

Agenda Item # Page #

--	--

Item #  
Page #

**File No.**  
**Planner: G. BARRETT**

<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>MUNICIPALITY OF THAMES CENTRE OFFICIAL PLAN REVIEW (OFFICIAL PLAN AMENDMENT NO. 12)  NOTICE OF DECISION MEETING ON MONDAY, JULY 20, 2015</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the Managing Director, Planning & City Planner, the following actions **BE TAKEN** with respect to the Notice of Decision, dated July 2, 2015 circulated by the County of Middlesex approving Official Plan Amendment No. 12 to the Official Plan for the Municipality of Thames Centre, with modifications:

- (a) The following report **BE RECEIVED** for information; and,
- (b) Staff **BE DIRECTED** to initiate an appeal to the Decision of the County of Middlesex approving Official Plan Amendment No. 12 to the Official Plan for the Municipality of Thames Centre.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

January 19, 2015-Report to Planning and Environment Committee with City comments regarding the proposed Official Plan Amendment No. 12 for the Municipality of Thames Centre

<b>BACKGROUND</b>
-------------------

On October 6, 2014, the Municipality of Thames Centre adopted Official Plan Amendment 12 to amend the Municipality's Official Plan as a result of a comprehensive five year review. On December 23, 2014, the City of London provided comments to Middlesex County, as the County is the approval authority for this proposed amendment, and on January 19, 2015, provided these comments to the Planning and Environment Committee.

At its meeting of January 27, 2015, Municipal Council resolved that:

*That, the Civic Administration BE REQUESTED to advise Middlesex County that Municipal Council reiterates the concerns previously expressed by the Civic Administration with respect to the amount of land that has been re-designated for future industrial development adjacent to the existing Donnybrook Industrial Area north of Highway 401, and recommending that a 20 year land supply is more appropriate than a potential 70 year land supply. (2015-D27) (5/3/PEC)*

Agenda Item #	Page #

Item #  
Page #

**File No.**  
**Planner: G. BARRETT**

On June 30, 2015, County Council approved with modifications Amendment No. 12 to the Official Plan for the Municipality of Thames Centre. Notice of the Decision was issued on July 2, 2015, and the last date of appeal is July 22, 2015.

In the Staff report provided to County Council regarding the approval of Official Plan Amendment No.12 of June 16, 2015, the City of London's concerns were noted. The County noted that the City had three concerns regarding the Donnybrook Industrial Area north of Highway 401. These were:

1. Providing for industrial development without full municipal services
2. The amount of land proposed to be designated exceeds a 20 year supply, and
3. A restriction that permitted uses be limited to industrial uses only.

With respect to the first concern, in the County's review, they note that the uses in the Donnybrook Industrial Area will be limited to dry industrial uses, and that certain uses, such as warehousing, can be developed on individual on-site water and sewage services. They further note that both the Provincial Policy Statement, 2014 (PPS, 2014) and the County Plan support full municipal servicing as the preferred method of accommodating development.

This fails to acknowledge that this new industrial area is not located adjacent to any identified settlement areas, and that new development should be directed to areas of full municipal servicing.

This industrial land expansion has the potential to undermine the planned function of the industrially-designated lands west of this area in the City of London. The industrial lands added in London were through an expansion of the settlement area boundary on lands that will be fully serviced. Policies 1.1.1 and 1.1.3.2 of the PPS, 2014 direct lands required for future growth and development to areas with infrastructure to meet current and future needs. This would mean that large warehouse type industrial operations could locate outside London in these non-urban locations adjacent to Highway 401 on lower cost, unserviced lands.

With respect to the amount of land added for future industrial development, the County notes that the City of London recently undertook a similar exercise where lands that were determined to not be appropriate or desirable for future industrial growth were re-designated to non-industrial land uses, and an equivalent amount of new industrial land was added. The County also notes that the total lands identified for industrial development by the City exceed the 20 year land supply.

As part of its review, the County also reviewed the land budget calculations, and as a result, decreased the total amount of industrial land to be re-allocated by approximately 20 ha. All of this reduction was applied to the proposed Donnybrook Industrial Area expansion, resulting in an increase of 120 ha, rather than 140 ha as was previously proposed.

While the County reference to the City's recent exercise to re-allocate industrial lands is correct, the scale and amount of land added by the City is more in keeping with the intent of the Provincial Policy Statement that requires that municipalities identify sufficient land to accommodate projected needs of up to 20 years (Policy 1.1.2, Provincial Policy Statement, 2014). The City recently added 220 ha of industrial land through an Official Plan amendment and Urban Growth Boundary expansion. At an average annual demand of 18 ha of industrial land, this would be the equivalent of a 12 year supply of industrial land. By comparison, the Thames Centre industrial expansion of 120 ha and an annual average demand of 2 ha of industrial land would provide a 60 year supply of industrial land. It should also be noted that the additional lands added by the City to accommodate future industrial growth are intended to be fully serviced.

The last City concern related to restricting the uses in the Donnybrook Industrial Area to only

Agenda Item #	Page #

Item #  
Page #

**File No.**  
**Planner: G. BARRETT**

industrial uses. The Rural Industrial land use designation permits manufacturing, fabrication, assembling and processing of materials, goods or products, warehousing, wholesaling, outside storage, repair, servicing and maintenance operations, truck terminals, laboratories, crematoriums, production of marijuana for medical purposes, offices, recreational facilities, public uses and accessory retail uses located within an industrial use. The Plan makes no provision for secondary, non-industrial uses, so the City's concerns are addressed.

**ANALYSIS**

In summary, the City's most significant concerns regarding Thames Centre's Official Plan review and OPA No. 12 were not addressed in the County's approval of the Plan. The 120 ha industrial area adjacent to Highway 401 immediately east of the City's eastern boundary is a matter of municipal concern. While the City did recently undertake a similar exercise to reallocate industrial land to more appropriate and desirable locations, and, like Middlesex Centre, did this as part of a comprehensive review, including a land budget exercise whereby the total amount of land designated for industrial purposes was not increased, notwithstanding that there was a greater than 20 year supply of designated industrial land, the scale and magnitude of the additional industrial lands designated by Middlesex Centre represents an unreasonable expansion. The Municipality's Official Plan states in Section 4.5.1 of the Industrial policies "Lands designated "Settlement Industrial" are located within Urban Settlement Areas and represent the primary employment areas of the Municipality..... Lands designated "Rural Industrial" are found outside of Settlement Areas. "Rural Industrial" lands have been designated to recognize similar designations in former Official Plans."

While these additional lands have been added to the Donnybrook Industrial Area, they do not recognize a similar designation in the former Official Plans, and as they represent a 60 year land supply of industrial land based upon the Municipality's projections, they would likely serve as the primary employment area of the Municipality, contrary to the Official Plan policies.

Given the extent and scale of the amount of industrial land added to the Donnybrook Industrial Area, and given that these lands are intended to develop without full municipal services for industrial uses, and that these lands are not contiguous to any identified Settlement Area, it is recommended that the City appeal the County approval of Official Plan Amendment No. 12 for the Municipality of Thames Centre.

The reasons for appeal are set out below:

1. The area to be re-designated from Agriculture to Rural Industrial in the Donnybrook Industrial Area is 120 ha, which represents a 60 year supply of industrial lands based upon the Municipality's identified need of 2 ha per year. Policy 1.1.2 of the Provincial Policy Statement, 2014 (PPS, 2014) directs that sufficient land be made available to accommodate an appropriate range of land uses to meet projected needs for a time horizon of up to 20 years. Further, Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development.
2. This redesignation from Agriculture to Rural Industrial is not intended to serve or support the agriculture community. Policy 1.1.4.2 states that rural settlement areas shall be the focus of growth and development. The Municipality's Settlement Industrial land use designation is the appropriate location for future industrial growth.
3. It is not intended that these lands will be serviced, and uses are limited to "dry industrial" uses. Policies 1.1.1 and 1.1.3.2 would direct growth and development to areas where necessary infrastructure is available.

Agenda Item #	Page #

Item #  
Page #

**File No.**  
**Planner: G. BARRETT**

4. This Rural Industrial area is not adjacent to any settlement area. As noted above, policy 1.1.3.1 establishes settlement areas as the focus of growth and development. Also, Policy 1.1.5 states that development should be compatible with the rural landscape and sustained by rural service levels.
  
5. This Rural Industrial expansion is a result of the re-allocation of remnant Rural Industrial areas from former Official Plans. This consolidation of these remnant lands to a single large parcel of Rural Industrial lands is not consistent with Policy 4.5.1 of the Thames Centre Official Plan, particularly the policy that states that the establishment of new "Rural Industrial" areas will not be permitted, as the intent of the designation is to recognize existing industrially-designated areas.
  
6. These Rural Industrial lands will form a large component of the Municipality's employment lands. Policy 4.5.1 of the Municipality's Official Plan states that lands designated Settlement Industrial represent the primary employment areas in the Municipality, and that all non-Agricultural related industrial development shall be encouraged to locate in appropriate locations within the Urban Settlement Areas. This is also not consistent with Policy 1.3.1 of the PPS, 2014, which encourages compact, mixed-use development, as this large employment land area is not adjacent to, or located near, any Urban Settlement Area.

It should be noted that in order to preserve the City's right of appeal, the City will need to appeal the decision no later than July 22, 2015, in advance of Municipal Council's consideration of this matter. If Municipal Council does not concur with this recommendation, the City may withdraw its appeal.

<b>PREPARED BY AND SUBMITTED BY:</b>
<b>GREGG BARRETT, AICP MANAGER, LONG RANGE PLANNING AND RESEARCH</b>
<b>RECOMMENDED BY:</b>
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>

GB/  
8 July 2015  
Attachments