

"Inspiring a Healthy Environment"

April 28, 2014

Planning & Environment Committee
The Corporation of the City of London
P.O. Box 5035
300 Dufferin Avenue
London, Ontario N6A 4L9

Attention: Chair, Councillor Baechler & Committee Members

Dear Councillor Baechler & PEC Committee Members:

**Re: File No.13 NEI/OZ-8295 - Supplemental UTRA Comments
Possible Official Plan Amendments for Blackfriars/Petersville Heritage Conservation District Plan
and Conservation Guidelines**

Further to our comments dated April 15, 2014, the Upper Thames River Conservation Authority (UTRCA) has reviewed the planning report for the proposed Blackfriars/Petersville Heritage Conservation District. While we have no objections to this neighbourhood being designated for heritage protection, we wish to provide clarification regarding the flood plain policies which apply to this area.

The West London/ Blackfriars/Petersville neighbourhood is an existing viable community that is located in the floodway of the Thames River. Consistent with Provincial Policy and the City's Official Plan Policy 15.6.2, new development is prohibited in the floodway. That being said, this community could be deemed a Flood Plain *Special Policy Area* (SPA) if a formal application is submitted by the City and approved by the Minister of Natural Resources (MNR) and the Minister of Municipal Affairs and Housing (MMAH). It is our understanding that an application was submitted to the MNR in 1997 but the Province never approved the SPA for West London. Since 1991, the City in conjunction with the Conservation Authority has implemented interim policies to deal with proposed land use changes and development in potential SPAs. The intent of these policies is to maintain the status quo of the land uses in these neighbourhoods so that the final outcome of the SPA review is not compromised. Without these Interim Policies, all new development in these floodway communities would be prohibited.

The UTRCA has concerns regarding Recommendations 12 and 13 of the Heritage Conservation District Plan which appear to contemplate permitting severance applications/lot creation in the West London/ Blackfriars/Petersville community.

Committee of Adjustment

12. The Committee of Adjustment shall consider severance applications where the resulting parcel size has a negative impact on the heritage attributes of the Blackfriars-Petersville Heritage Conservation District and/or is

not in keeping with the adjacent protected heritage resources, recognizing that the general intent of the applicable Official Plan policies and Zoning By-law are to support a continuation of the prevailing lot fabric that has been established over time:

13. The creation of new lots or enlarging existing lots within Blackfriars-Petersville Heritage Conservation District should be discouraged, unless resulting lot(s) are of compatible depth, width, and overall size and configuration as surrounding and/or adjacent lots;

As indicated, Provincial Policy 3.1.2 d) does not permit development including lot creation and site alteration in a floodway. And while Provincial Policy 3.1.4 may allow limited development and site alteration in an approved Special Policy Area there is no approved SPA for the Blackfriars/Petersville neighbourhood. Based on the interim policies for SPAs, lot creation that increases intensity is not permitted in this area. The UTRCA therefore recommends that Recommendation 12 and 13 be deleted or alternatively clarified such that severance applications/lot creation will not be permitted in the Blackfriars-Petersville Heritage Conservation District. We also recommend that the Flood Plain SPA for West London be pursued by the City.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
JB/CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

c.c. City of London - Planning Department – Chuck Parker