

THE LONDON PLAN
 Planning and Environment Committee
 Public Participation Meeting
 June 22, 2015

Two matters that I would like to discuss with you today:

1. A "comprehensive review" the Urban Growth Boundary (UGB) is needed / required; and
2. The proposed designation of Vegetation Patches.

1. A "comprehensive review" the Urban Growth Boundary (UGB) is needed / required.

- For the better part of the last ten years we have been actively engaged in various discussions with the City of London on matters pertaining to its Official Plan and its various processes and policies that relate to its identified Urban Growth Boundary (UGB). These discussions have included various presentations to Committees of Municipal Council and have explored the relationship between the City's Official Plan policies and the Provincial Policy Statement (PPS), issued pursuant to the Planning Act.
- The methodology (Land Needs = Supply – Demand) employed through the last two (2006 and 2011) Official Plan Reviews (the "Land Needs Analysis") have determined that an expansion of the UGB is not warranted at this time. It is difficult to contest this finding when land needs are contemplated solely on an acreage basis.
- It is not a question of "if we have enough land within the UGB", but rather, "is this land strategically located to achieve efficient development patterns and optimize the investment in infrastructure and public service facilities"? We have never advocated for an expansion of the UGB, but rather a realignment based upon the outcome of a "comprehensive review"
- Section 26.1 of the Planning Act requires that Council determine the need to revise the OP every 5 years to ensure that it conforms with provincial plans or does not conflict with them, and **has regard** to the matters of provincial interest, and **is consistent** with Provincial Policy Statements

Provincial Policy Statement:

- 1.6.1 – Infrastructure...and public service facilities shall be provided in a coordinated, efficient and cost-effective manner while accommodating projected needs.

Planning for infrastructure...and public service facilities shall be coordinated and integrated with land use planning so that they are...financially viable ...and are available to meet current and projected needs;

- 1.6.3 – Before consideration is given to developing new infrastructure and public service facilities...the use of existing infrastructure and public service facilities should be optimized.
- 1.1.3.8 – A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review...in determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a settlement area...a planning authority shall apply the policies of Section 2" Wise Use and Management of Resources..."
- Comprehensive Review: means
 - (a) for the purposes of policies 1.1.3.8...an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
 - (1) Is based on a review of population...considers alternative directions for growth or development and determines how best to accommodate the development...
 - (3) Is integrated with planning for infrastructure and public service facilities and considers financial viability...

- 2006 Official Plan Review Process – Municipal Council Resolution (August 13, 2007)

1. That the following actions be taken with respect to the Land Needs Background Study for the Official Plan Review:

- (d) Planning and Development staff BE REQUESTED to prepare a report for a future meeting of the Planning Committee with respect to the process to be followed for the next five-year Official Plan Review that will include a review of strategic priorities in relation to the alignment of the Urban Growth Boundary (UGB) and a cost benefit analysis relating to servicing issues for any lands being considered for inclusion within the UGB. As well as those lands already within this boundary; it being noted that the report will be forthcoming in 2009. (emphasis added)

No report or cost benefit analysis was completed in advance of the 2011 (ReThink) Official Plan Review

- 2011 (ReThink) Official Plan Review Terms of Reference

"...a review is required to confirm the land requirement projections, identify priority areas for development based on cost – effective servicing considerations and Industrial Land Development Strategy and evaluate the merits of individual requests for adjustments to the Urban Growth Boundary. (emphasis added)

- The (2011) ReThink London Official Plan Review - Land Needs Background Study (July 2013) did not undertake any analysis of the existing UGB, it simply relied on the same UGB that was identified over 15 years ago, as part of the Vision '96 process.

- Council Resolution (July 30, 2013) following the Planning & Environment Committee "Land Needs Background Study For the 2011 Official Plan Review – Request for Inclusion" Meeting on July 23, 2013
 - b) The development community BE ASKED to work with the Civic Administration to further review the analysis and assumptions used to determine the urban growth boundary and to further review the requests for expansions to that boundary (emphasis added);
 - c) Staff to evaluate the lands within the Urban Growth Boundary, and request beyond, with a view to not expanding the Urban Growth Boundary but possibly re-adjusting when it represents logical sound planning and is cost-effective to the municipality by using infrastructure more effectively and efficiently.

- It is our understanding that on December 17, 2014 the Ontario Ministry of Municipal Affairs and Housing provided the City with some 70 pages of review comments associated the proposed London Plan. Including...

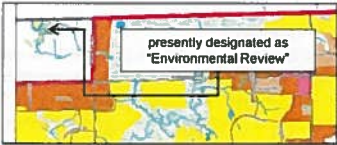
MOECC staff fully supports the idea of planning for civic infrastructure and the intent of Policy 539 and those which follow; particularly 540, 543, 544. MOECC strongly supports the concept of longer term infrastructure planning and its integration with land use planning. As noted elsewhere in these comments, the last such longer term infrastructure planning MOECC are aware of occurred during the Vision 96 process. As they have noted on a number of occasions, most recently with respect to the Southwest Area plan, the city's recent experience in this regard has been a series of individual infrastructure projects without any observable long range planning. Consequently MOECC look forward to the city implementing these forward-looking policies.

- The City has recently completed some studies to evaluate the long-term servicing infrastructure needs of the City...
 - Sanitary Servicing Development Charge Update 2008, DC Study Final Report
 - continued to recommend the construction of the Southside PCP;
 - Did not consider alternative directions for growth
 - Southwest London Area Plan – Sanitary and Water Servicing Report
 - *"Growth in the southwest area in advance of the construction of the Southside PCP is limited to the ability to convey flows to the Greenway PCC and the existing capacities of the pumping stations tributary to the Oxford PCP. To provide additional conveyance capacity beyond what is currently available is not considered to be a cost effective alternative as confirmed by previous master planning, development charge and work specific reports."*
 - 2014 Wastewater Servicing Master Plan Update and Development Charges Background Study
 - *"The Southside WTP will be triggered when it is no longer financially viable to convey flows northerly form the southwest via pump station and trunk improvements. Based upon this reasoning, Southside WTP is not anticipated to be required from a treatment perspective within the DC study period."*
 - Did not consider alternative directions for growth
 - Notice of Completion of Southwest Area Sanitary Seervicing Master Plan, Civic Works Committee, February, 2014
 - The purpose of this report is to identify to Council the recommended preferable options for the Southwest Area Sanitary Servicing (SASS) Master Plan. The total estimated cost for Alternative 4 is \$44,250,000, including 15% engineering and 20% contingency (excluding H.S.T), over a 20-year period. This alternative is the most cost effective of all alternatives considered.

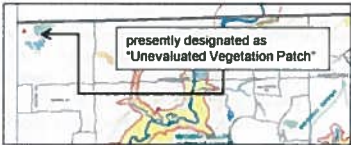
- In the almost twenty years since the UGB was established, services have been extended, facilities constructed and development has progressed in various parts of the City. Over this period, the City has decided upon an entirely different ultimate servicing solution for the lands in its southwest. This is dramatically different than how these lands were originally to be serviced (by the Southside Sewage Pollution Control Plant), as analyzed by the Growth Area Options reports completed as Part of Vision'96 which established our Urban Growth Boundary. The City has also recently determined that the UGB does not include the appropriate lands necessary to accommodate our industrial growth needs going forward.
- We know that there are lands in the City of London, outside of the UGB, that are significantly more efficient to service than a vast amount of land that is presently located within the UGB. Specifically, our lands located immediately northwest of the intersection of Sunningdale Road West and Wonderland Road North has a sanitary trunk located in its adjacent right-of-way, sized to service this land by gravity to Greenway PCP. Instead, the present plan is to build some portion of \$44 million worth of new sewer infrastructure to pump waste from the southwest to Greenway. This doesn't even consider the capital investments that have already been made in existing infrastructure and facilities like roads, storm and water services, libraries, schools, recreational amenities / facilities, emergency services and transit in the northwest of the City. All of which will be necessary to accommodate growth in the southwest and all of which are clearly matters of Provincial interest.
- Considering all of the above, our past written submissions, discussions and presentations, we would respectfully submit that the process followed to complete the 2011 (ReThink) Official Plan review was not *comprehensive* in nature and as such in not consistent with the City of London's own growth management policies or those contained within the Provincial Policy Statements.

2. The proposed designation of Vegetation Patches

- Within the existing Official Plan, a portion of our lands (located at the northwest corner of Sunningdale Road West and Wonderland Road North) is designated as "Environment Review" on Schedule "A" (Land Use) and as an "Unevaluated Vegetation Patch" on Schedule "B1" (Natural Heritage Features)



Excerpt from Schedule A of the existing Official Plan



Excerpt from Schedule B1 of the existing Official Plan

- Within the proposed London Plan, this same area is proposed to be designated as "Green Space" on Map 1 (Place Types) and as "Significant Woodlands" on Map 4 (Natural Heritage Features)



Excerpt from Map 1 of proposed London Plan



Excerpt from Map 4 of the proposed London Plan

- It is our understanding that an "Inventory and Evaluation of Woodlands" (North-South Environmental Inc.) was prepared for the Planning Department in August of 2009 and that "...the intent of this Study was to determine the ecological significance of 140 vegetation patches, located outside of the Urban Growth Boundary, identified as Environment Review (ER)..." in the City's Official Plan.
- Of the 140 patches, site specific data was collected from field surveys completed on 55 of them, in order to delineate vegetation communities and "...evaluate the patches using the Guideline Document for the Evaluation of Ecologically Significant Woodlands (2006)." Consequently, the Study confirmed that "...there remain 77 ER patches for which no field studies have been conducted...significance of these ER patches can only be assessed based upon landscape level criteria". The patch located on our referenced property (No. 03015) was one of the 77 that did not have any field data collected as part of this Study. Nonetheless, the Study concluded that 125 patches (including ours) were Significant Woodlands.
- A near identical methodology was employed through the Natural Heritage Study completed as part of the City's Southwest Area Plan...some vegetation patches were determined to be significant, without the benefit of any specific field data.
- It is our understanding from reading the OMB decision (PL130020) and reviewing the OMB Amended Southwest Area Plan that the designation of some patches (on the lands of those owners who participated in the appeal) was reverted back to "Environmental Review" (Schedule 'A') and "Unevaluated Vegetation Patch" (Schedule 'B1').
- We would respectfully request that "The London Plan" (Second Draft - June 2015) be revised, prior to approval and adoption by Municipal Council, to designate the vegetation patch on our subject lands as "Environmental Review" (Map 1) and "Unevaluated Vegetation Patch" (Map 4). Existing City Policy and By-laws will ensure the protection of this vegetation patch until a complete and thorough review can be completed pursuant to the City's Guidelines for the Evaluation of Significant Woodlands and / or the completion of an Environmental Impact Study

