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File No: OZ-8796
Planner: L. Mottram

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	CITY OF LONDON AMENDMENTS TO THE OFFICIAL PLAN AND ZONING BY-LAW LANDS LOCATED WEST OF HAMILTON ROAD AND NORTH OF COMMISSIONERS ROAD EAST MEETING ON AUGUST 28, 2017

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by the City of London relating to Official Plan and Zoning By-law Amendments to delete the future Primary Collector road classification over lands located west of Hamilton Road and north of Commissioners Road East (1691 Hamilton Road, 1733 Hamilton Road, 1964 Commissioners Road East and 2046 Commissioners Road East):

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 5, 2017 to amend the City of London Official Plan to delete the road classification of future Oriole Drive as a "Primary Collector", as shown on Schedule 'C' – Transportation Corridors Map;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 5, 2017 to amend the City of London Zoning By-law Z.-1, in conformity with the Official Plan as amended in Part (a) above, to delete the "Primary Collector" street classification over lands located west of Hamilton Road and north of Commissioners Road East (identified as Street 'C' in Draft Plan of Subdivision File No. 39T-13502) in Section 4.21 Road Allowance Requirements – Specific Roads; and,
- (c) the Land Use Concept for the Old Victoria Area Plan **BE MODIFIED** by deleting the "Future Road Crossing" of the open space and stream corridor lands located west of Hamilton Road and north of Commissioners Road East; and by changing the Primary Collector to a local street.

IT BEING NOTED that modifications to Map 3 – Street Classifications in The London Plan reflecting the amendments as recommended in Part (a) above will be undertaken by Civic Administration and will be brought forward to Municipal Council as part of a future comprehensive review.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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June 20, 2016 – Report to Planning and Environment Committee – 1691 Hamilton Road - Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments – Thames Village Joint Venture Corporation (File No. 39T-13502 / OZ-8147) (Agenda Item #25)

May 30, 2016 – Report to Planning and Environment Committee – 1733 Hamilton Road and 2046 Commissioners Road East - Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - Sifton Properties Limited (File No. 39T-15505 / OZ-8555) (Agenda Item #16)

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PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect is to change the classification of a planned future street (Oriole Drive) from a "Primary Collector" to a local street.

RATIONALE

1. The recommended amendments are based on a City-initiated review of the future "Primary Collector" road alignment through the easterly portion of the Old Victoria Area Plan. The current configuration of the road alignment crosses a ravine which has been identified as a natural heritage feature consisting of a stream corridor and local wetland.
2. Avoiding the crossing will eliminate environmental impacts on the ravine and wetland feature. A local road connection outside of the open space and ravine lands has been identified, and would eliminate the need for a road crossing as well as maintaining neighbourhood connectivity.
3. The recommended Official Plan and Zoning By-law Amendments and modifications to the Old Victoria Area Plan are considered appropriate, and consistent with the Official Plan and Provincial Policy Statement.

BACKGROUND

At its meeting held June 23, 2016, Municipal Council considered an application by Thames Village Joint Venture Corporation for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law amendments on a 5.5 hectare parcel of land located at 1691 Hamilton Road. Council passed a resolution in support of the proposed Draft Plan of Subdivision, and adopted the recommended Official Plan and Zoning By-law amendments. The purpose of this report is to address the status of the Primary Collector road (future Oriole Drive) which will extend from Hamilton Road through this draft plan of subdivision and the adjacent draft plan to the east, and a future road crossing of a wooded ravine on adjacent lands to the west. The recommendations in this report are in response to Clause (f) of the above-noted Council Resolution which is as follows:

- (f) *the Civic Administration **BE DIRECTED** to review opportunities for public road connections to lands to the west of the proposed draft plan of subdivision; and report back to a future meeting of the Planning and Environment Committee with an assessment of feasible alternatives, and recommended updates to the Old Victoria Area Plan and Official Plan, if required;*

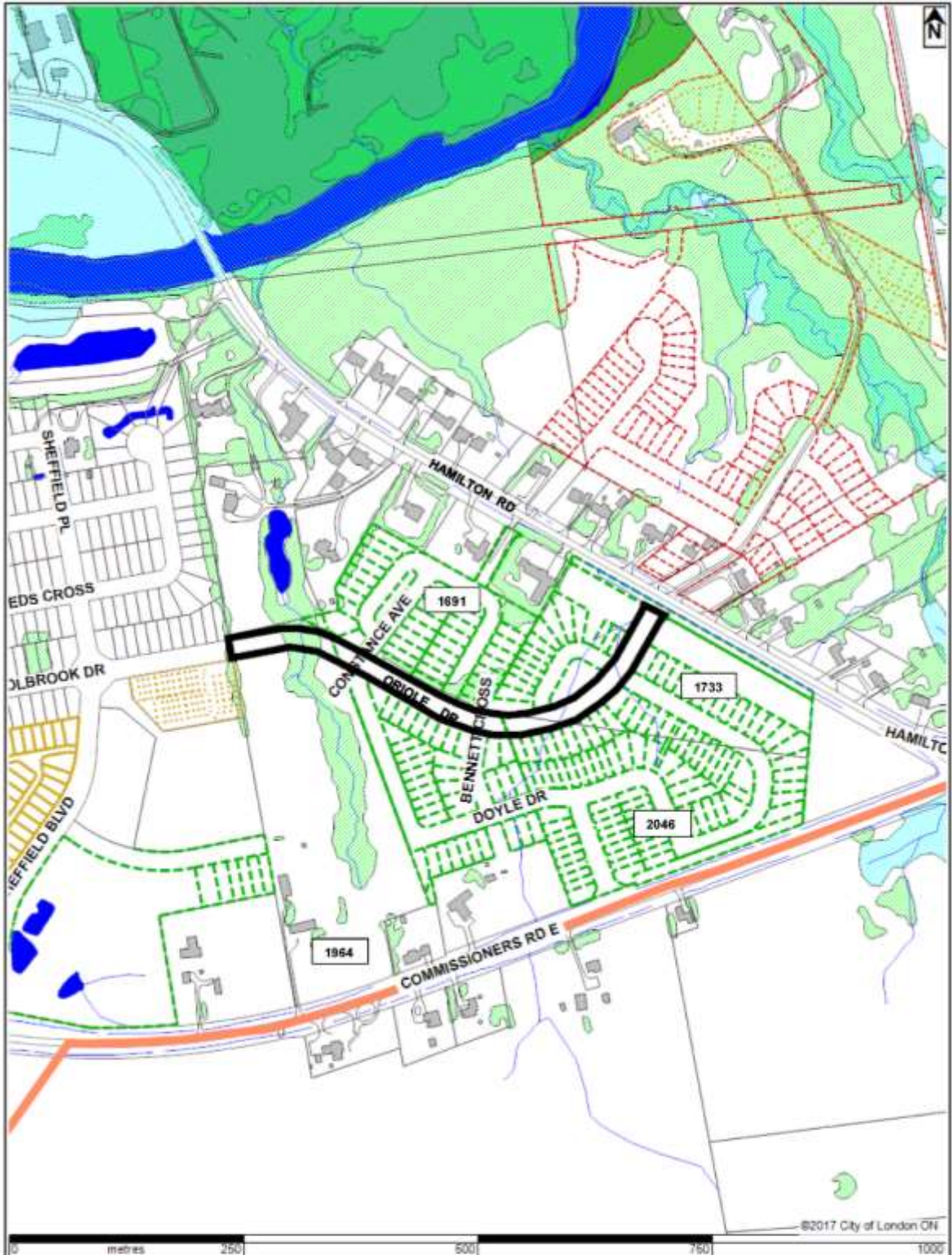
The alignment of the collector road through both draft plans is consistent with the alignment in the Official Plan and the Old Victoria Area Plan. However, further to the west, on property known as the "Grenier Lands" at 1964 Commissioners Road East, the proposed route that this collector road would take crosses a ravine which has been identified as a natural heritage feature consisting of a stream corridor and local wetland. A Municipal Class Environmental Assessment and Environmental Impact Study would need to be completed as part of the detailed planning for the proposed road crossing before it could proceed.

Responses received from the UTRCA to previous circulations of the Thames Village Joint Venture subdivision application and the Sifton Properties Limited application on the adjacent lands to the east, indicated that the proposed road crosses a regulated ravine that includes a watercourse, woodland and a wetland. While Conservation Authority policy does not permit development in wetlands, the response indicated that they would be prepared to consider the

Location Map

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 1964 Commissioners Road East, 1691 Hamilton Road, 1733 Hamilton Road and 2046 Commissioners Road East File Number: OZ-8796 Created By: LM Date: 2017-07-13 Scale: 1:5000</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
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Corporation of the City of London
Prepared By: Planning and Development

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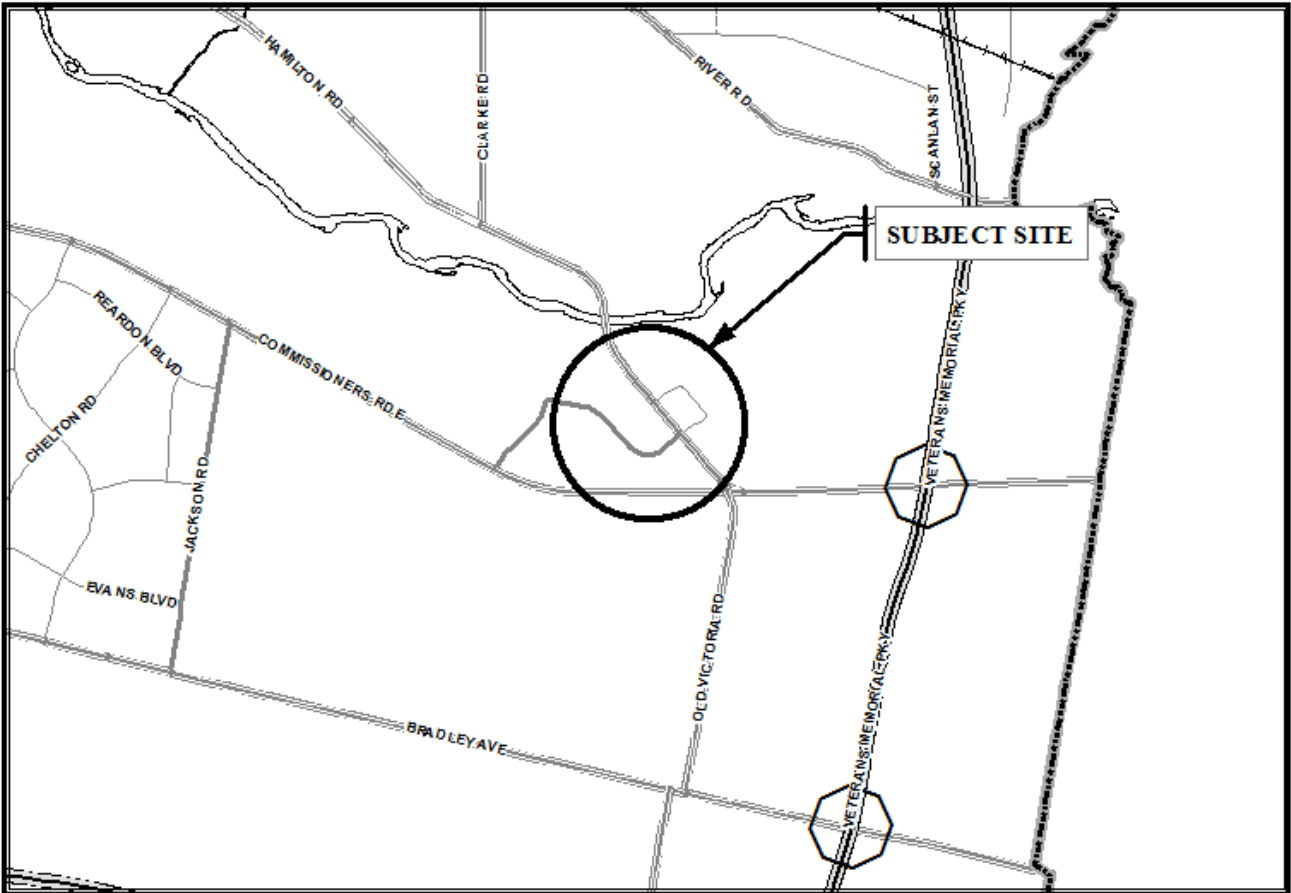
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Schedule 'C' Transportation Corridors









Legend

ROAD CLASSIFICATION

-  Secondary Collector
-  Primary Collector
-  Arterial
-  Freeway
-  Expressway

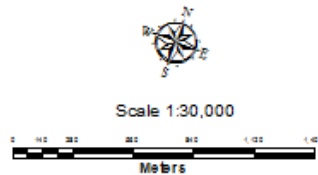
PROPOSED ROAD CORRIDOR

-  Proposed Secondary Collector
-  Proposed Primary Collector
-  Proposed Arterial
-  Proposed Freeway
-  Proposed Expressway
-  Proposed Interchange

THIS IS AN EXCERPT FROM THE PLANNING DIVISION'S WORKING CONSOLIDATION OF SCHEDULE C TO THE CITY OF LONDON OFFICIAL PLAN, WITH ADDED NOTATIONS

CITY OF LONDON
 Department of
Planning and Development
 OFFICIAL PLAN SCHEDULE C
 - TRANSPORTATION CORRIDORS -

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8796

PLANNER: LM

TECHNICIAN: RC

DATE: 07/25/2017

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\con sol00\exoe rpts\mxd_templates\schedule_c\scheduleC_b&w_8x11_with_SWAP.mxd

crossing at this location subject to an EIS being prepared to their satisfaction, which includes mitigation and compensation measures.

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The Thames Village Joint Venture and Sifton Properties Limited draft plans have now advanced to the detailed engineering design stage. City staff met with both land owner/developers who have considered the feasibility of a road/bridge crossing at this location and based on their review and studies have expressed an interest to avoid the ravine and provide an alternate public road connection around it. Avoiding the crossing will eliminate environmental impacts on the ravine and wetland feature, and avoids significant costs and risk associated with the road crossing itself. In response to those concerns, Development Services staff agreed to undertake a City-initiated review of the Official Plan and Zoning By-law and to circulate a notice of possible amendments.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority (UTRCA)

The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of riverine flooding and erosion hazards. The UTRCA has jurisdiction over these lands and landowners may be required to obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

The UTRCA is supportive of the proposed realignment of the transportation network which will eliminate the need for a road crossing over the natural stream corridor.

Servicing Related City Comments

The City of London’s Environmental and Engineering Services Department has not identified any concerns with respect to the aforementioned Official Plan and Zoning By-Law amendments application.

PUBLIC LIAISON:	On July 13, 2017, a Notice of Application to Amend the Official Plan and Zoning By-law was sent to 21 surrounding property owners. Notice was published in the “Londoner” on July 27, 2017.	2 replies received
<p>Nature of Liaison: The purpose and effect is to change the classification of a planned future street (Oriole Drive) from a “Primary Collector” to a local street.</p> <p>Possible amendment to the Official Plan to delete the road classification of future Oriole Drive as a “Primary Collector”, as shown on Schedule ‘C’ – Transportation Corridors Map. Possible amendment to Zoning By-law Z.-1 to delete future Oriole Drive as a “Primary Collector” in Section 4.21 Road Allowance Requirements – Specific Roads.</p>		
<p>Responses: Two (2) e-mail responses received requesting further information and clarification.</p>		

ANALYSIS

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The most feasible alternative which eliminates the need for a road crossing the ravine lands is a public road connection located to the south of the ravine. Provision has already been made for a future road allowance block located immediately south of the intersection of Constance Avenue and Doyle Drive within the Thames Village Joint Venture draft plan of subdivision, as well as through special provisions in the Subdivision Agreement. This block will provide an opportunity for a local road connection outside of the open space and ravine lands to service future development to the south and west.

Representatives from Sifton Properties Limited and Thames Village Joint Venture recently met with staff and both expressed an interest in avoiding the environmental impacts and risks associated with a road crossing (see attached correspondence from Sifton Properties Limited). The UTRCA also expressed concerns with the configuration of the road crossing in their previous responses to the circulation of draft plan of subdivision application.

It is important to note that the City has received and reviewed an Initial Proposal Report prepared for the land parcel involving the ravine feature (1964 Commissioners Road East – referred to as the “Grenier Lands”). The subdivision proposal is designed to provide a road connection through to the Thames Village Joint Venture subdivision plan. A formal application for draft plan of subdivision is expected to be submitted shortly by Sifton Properties Limited. Staff are undertaking further discussions with Sifton regarding the park and pathway layout, including the possibility of a 3.0 metre wide, lighted pathway and bridge crossing the ravine to provide a pedestrian and cycling connection between Holbrook Drive in the Victoria on the River subdivision and future Oriole Drive. A future pedestrian bridge across the ravine will enhance neighbourhood connectivity; however, an Environmental Impact Study and geotechnical assessment are required to determine the appropriate location for the path and bridge structure.

The effect of the recommended amendment to the Official Plan is that the “Primary Collector” (identified as Oriole Drive as shown by a dark outline on the location map) will be deleted from the City’s Official Plan Schedule ‘C’ - Transportation Corridors Map. Only the classification of the road would be changing as there will continue to be a permanent public road connection to Hamilton Road; however, it will be replaced by a local street. The effect of the recommended amendment to the Zoning By-law is to delete the “Primary Collector” street classification in Section 4.21 Road Allowance Requirements – Specific Roads which will allow Oriole Drive to be designed and constructed to local street standards.

In addition, staff are recommending that the land use concept for the Old Victoria Area Plan be modified by deleting the “Future Road Crossing” of the open space and stream corridor lands located west of Hamilton Road and north of Commissioners Road East; and by changing the Primary Collector to a local street. It is noted that modifications to Map 3 – Street Classifications in The London Plan will be undertaken by Civic Administration and will be brought forward to Municipal Council as part of a future comprehensive review.

CONCLUSION

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The recommended amendments are based on a City-initiated review of the future “Primary Collector” road alignment through the easterly portion of the Old Victoria Area Plan. The current configuration of the road alignment crosses a ravine which has been identified as a natural heritage feature consisting of a stream corridor and local wetland. Avoiding the crossing will eliminate environmental impacts on the ravine and wetland feature. A local road connection outside of the open space and ravine lands has been identified, and would eliminate the need for a physical road crossing as well as maintaining neighbourhood connectivity. Based on our review, the recommended Official Plan and Zoning By-law Amendments and modifications to the Old Victoria Area Plan are considered appropriate, and consistent with the Official Plan and Provincial Policy Statement.

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES	LOU POMPILII, MPA, RPP MANAGER, DEVELOPMENT PLANNING
CONCURRED IN BY:	SUBMITTED BY:
PAUL YEOMAN, RPP, PLE DIRECTOR, DEVELOPMENT SERVICES	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

August 21, 2017
 GK/PY/PM/LM/lm
 "Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\OZ-8796 - 1964 Commissioners Road East (LM)\PEC report.docx

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Telephone

None

Written

Karla Szauter
1663 Hamilton Road
- Request for further information and clarification
- Happy/relieved to hear there will be no construction through the ravine area

Ken and Colleen Goodhand
1645 Hamilton Road
- No issues with future development provided their privacy is maintained, and construction is done in such a way to prevent run-off to their property and pond

Bibliography

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Planner: L. Mottram

Reference Documents:

City of London Official Plan, June 19, 1989, as amended

City of London, Zoning By-law No. Z.-1, May 21, 1991, as amended

Ontario Ministry of Municipal Affairs and Housing, *Planning Act, R.S.O. 1990, CHAPTER P. 13*, as amended

Ontario Ministry of Municipal Affairs and Housing, *Provincial Policy Statement*, April 30, 2014

City of London Development Services – Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - Victoria on the River Subdivision - Sifton Properties Limited File No. 39T-09502 / OZ-7692 / Z-8528

City of London Development Services – Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments – 1691 Hamilton Road - Thames Village Joint Venture Corporation- File No. 39T-13502 / OZ-8147

City of London Development Services – Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments – 1733 Hamilton Road and 2046 Commissioners Road East - Sifton Properties Limited - File No. 39T-15505 / OZ-8555

Correspondence: (located in City of London File No. OZ-8796 unless otherwise stated)

Various hard copy and e-mail correspondences to the Notice of Application to Amend the Official Plan and Zoning By-law

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File No: OZ-8796
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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 to delete the Primary Collector road classification over lands located west of Hamilton Road and north of Commissioners Road East (1691 Hamilton Road, 1733 Hamilton Road, 1964 Commissioners Road East and 2046 Commissioners Road East), as shown on Schedule 'C' – Transportation Corridors Map.

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 5, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 5, 2017
Second Reading – September 5, 2017
Third Reading – September 5, 2017

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**File No: OZ-8796
Planner: L. Mottram**

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

1. To amend Schedule “C” – Transportation Corridors of the Official Plan to delete the “Primary Collector” road classification.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located west of Hamilton Road and north of Commissioners Road East (1691 Hamilton Road, 1733 Hamilton Road, 1964 Commissioners Road East and 2046 Commissioners Road East), in the City of London.

C. BASIS OF THE AMENDMENT

The subject of this amendment is the configuration of a future “Primary Collector” road which crosses ravine lands identified as a natural heritage feature consisting of a stream corridor and local wetland. A Municipal Class Environmental Assessment and Environmental Impact Study would need to be completed as part of the detailed planning for the proposed road crossing before it could proceed. Avoiding the crossing will eliminate environmental impacts on the ravine and wetland feature, and significant costs and risk associated with the road crossing itself. A local road connection outside of the open space and around the southerly extremity of the ravine has been identified as a feasible option, would eliminate the need for a road crossing, and provide a public road and servicing connections for future development of lands to the west.

The effect of the recommended amendment to the Official Plan is the “Primary Collector” (identified as Oriole Drive) will be deleted from the City’s Official Plan Schedule ‘C’ - Transportation Corridors Map. Only the classification of the road would be changing as there will continue to be a permanent public road connection to Hamilton Road; however, it will be replaced by a local street and implemented through the subdivision planning approval process.

D. THE AMENDMENT

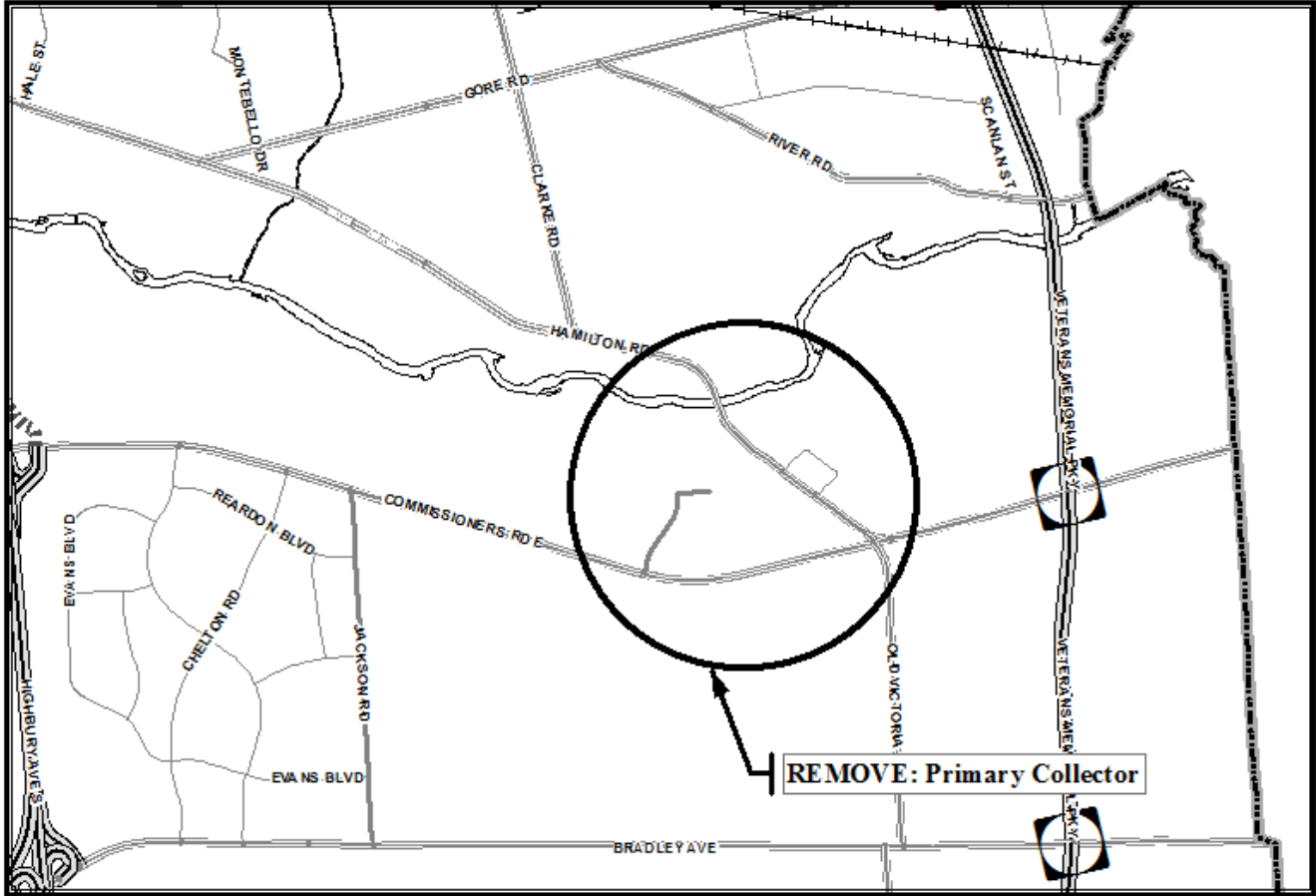
The Official Plan for the City of London is hereby amended as follows:

1. Schedule “C”, Transportation Corridors to the Official Plan for the City of London is amended by deleting the “Primary Collector” road classification, as indicated on the schedule attached hereto.

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File No: OZ-8796
 Planner: L. Mottram

AMENDMENT NO: _____



Legend

ROAD CLASSIFICATION

- Secondary Collector
- Primary Collector
- Arterial
- Freeway
- Expressway

PROPOSED ROAD CORRIDOR

- Proposed Secondary Collector
- Proposed Primary Collector
- Proposed Arterial
- Proposed Freeway
- Proposed Expressway
- Proposed Interchange

THIS IS AN EXCERPT FROM THE PLANNING DIVISION'S WORKING CONSOLIDATION OF SCHEDULE C TO THE CITY OF LONDON OFFICIAL PLAN, WITH ADDED NOTATIONS

**SCHEDULE C
 TO
 OFFICIAL PLAN**
 AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: OZ-8796

PLANNER: LM

TECHNICIAN: RC

DATE: 7/25/2017

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File No: OZ-8796
Planner: L. Mottram

Appendix “B”

Bill No. (Number to be inserted by Clerk’s Office)
2017

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to delete the “Primary Collector” street classification over lands located west of Hamilton Road and north of Commissioners Road East (identified as Street ‘C’ in Draft Plan of Subdivision File No. 39T-13502) in Section 4.21 Road Allowance Requirements – Specific Roads.

WHEREAS the **Corporation of the City of London** has applied to amend the City of London Zoning By-law Z.-1, as amended, to delete the “Primary Collector” street classification over lands located west of Hamilton Road and north of Commissioners Road East (identified as Street ‘C’ in Draft Plan of Subdivision File No. 39T-13502), as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number ____ this amendment to Zoning By-law Z.-1 will conform with the Official Plan;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 4.21 Road Allowance Requirements – Specific Roads to By-law No. Z.-1 is amended by deleting the “Primary Collector” street classification over lands located west of Hamilton Road and north of Commissioners Road East (identified as Street ‘C’ in Draft Plan of Subdivision File No. 39T-13502).
2. This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on September 5, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 5, 2017
Second Reading – September 5, 2017
Third Reading – September 5, 2017