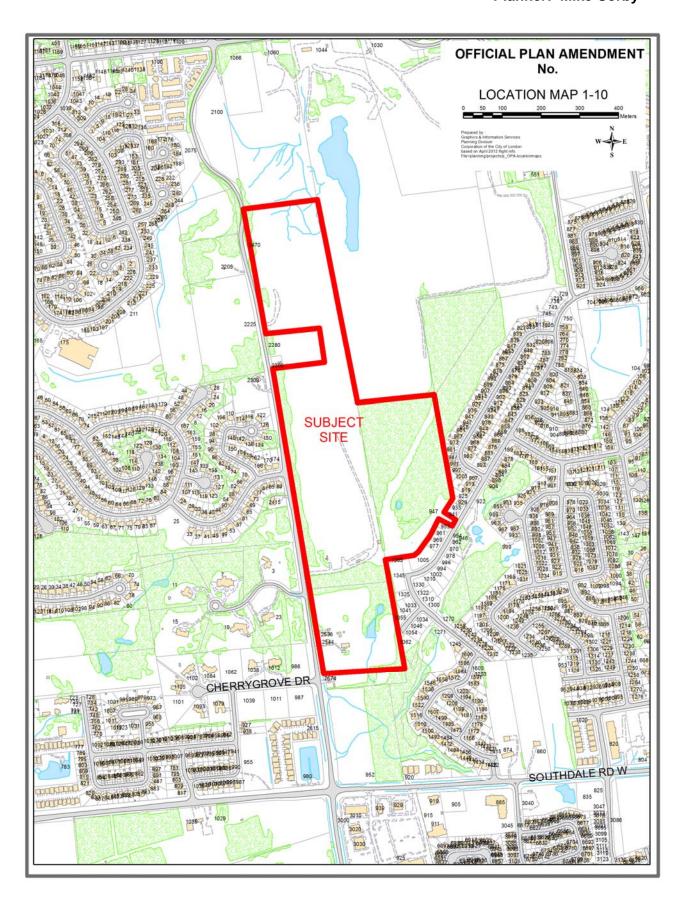
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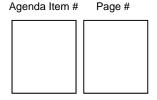


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Appendix "B"

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 2470, 2536 and 2544 Colonel Talbot Road, 947 Longworth Road.

WHEREAS The City of London has applied to rezone a portion of an area of land located at 2536, 2544 and 2470 Colonel Talbot Road, and 947 Longworth 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 lands located at 2536, 2544 Colonel Talbot Road, as shown on the attached map compromising part of Key Map No. A.106, **FROM** a Urban Reserve (UR1) Zone and Resource Extraction (EX) Zone **TO** an Open Space (OS5) Zone.
- 2) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of land located at 2470 Colonel Talbot Road, as shown on the attached map compromising part of Key Map No. A.106, **FROM** a Resource Extraction (EX) Zone **TO** an Open Space (OS5) Zone.
- 3) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of land located at 947 Longworth Road, as shown on the attached map compromising part of Key Map No. A.106, **FROM** an Urban Reserve (UR2) Zone **TO** an Environmental Review (ER) 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.

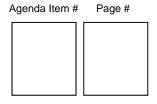
Joe Fontana Mayor

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Catharine Saunders City Clerk

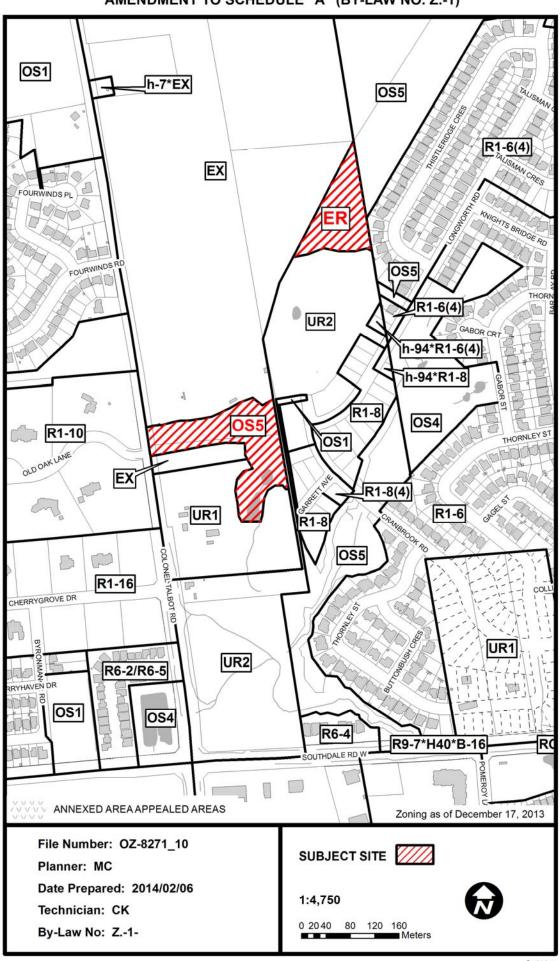
First Reading - March 18, 2014 Second Reading - March 18, 2014 Third Reading - March 18, 2014



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



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Appendix "C"

Patch # and Addresses	Recommended Action	Rationale and OP Significant Woodland Criteria met in the Patch
10059 (2470, 2536 and 2544 Colonel Talbot Road, 947 Longworth Road)	Designate as OS on A Designate as Significant Woodland on B-1	10059 - This patch is located in the Dingman Creek Subwatershed and is over 4 ha in size. It is in an area of active development and aggregate extraction. The southerly portions of the patch have been recognized as a Significant Woodland and Provincially Significant Wetland through previous evaluations. It is recommended that the boundaries of the patch on Schedule B-1 be adjusted to reflect current conditions and development approvals and that the remaining vegetated lands be designated as OS land use on Schedule A. O.P. Criteria met: 15.4.5 ii), 15.4.5 v)