

--	--

File: O-7971
Planner: L. Maitland

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CITY OF LONDON SANITARY SEWAGE SERVICING POLICIES FOR SOUTHWEST LONDON PUBLIC PARTICIPATION MEETING ON SEPTEMBER 23, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 30, 2014 to amend the Official Plan to:

- (a) amend Section 2.6.4.1. iv) to delete reference to the Greenway Pollution Control Plant service area;
- (b) amend Section 2.6.4.1. iv) to replace the section of the paragraph establishing allocation priorities;
- (c) amend Section 2.6.4.2. i) (d) to delete reference to a Southside Sewage Treatment Plant;
- (d) amend Section 10.1.3. cxix) to delete reference to a Southside Sewage Treatment Plant and to reflect the current Growth Management Implementation Strategy (GMIS);
- (e) amend Section 17.2.1. v) by deleting the current policy and replacing it with a new policy that deletes reference to the Southside Sewage Treatment Plant;
- (f) amend Section 17.2.2. i) (a) to delete reference to the Southside Sewage Treatment Plant; and,
- (g) amend Section 17.2.2. i) by deleting 17.2.2. i) (b) as a servicing option and renumbering the remaining sections.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

2014 Wastewater Servicing Master Plan Update and Development Charge Background Study – June 2014
 Southwest Area Plan OMB decision – April 29, 2014 (OMB Decision)
 Southwest Area Plan – November 20, 2012
 Southwest Area Plan update Report – October 2011
 Sanitary and Water Servicing Report (for SWAP) – May 5, 2010

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the proposed amendments to the Official Plan is to address the provision of sanitary servicing of the Southwest Area in accordance with the Southwest Area Plan, Wastewater and Drainage Engineering improvements, and the Growth Management Implementation System (GMIS).

RATIONALE

1. There may be other ultimate servicing options for the Southwest Area in addition to the

--	--

File: O-7971
Planner: L. Maitland

- proposed Southside Sewage Treatment Plant, so it appropriate that the Official Plan refer to an ultimate servicing solution rather than a specific solution.
2. Wastewater and Drainage Engineering improvements in the Greenway system have been planned and constructed to address current Southwest Area service deficiencies.
 3. Proposed changes reflect the most current sanitary servicing strategy which provides for the Southwest Area through the Greenway system.
 4. Previous policy for triggers to address the possible need for additional servicing capacity can be addressed through the general policies of the Official Plan.
 5. The proposed amendments are consistent with the policies of the Official Plan.
 6. The proposed amendments are consistent with the Provincial Policy Statement, 2014, specifically, Sections 1.6, 1.6.6 and 1.7.

BACKGROUND

Date Application Accepted: October 14, 2011	Agent: N/A
REQUESTED ACTION: Amend the Official Plan to address the ultimate servicing solution for the Southwest Area Plan	

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Ministry of the Environment: Ministry staff indicated that the “ad hoc” and “piecemeal” approach indicated in the initial public liaison (November 2011) was unsupportable. They indicated that proposals for interim servicing were unclear if not contrary to provincial policy. They suggested that a master servicing plan was required for them to consider support of the amendment.

PUBLIC LIAISON:	Notice of Application was published in the <i>Living in the City</i> section of <i>The Londoner</i> on November 5, 2011.	0 replies were received
Nature of Liaison: The purpose and effect of this Official Plan amendment is to modify existing sanitary servicing policies related to the Southside Pollution Control Plant and to add a new servicing policy to provide for an interim sanitary servicing solution for part of the southwest quadrant of the City until such time as an ultimate servicing solution is available. The proposed policy framework will also serve to identify the “trigger” for implementation of the interim sanitary servicing solution.		
Responses: None		

ANALYSIS

Council Direction

As part of the Southwest Area Plan process, the servicing strategy for lands within the Study Area was reviewed. Through a report updating the status of the Southwest Area Plan on October 3, 2011, Municipal Council directed the following.

On October 3, 2011 Municipal Council resolved that staff be directed to amend Policy 2.6.4.1.(iv) of the Official Plan to:

- i) replace references to “Southside Pollution Control Plant” with “ultimate servicing solution”;

--	--

**File: O-7971
Planner: L. Maitland**

- ii) *recognize that interim additional wastewater capacity is available from the Greenway Pollution Control Plan to provide for the development of additional lands in the Southwest Area, in advance of the ultimate servicing solution;*
- iii) *add a policy to identify the trigger for the additional capacity to be made available at the Greenway Pollution Control Plan for additional development, including a requirement that the Growth Management Implementation Strategy be revised to reflect the additional works, and that the works also be identified in the Development Charges update.*

Southside Pollution Control Plan – Change in Direction

Previous plans for the servicing in London called for a Southside Pollution Control Plant (PCP) (also referred to as a Wastewater Treatment Plant) to treat effluent in the Dingman Creek subwatershed. Since Council provided the direction of October 2011, the Wastewater and Drainage Engineering (WADE) approach for the area has changed. An Environmental Assessment to be undertaken to determine how the Southside PCP system would be developed was not completed. This reflects analysis done by WADE in the interim period which determined that a Southside PCP is no longer the preferred approach for servicing the area prior to 2036.

Given that the timing of a possible Southside PCP is beyond the 20 horizon of the current Official Plan, it is appropriate that the specific references to this specific option be removed from the policies of the Official Plan. Additional amendments would make the consideration of the preferred servicing option of lands in the southwest area of the City part of the City-wide infrastructure review that is undertaken as part of future development charges background studies.

2014 Wastewater Servicing Master Plan Update and Development Charge Background Study

The 2014 Wastewater Servicing Master Plan Update and Development Charge Background Study provides the current vision for the development of sanitary servicing in the Southwest Area and across the city. This analysis was done to determine the wastewater servicing needs for the next 20 years in accordance with work to determine the growth management strategy for the City of London. The analysis indicated that the most efficient flow path for the period was to convey the wastewater from the Southwest Area to the Greenway Wastewater Treatment Plant. The report indicated that:

Within the study period, current and future sewage flows within the Southside [Wastewater Treatment Plant] WTP sewershed are to be conveyed via the Wonderland [Pumping Station] PS and forcemain to the Greenway WTP. The objective is to optimize capacity within existing forcemains, pumping stations and WTP's prior to investing significant capital costs in a new Southside WTP which will be required beyond the 20 year period.

The 2014 Wastewater Servicing Master Plan Update and Development Charge Background Study report indicates that the Greenway PCP can accommodate the flows originating in the Southwest Area.

The 2014 Wastewater Servicing Master Plan Update and Development Charge Background Study report notes however the Southside plant is not entirely stricken from the long-term plan for sanitary servicing within the city. The report notes:

The Southside [Wastewater Treatment Plant] WTP will be triggered when it is no longer financially viable to convey flows northerly from the southwest via pump station and trunk sewer improvements. Based on this reasoning, Southside WTP is not anticipated to be required from a treatment perspective within the DC study period [of 20 years].

--	--

File: O-7971
Planner: L. Maitland

These system improvements indicates that Southwest Area will be serviced using the Greenway system for the foreseeable future. It indicates that the system for the Southwest Area will be constructed to direct flows to the Greenway PCP without excluding the possibility of a future Southside PCP using the same infrastructure.

Proposed Amendments

The proposed amendments address the direction provided by Municipal Council, and reflect the direction of the 2014 Wastewater Servicing Master Plan Update and Development Charge Background Study.

i) An Ultimate Servicing Solution

Council directed planning staff to provide policy that refers to the “ultimate servicing solution” for the Southwest Area. Given the changes in situation from the initial direction of October 2011, it is appropriate to remove references to the Southside PCP from the Official Plan. The technical information provided by Engineering and Environmental Services indicates that the servicing for the Southwest Area in the next 20 years will not be built based upon a Southside PCP, but will be accommodated through additions made to existing systems, largely the Greenway system.

Policy amendments proposed reflect this current servicing as the ultimate servicing solution for the area for the 20 year planning horizon. The possible future development of the Southside PCP is outside of the planning horizon of both The Wastewater Master Plan update and the Official Plan. Maintaining references to the Southside PCP are premature at this time given the lack of a detailed plan for it development. The amendments attached remove references to the Southside PCP to reflect the sanitary sewage servicing expectations as they exist for the life of the Official Plan. Changes which remove reference to the Southside PCP reflect the structure of the servicing which will ultimately provide for the Southwest Area.

Making these changes also requires amendments beyond Section 2.6.4.2 (iv) of the Official Plan. Additional policies which relied on or made reference to the Southside PCP (in sections 2.6.4.2, 10.1.3 cxix, 17.2.1 and 17.2.2) are also proposed to be amended to address the current servicing solution as one provided through the developments in the Greenway system.

ii) Recognition of Additional Capacity at Greenway

Council directed planning staff to recognize that interim additional wastewater capacity in the Greenway system prior to any ultimate servicing solution for the Southwest Area would be able to provide for development of additional lands. Further additional capacity has been developed in the Greenway system through works completed since council direction was provided in October of 2011 and the additional wastewater capacity can no longer be described as interim. The council direction indicated that this capacity was to provide servicing in advance of the ultimate servicing solution. These improvements and additions to the Greenway system now provide the ultimate servicing solution for the current planning horizon. The scale of the developments in the Greenway system is reflected in the removal of the Southside PCP from the servicing plans for the Southwest Area with the Greenway PCP set up to provide for the Southwest Area’s servicing requirements. Recognizing these changes means removing references to the Southside PCP to acknowledge that Greenway is to provide for the Southwest Area.

iii) Triggers for Additional Capacity

Council directed planning staff to add policy to identify the trigger for additional capacity to be made available at the Greenway PCP, including a requirement that the Growth Management Implementation Strategy is revised to reflect the additional works, and that the works also be identified in the Development Charges update. The proposed amendments have the effect of removing specific requirements for capacity constraints in the Southwest Area and Greenway system where development was, prior to the developments in the Greenway system, anticipated

--	--

File: O-7971
Planner: L. Maitland

to approach the capacity limits for the sanitary servicing system within the next 20 years. Where there was a requirement for specific policy for the Southwest Area to address these constraints the requirements for triggers and other interim the completion of works now means these policies are no longer required. The entirety of development in the Southwest Area can now be completed through the new servicing capacity developed in the Greenway PCP system. Given the development of additional capacity in the Greenway system, the specific “triggers” based policy suggested previously would not be appropriate. There are existing comprehensive policies which addresses capacity constraints city-wide and can provide guidance for possible capacity constraints should they arise in any sewershed within the City of London, including Greenway. The direction for specific triggers is no longer appropriate given the redevelopment of the Greenway system, and the general policy on additional capacity triggers can be relied on to address possible future needs for additional capacity.

The direction provided also indicated that revisions were to be made to the Growth Management Implementation Strategy (GMIS) and the Development Charges update to reflect the works done with the regard to the Southwest Area. Both the GMIS and the 2014 Development Charges Background Study acknowledged that the Southside PCP was not part of the City’s immediate servicing plans. The works required for servicing the Southwest Area via the Greenway PCP were reflected in both the GMIS and DC update.

CONCLUSION

The proposed amendments address the servicing requirements for the Southwest Area. These amendments reflect that the development of a Southside PCP is not anticipated in the next 20 years, and that the Greenway system has had numerous works and improvements undertaken so that it is able to be the servicing solution for the Southwest Area over this period. Recognition of the additional capacity at Greenway has been made acknowledging that the capacity developed will service as the ultimate servicing solution for the area. The need for triggers has been addressed through the city-wide policies that speak to determining the need for future servicing now that the Southwest Area is no longer a unique situation. The amendments therefore remove references to the Southside PCP and policies which provided for interim solutions given that the southwest area can be serviced using the current system within the 20 year planning horizon.

Removing Southwest area specific policies is consistent with the city-wide approach in determining the appropriate works required to support future growth and development. The City undertakes comprehensive servicing system reviews as part of the background studies to support the development charges review process. The allocation of servicing capacity to the Southwest area, just like other areas of the City, is based upon the growth management policies of the Official Plan. These policies were previously specific to the Greenway area, as this service area had been previously identified as having servicing constraints. These policies are now City-wide, and are based on the effective use of infrastructure, intensification and infill, compact urban form, and economic development.

Acknowledgements: Thanks to Tom Copeland for the Wastewater and Drainage Engineering information.

--	--

File: O-7971
Planner: L. Maitland

PREPARED BY:	SUBMITTED BY:
LEIF MAITLAND PLANNER I LONG RANGE PLANNING AND RESEARCH	GREGG BARRETT, AICP MANAGER LONG RANGE PLANNING AND RESEARCH
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

September 5, 2014

LM/LM

Appendix A: OP amendment

Y:\Shared\policy\CITY INITIATED FILES\7971O Southside Sewage Treatment Plan (SM)\Report O-7971.docx

--	--

**File: O-7971
Planner: L. Maitland**

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 the ultimate servicing solution for the Southwest Area Plan.

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 September 30, 2014.

J. Baechler
Mayor

Catharine Saunders
City Clerk

First Reading - September 30, 2014
Second Reading - September 30, 2014
Third Reading - September 30, 2014

--	--

File: O-7971
Planner: L. Maitland

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To amend policies in Sections 2.6.4.1, 2.6.4.2, 10.1.3, 17.2.1, and 17.2.2 of the Official Plan for the City of London to address servicing in the Southwest Area.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located in the City of London.

C. BASIS OF THE AMENDMENT

1. There may be other ultimate servicing options for the Southwest Area in addition to the proposed Southside Sewage Treatment Plant, so it appropriate that the Official Plan refer to an ultimate servicing solution rather than a specific solution.
2. Wastewater and Drainage Engineering improvements in the Greenway system have been planned and constructed to address current Southwest Area service deficiencies.
3. Proposed changes reflect the most current sanitary servicing strategy which provides for the Southwest Area through the Greenway system.
4. Previous policy for triggers to address the possible need for additional servicing capacity can be addressed through the general policies of the Official Plan.
5. The proposed amendments are consistent with the policies of the Official Plan.
6. The proposed amendments are consistent with the Provincial Policy Statement, 2014, specifically, Sections 1.6, 1.6.6 and 1.7.

D. THE AMENDMENT

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

1. Section 2.6.4.1 – General, of the Official Plan for the City of London is amended by amending the following in paragraph iv): Deleting “as is the case in the Greenway Pollution Control Plant service area,” from the third sentence.
2. Section 2.6.4.1 – General, of the Official Plan for the City of London is amended by amending the following in paragraph iv): Deleting:

“The following order of priorities for the allocation of servicing capacity in the Greenway service area until such time as the Southside Pollution Control Plant is built, are based on the Official Plan objectives related to effective use of infrastructure, intensification and infill, compact urban form and economic development.”

and replacing it with:

“The following order of priorities for the allocation of servicing capacity are based on the Official Plan objectives related to effective use of infrastructure, intensification and infill, compact urban form and

--	--

**File: O-7971
Planner: L. Maitland**

economic development.

The allocation of wastewater treatment capacity will be prioritized as follows.”

3. Section 2.6.4.2 – Sanitary Sewerage, of the Official Plan for the City of London is amended by amending the following in paragraph i): Deleting the entirety of the text in bullet (d) and replacing it with: “provide for an ultimate servicing solution to service the Dingman Creek drainage area in keeping with the Growth Management Policies of this Plan. An environmental impact assessment and other studies may be required;”
4. Section 10.1.3 – Specific Areas of the Official Plan for the City of London is amended by deleting the second paragraph for Bostwick East Area Plan - cxix), and replacing it with the following as a new second paragraph:

It is recognized that the servicing of development within the Bostwick East planning area is tributary to the permanent Wonderland pumping station and is pumped to the Greenway Pollution Control Plant. The timing of services required to support growth in this area will be identified though the current Development Charge Study and current Growth Management Implementation Study (GMIS).The City reserves the right to limit new development in this area in accordance with policies in force at the time. As such, in conjunction with approvals for the future subdivision and rezoning of the subject lands, a holding provision will be applied relating to the provision of adequate municipal services, recognizing that limitations on development may be applied to avoid an over-allocation of committed capacity in the Greenway Pollution Control Plant or the sanitary sewage conveyance system.

5. Section 17.2.1 – Sanitary Sewerage Service Study of the Official Plan for the City of London is amended by deleting paragraph v) including bullets (a), (b) and replacing it with:
 - v) The City will establish a program to implement recommendations of the Sanitary Sewerage Servicing Study. Identified priority works will be undertaken at the earliest opportunity, including optimization studies to accommodate growth and address problems in existing systems.
6. Section 17.2.2 – Servicing Hierarchy of the Official Plan for the City of London is amended by deleting from paragraph i) bullet (a) “Pottersburg, Vauxhall or proposed Southside Sewage Treatment Plant;” and replacing it with “Pottersburg, or Vauxhall;”.
7. Section 17.2.2 – Servicing Hierarchy of the Official Plan for the City of London is amended by deleting from paragraph i) bullet (b) in its entirety and renumbering the subsequent bullets appropriately.