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File No.
Planner: M. Pease

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	BOLER MOUNTAIN LANDS & 2426 WICKERSON RD. PROPOSED CONVEYANCE AND ACCESS EASEMENTS MEETING ON JANUARY 18, 2016

RECOMMENDATION

That, on the recommendation of the Manager, Development Services, the following actions **BE TAKEN** with respect to the access and use of Boler Mountain lands and adjacent property located at 2426 Wickerson Road:

1. This report **BE RECEIVED** as an update regarding Boler Mountain’s plans to acquire lands from 2426 Wickerson Road, and establish an access easement for both vehicular traffic to Boler Mountain and a connection to the City’s public pathway system, subject to acceptance of an Environmental Impact Study (EIS), and the approval of related Official Plan and Zoning By-law amendments; and
2. Upon Provisional Consent being granted, the Civic Administration **BE DIRECTED** to initiate Official Plan and Zoning By-law amendments that may be required to implement the proposed consent and protect the natural heritage features based on the accepted Environmental Impact Study and other relevant planning and servicing considerations.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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November 28, 2011- Building and Natural Environment Committee (BNEC) – Report from the Managing Director, Development Approvals Business Unit and Manager, Parks Planning & Design on the shared use of Boler Mountain and City open space lands.

BACKGROUND

The purpose of this report is to seek Council direction on a proposed consent application to sever and convey lands located at 2426 Wickerson Road (known as the “Stanley” lands) to the Boler Mountain Ski Hill property; and establish a maintenance access easement from Wickerson Road to the Boler Mountain site, which would include provision for a multi-purpose public pathway to be established by the City. This proposal would require the completion of an Environmental Impact Study (EIS) acceptable to the City, and the adoption of Official Plan & Zoning By-law amendments to recognize existing agricultural lands and natural heritage features.

The long term plans for the Boler Mountain recreational complex were initially addressed in a joint report from the Managing Director, Development Approvals Business Unit and the Manager of Parks Planning & Design, which was presented at the Built & Natural Environment Committee (BNEC) meeting on November 28, 2011. After considering the report and recommendations from BNEC, the following resolution was adopted by Municipal Council at the meeting held on

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December 6th & 7th, 2011:

23. *That, on the recommendation of the Managing Director, Development Approvals Business Unit and the Manager, Parks Planning & Design, the following actions be taken with respect to the concept of the joint shared use of Boler Mountain and City open space lands:*

- (a) the Civic Administration BE DIRECTED to explore the concept of a joint shared use of Boler Mountain and City open space lands SUBJECT TO:*
 - (i) any limitations set by environmental constraints; and*
 - (ii) the establishment of a main access to the Boler Mountain from Wickerson Road; and*
- (b) the concept of joint shared use of Boler Mountain and City open space lands BE APPROVED, IN PRINCIPLE, subject to the completion of agreements between private land owners, as shown in the attached Appendix "A";*

it being noted that the SWM servicing was for servicing for growth development within the Urban Growth Boundary; and

it being also noted that the Built and Natural Environment Committee heard a verbal presentation from J. Kennedy, Boler Mountain with respect to this matter (2011-D14-08)(23/29/BNEC)

Discussions between Boler Mountain, Civic Administration and neighbouring landowners have occurred on several occasions since November 2011. Plans have recently been advanced by Boler Mountain and the parties are now in a position to bring forward a more detailed course of action for consideration by Council.

Boler Mountain Plans:

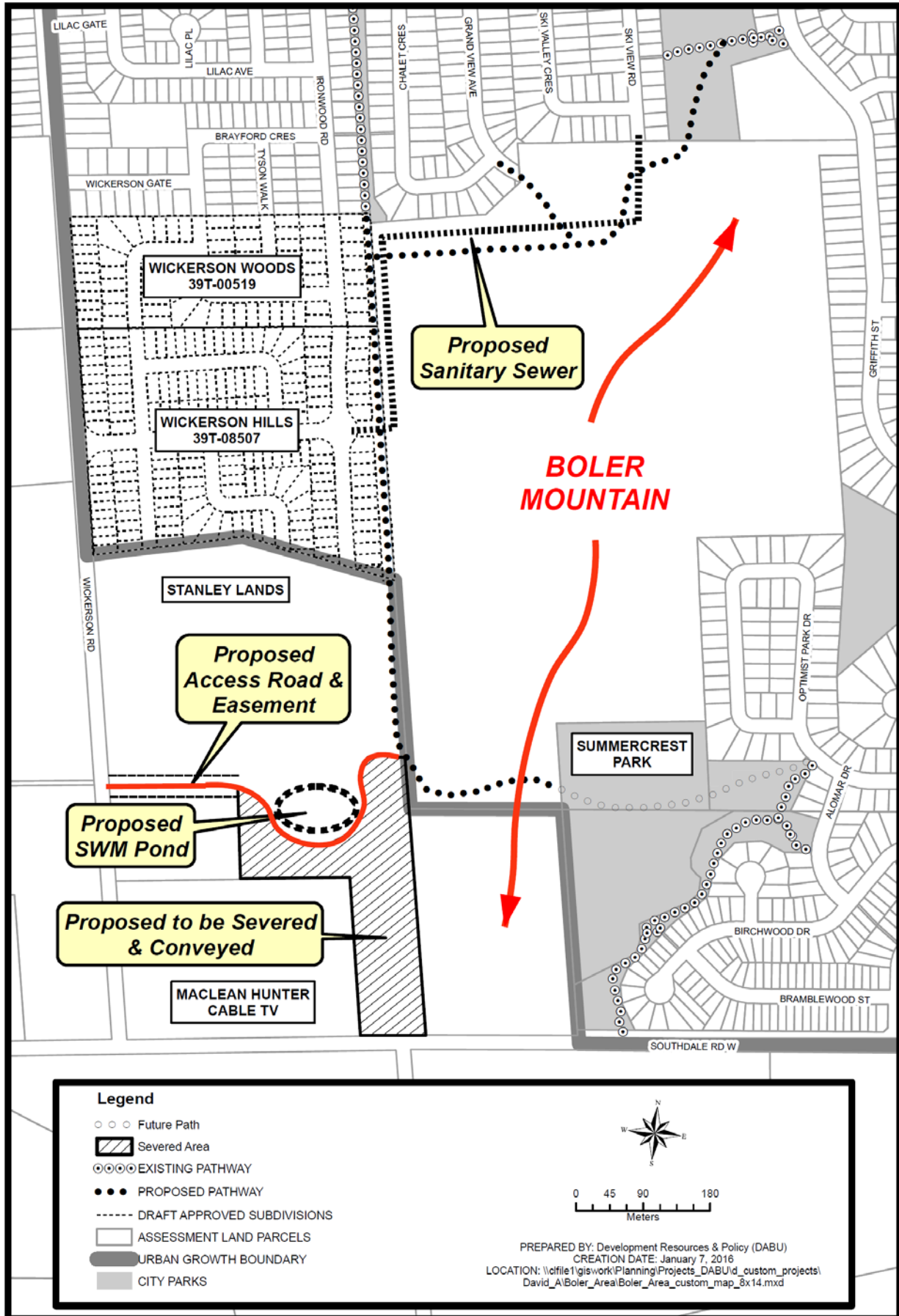
Boler Mountain has endorsed a long-term strategic plan for their site that provides for enhanced ski club facilities and operations for downhill skiing (including the Track 3 program for physically and developmentally challenged individuals), snowboarding, tubing, mountain bike trails and an aerial adventure park. The plan includes acquisition of additional lands between Wickerson Road and the Boler Mountain property (currently part of the Stanley lands) to provide for expanded club operations, and an access easement corridor, which will facilitate a driveway for vehicular access from Wickerson Road to the Boler Mountain site, and allow for the closure of an existing maintenance access from Southdale Road that is considered unsafe.

A reference plan has been prepared by Boler Mountain to precisely delineate the proposed land severance block and maintenance access corridor. Prior to submitting a consent application for the proposed severance and access easement, Boler Mountain is seeking confirmation of the approval process. The City also has an interest in securing easements within the access corridor from Wickerson Road and other Boler Mountain lands to accommodate planned, multi-use pathway links.

Finalization of the Boler Mountain consent application would be conditional upon the evaluation, redesignation and rezoning of the lands in question. Significant natural features, which are currently designated "Environmental Review" on Schedule "A" and identified as "Potential ESA" on Schedule "B" of the Official Plan, would be confirmed as "Open Space" and "ESA". Remnant agricultural lands would be continue to be designated "Agriculture" and zoned for agricultural uses. Completion of an EIS would provide the basis for the recommended Official Plan and Zoning By-law amendments.

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**Figure 1
BOLER AREA**



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Wickerson Road Subdivisions:

Two plans of subdivision are located to the north of the Stanley lands - Wickerson Woods (39T-00519) and Wickerson Hills (39T-08507). The plans are draft approved and Special Provisions for both subdivision agreements were approved by Council on January 4th, 2016. It's anticipated that final approval and registration will occur by the middle of this year.

A permanent stormwater management (SWM) pond that will serve both subdivisions was identified as a result of an EA process and this facility will be located on the Stanley lands, immediately north of the proposed Boler Mountain access. The SWM pond block (and a maintenance access easement) were recently transferred to the City in accordance with conditions of draft approval for these subdivisions. A sanitary servicing easement is also required to accommodate an outlet for sewage flows extending east from these subdivisions through the Boler Mountain site, and connecting to an existing sanitary main on Ski-View Road.

An open space corridor ranging in width from 10 to 15 metres, runs along the easterly boundary of both subdivisions. This corridor, which is being dedicated to the City, is planned to accommodate a future multi-use pathway extension which would ultimately connect to Summercrest Park.

Public Open Space & Multi-Use Pathway:

Environmental and Parks Planning has been working with Boler Mountain and other area landowners in an effort to secure the corridor and multi-use pathway links that are required to complete gaps in the public open space system. Ultimately, the network in this area will extend in a north-south direction from Byron Baseline Road, with east-west connections to Wickerson Road, Chalet Crescent and Optimist Park Drive.

Boler Mountain is receptive to granting easements in favour of the City to complete the identified gaps in the multi-use pathway system. Two critical links that would be provided as conditions of the Boler Mountain consent application are:

1. Southerly extension of the open space corridor (and multi use pathway) running along the easterly boundary of the Wickerson Woods and Wickerson Hills subdivisions; and
2. Multi-Use pathway extending east from Wickerson Road (within the proposed Boler Mountain maintenance access alignment), to connect with the open space corridor.

The establishment of easements in favour of the City will facilitate completion of both the north-south open space corridor, and multi-use pathway connection from Wickerson Road. While Boler Mountain would be responsible for submitting the consent application and preparing the associated EIS, it would be appropriate for the City to initiate comprehensive Official Plan and Zoning By-law amendments that would apply to portions of both the Boler Mountain and Stanley lands, including the City access easements.

Next Steps:

The following key actions and approvals would be required in response to the Boler Mountain proposal:

1. Boler Mountain – submits Consent Application for a severance to convey land and establish an access easement.
2. Boler Mountain - Prepares Environmental Impact Study (required as a condition of the consent)
3. City of London - Initiates Official Plan and Zoning By-law amendments (required as a condition of the consent) to finalize land use designations and zoning on the subject lands, recognizing significant natural features, remnant agricultural lands and the recently acquired

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SWM block.

4. City of London and Boler Mountain enter into an easement agreement which recognizes the alignment and public use of the open space and multi-use pathway corridors through Boler Mountain lands.
5. Section 28 permit to be obtained from Upper Thames River Conservation Authority for site alteration associated with the new maintenance access from Wickerson Road.
6. Construction of a new maintenance access from Wickerson Road to Boler Mountain and decommissioning of the existing unsafe access from Southdale Road.
7. Installation of the pathway sections to complete the gaps in the public pathway system linking the neighbourhoods around Boler Mountain.

CONCLUSION

Boler Mountain is implementing a long-term strategy to expand recreational activities and improve access to the facility, which will require approvals under the Planning Act. Development approvals for two subdivisions east of Wickerson Road are now close to final approval and the City of London has an interest in securing easements for required open space & multi-use pathway connections in this area. All of these initiatives rely on the securement of property and/or easements from the adjacent Stanley lands. Over the past several months, Civic Administration has been working with Boler Mountain and other landowners to address long-term plans for the area. The co-ordinated approach that is being recommended will pro-actively address landowner interests, allow for completion of the public pathway system in the area and enact zoning to protect the Natural Heritage System.

PREPARED & RECOMMENDED BY:	CONCURRED BY:
TERRY GRAWAY MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON DEVELOPMENT SERVICES	ANDREW MACPHERSON MANAGER, ENVIRONMENTAL & PARKS PLANNING PLANNING SERVICES
CONCURRED BY:	SUBMITTED BY:
JENNIE RAMSAY, P.ENG MANAGER - DEVELOPMENT SERVICES & ENGINEERING LIAISON DEVELOPMENT SERVICES	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL