

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: White Oak-Dingman Secondary Plan – Update Report
Meeting on: March 18, 2018

Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, the following actions be taken with regard to this report:

- a) That this report **BE RECEIVED** for information; and
- b) That the White Oak-Dingman Secondary Plan project **BE DEFERRED** until sufficient information is made available through Phase 2 of the Dingman Creek Environmental Assessment to delineate a developable land area.

IT BEING NOTED that the limits of the Dingman Creek flood plain are currently being reviewed and updated by the Upper Thames River Conservation Authority, and this review will inform the Dingman Creek Environmental Assessment.

IT BEING FURTHER NOTED that the White Oak-Dingman Secondary Plan area is identified as part of the second phase of the Dingman Creek Environmental Assessment (EA), which will address the flood plain limit and potential mitigation measures related to the flood plain.

Executive Summary

- This report provides an update on the 2018 activities within the White Oak-Dingman Secondary Plan area.
- On December 12, 2017, Council directed a Secondary Plan for the “White Oak-Dingman” area be undertaken in order to identify a vision for future growth of vacant lands, including the land uses, and intensities and forms of uses within the “Future Community Growth” Place Type. The Secondary Plan is also to identify transitions to surrounding established designations/Place Types and assess environmental, archaeological, transportation, and design matters.
- As part of the Secondary Plan, a number of background studies are required, including:
 - A Subject Lands Status Report (SLSR) for the natural environment. Natural Hazards, including flood lines and hazard limits, are also to be reviewed.
 - Stage 1 Archaeological Assessments to assess the potential for cultural heritage and identify where further study would be required as part of subsequent planning and development applications.
 - A Transportation Study to determine road patterns, connections, alignments, intersections, as well as the pedestrian, bicycle, and transit networks within the developable area.
 - Servicing studies for stormwater, sanitary, and water servicing requirements.

- Public uses, such as parkland, parks and recreation facilities, and future school sites to be assessed as part of visioning for the area and the land use concept.
- Work has been undertaken regarding the Subject Lands Status report and archaeological assessment. A public meeting was also held in March 2018 to identify considerations and vision for the future Place Type and transitions to surrounding land uses and Place Types (e.g. Industrial and Commercial Industrial).
- During the Summer of 2018, a flood plain map modelling update for the Dingman Creek Subwatershed was made available by the Upper Thames River Conservation Authority (UTRCA).
- As identified at the Planning and Environment Committee on November 12, 2018, the updated Dingman flood plain mapping is to be used as an interim “screening area” requiring UTRCA review of applications.
- The map modelling of the “screening area” is currently being peer reviewed.
- Changes to the regulatory flood plain area may result from the confirmation of the peer review and finalization of the flood plain modeling update.
- The flood plain map modeling, as presented to Council in November 2018, has significant impact on the White Oak-Dingman Secondary Plan area. The Secondary Plan cannot be completed until review of the “screening area” is completed in coordination with the concurrent Dingman Creek Environmental Assessment (EA).
- The City will continue to work with the UTRCA to review and refine the screening area and coordinate this review with the on-going Environmental Assessment. The EA will consider engineering works that may mitigate flood impact. A target date of Q1 2021 is anticipated for the second phase of the EA. Subsequent update reports will continue to inform Council and landowners of progress on the EA and the UTRCA’s screening area review.
- It is recommended that the White Oak-Dingman Secondary Plan be deferred to align with the timing of the EA. Until the limits of the regulatory floodplain are confirmed, it is not possible to determine the extent of the developable area.
- The Background Studies are intended to be used to support the future development of the area by informing matters such as the transportation network, servicing and land uses. It is recommended that these studies be deferred and undertaken in conjunction with the second phase of the EA.

Analysis

1.0 White Oak-Dingman Secondary Plan Update

1.1 Background

In 2014 the City of London initiated an Official Plan Amendment to conduct a review of the land uses within the White Oak-Dingman Area. The review was initiated as a result of a landowner request that the City review the “Industrial” designation and to have them considered for alternative land uses. The review was conducted as a background study to the preparation of the new Official Plan (*The London Plan*).

The review evaluated the existing Industrial lands within the study area, including the landowners’ requests, to determine if it was appropriate for the lands to continue to be identified for industrial purposes or whether the lands should be re-designated to non-industrial uses (e.g. residential, commercial, institutional and/or open space).

The findings of the evaluation indicated the lands are poorly located for future industrial development, existing infrastructure investments are not being used efficiently, and a lack of market interest are precluding the lands from being developed for industrial purposes. As a result of the review, in March 2015 Municipal Council approved a change in Official Plan land use designation for a portion of the White Oak/Dingman area from “Industrial” designation to “Urban Reserve-Community Growth” designation. Changes to the Southwest Area Plan (SWAP) also reflect these changes.

Council’s decision to re-designate a portion of the lands from Industrial to non-Industrial land uses was appealed to the Ontario Municipal Board (OMB). Through its August 2016 decision, the OMB upheld Council’s decision to re-designate the lands for non-industrial uses.

On December 12, 2017, Council directed a Secondary Plan be undertaken for lands south of Exeter Road, north of Dingman Drive, east of White Oak Road and west of the Marr Drain (See Map Below), so that a vision for future growth and an urban designation can be applied to the “Urban Reserve-Community Growth” lands (termed “Future Community Growth” in *The London Plan*).



Figure 1: White Oak-Dingman Secondary Plan Area

The lands are owned by private landowners, with a portion owned by the City of London and Hydro One. The subject lands encompass an area of approximately 225 hectares.

The Secondary Planning process represents an opportunity to determine the appropriate land uses to provide for future community growth. The planning of the study area for a future neighbourhood would also connect the future residential uses west of White Oak Road with the study area, and to the existing White Oaks neighbourhood to the north. Identification of the future mobility system, including street system, pathways, and parks and open space will provide additional opportunities to integrate this area with the surrounding neighbourhoods.

As identified in policy 1556_ of The London Plan, Secondary Plans are to apply:

- Where there is a need to elaborate on the parent policies of the London Plan and where more policy guidance is required;
- Where it is important to coordinate development of multiple properties; and

- Where comprehensive study is required to consider the City Building and Environmental policies of the Plan.

Furthermore, as noted in policy 1557_ of The London Plan, Secondary Plans may apply to areas of varying sizes, including but not limited to:

- Areas within a Future Growth Place Type;
- Areas that require a coordinated approach to subdivision development;
- Older industrial areas that are subject to pressure for expansion or transition to other uses;
- Areas that are subject to substantial change as a result of a proposed major development; and/or
- Areas where a coordinated approach to the development of multiple properties is required for specific planning and design objectives;

The White Oak-Dingman Secondary Plan process is to identify a vision for future growth and development of the “Future Community Growth” Place Type lands, including the land uses, intensities of development and forms of uses. The Secondary Plan is also to address transitions to surrounding Place Types (i.e. Industrial and Commercial Industrial Place Types along Exeter Road). Additionally, a number of background studies for the Secondary Plan will assess environmental, archaeological, transportation and city design matters.

Background studies regarding archaeology and the natural environment have been and are continuing to be prepared. A community meeting to create a vision for the Future Community Growth area was also held in spring 2018.

As a result of a UTRCA’s flood plain map modelling update, which was brought forward to Planning and Environment Committee on November 12, 2018, the other background studies remain outstanding because they are contingent upon the flood plain review and establishment of the developable area and development limits in relation to the flood plain. This delay would affect the transportation study, servicing studies, as well as completing the Secondary Plan.

1.2 Background Studies

a) Environmental Background Study: Subject Land Status Report

In accordance with policy 1428_ of *The London Plan*, a Subject Land Status Report (SLSR) is generally required for all of the following:

- To confirm and map boundaries of natural heritage features and areas;
- To evaluate the significance of lands in the Environmental Review Place Type on Map 1;
- To identify and evaluate the significance of other natural heritage features and areas which are not included in the Green Space or Environmental Review Place Types on Map 1 including those natural heritage features and areas shown on Map 5 and vegetation patches greater than 0.5 hectares in size.

A Subject Land Status Report has been undertaken by Parsons Inc. Permission to Enter (PTE) was requested from the owners of all parcels within the study area prior to the start of field investigations. However, PTEs were only secured for approximately half of the study area. For properties where PTE was not secured, investigations and observations were conducted from adjacent properties wherever possible and some assumptions had to be made regarding the presence of certain features on properties which could not be directly accessed (e.g., air photo interpretation, adjacent photographs).

A SLSR includes a three (3) season ecological inventory, following the City’s Data Collection Standards for Ecological Inventory and other provincially and federally accepted protocols. Following specific timing protocols, the area was studied in 2018

for Amphibians, Birds, Plants, Reptiles, Mammals, Species at Risk and Significant Wildlife Habitat, and the Existing Uses and Disturbances were documented. Based on the findings of the SLSR, the identified natural heritage features will be added to the Secondary Plan and London Plan mapping. Natural Hazards, e.g., regulatory flood lines as identified by the UTRCA, will also be included in the Secondary Plan.

As specific development proposals come in, those proposed to be located adjacent to natural heritage features including those identified in the Secondary Plan will be subject to all of the Environmental Policies of the City's Official Plan (*The London Plan*) and the Provincial Policy Statement 2014, consistent with policy 1432_ Environmental impact studies. The SLSR thus supports a secondary plan's direction and role in protecting and sustaining natural heritage features, per *The London Plan* policy 1561_3.

Data collection has been completed and the data is now being analyzed and evaluated. A number of species and habitats were identified during the investigations. The detailed SLSR report will be made available for public review upon completion, which is anticipated in Spring 2019.

b) Archaeological Assessments

The majority of the area within the Future Community Growth Place Type have previously completed archaeological assessments, with archaeological reports registered by the Ontario Ministry of Tourism, Culture, and Sport. For properties where no previous archaeological reports were registered with the Ministry, the City sought landowner concurrence to have Stage 1 assessments prepared.

The Stage 1 assessment evaluates properties for their potential to have archaeological sites. The Stage 1 background study included a review of current land use, historic and modern maps, registered archaeological sites and previous archaeological studies, past settlement history for the area and a consideration of topographic and physiographic features, soils and drainage. The Stage 1 report identifies areas where further study and subsequent stages, such as Stage 2 archaeological investigation, would be required to determine whether or not archaeological sites exist.

The additional stages of study will be undertaken by applicants as part of subsequent planning and development applications. Three of five properties responded to the City's request and participated in the Stage 1 archaeological assessment. The three participating properties were:

- 55 Chalkstone Drive;
- 60 Chalkstone Drive; and
- 501 and 509 Exeter Road.

The two remaining properties for which no archaeological assessment was undertaken are:

- 453 Exeter Road; and
- 459 and 461 Exeter Road.

Timmins Martelle Heritage Consultants Inc. was contracted by the City to undertake the Stage 1 assessments in accordance with the provisions of the *Planning Act*, *Provincial Policy Statement*, and *City's Archaeological Management Plan (2017)*.

The consultant's map-based review and historical research identified the potential for archaeological sites based upon: location within proximity (i.e. within 300 m) from known water courses (Johnson and Attwood Drains); a 19th Century travel route (Exeter Road); and 19th century structures depicted on historical maps. The City's Archaeological Master Plan also identifies the area as having archaeological potential. As a result of the map and historical research reviews identifying archaeological potential, Stage 1 property inspections were conducted to evaluate current site conditions and determine if any areas of archaeological potential remained intact.

Based on the findings of the research and field investigation, the following recommendations were made in the Stage 1 archaeological assessment report:

- 55 Chalkstone Drive: property consists of gravel parking lots, disturbed topsoil, a small pond and an agricultural field. The parking lot, disturbed topsoil and pond are considered to have low archaeological potential and no further work is recommended. The agricultural field retains archaeological potential and a Stage 2 archaeological assessment is recommended;
- 60 Chalkstone Drive: property consists of an agricultural field. The agricultural field retains archaeological potential and a Stage 2 archaeological assessment is recommended;
- 501 and 509 Exeter Road: property consists of gravel and paved parking lots, a small drainage catch basin, gravel laneway, small artificial soil pile, and grassed and treed field. The gravel parking lot, drainage catch basin, gravel laneway, and artificial soil pile are considered to be of low archaeological potential and no further work is recommended. The treed and grassed field retains archaeological potential and a Stage 2 archaeological assessment is recommended.

The Stage 1 archaeological assessment report, including the recommendations above, was submitted by the consultant to the Ministry of Tourism, Culture, and Sport on August 20, 2018.

For the properties that did not participate in this Stage 1 assessment, they will be required to undertake Stage 1 assessments as well as any subsequent assessments as part of their future planning and development applications.

1.3 Dingman Creek Flood Plain Mapping – Impacts on Secondary Plan

During Summer 2018, it was identified to the City that the update to Dingman Creek flood plain map modelling was completed by the Upper Thames River Conservation Authority (UTRCA). A separate report on this matter was brought forward to the Planning and Environment Committee on November 12, 2018 and a flood plain review update report will be provided on March 18, 2019.

The updated flood plain map modelling is currently being verified by a peer review, and may result in changes to the Conservation Authority Regulation Area in the watershed. In the interim, the updated mapping is being used as a “screening area” requiring UTRCA review of planning and development applications. The City is concurrently conducting a Dingman Creek Environmental Assessment (EA). As part of the EA, a review of engineering works that may mitigate flood potential will also be assessed.

The flood plain “screening area”, as identified in November 2018, has a significant impact on the White Oak-Dingman Secondary Plan area. Staff will continue to work with the UTRCA to review this “screening area”, assist with the peer review, and coordinate land use planning processes with the concurrent Dingman Creek EA.

However, until such time as the peer review of the floodplain modelling is complete and the flood plain limits are finalized, it is premature to identify or designate a developable urban land area. It is also premature to establish a transportation network and servicing strategy within the Secondary Plan area.

The Transportation Study will determine the road pattern, connections, and alignments, as well as the pedestrian, bicycle and transit networks. It would be premature to recommend such networks without a defined flood hazard limit.

Additionally, servicing studies to determine stormwater, sanitary and water servicing requirements are contingent upon the outcome of the flood hazard review and EA because they are based upon the size of developable area and the intensity of land use and design concepts.

In November 2018, Council received a report identifying that the White Oak-Dingman Secondary Plan area will be located in the second phase of the Dingman Creek Environmental Assessment. In that report, Phase 2 was identified as a continuation of the Master Plan EA process but which will include a new or expanded problem statement to analyze potential engineering infrastructure for Dingman Creek (and tributaries not included in Phase 1) to mitigate flooding on impacted lands (as well as to improve access), all in consideration of the updated hazard information. During this time, the UTRCA will continue to confirm the extents of the natural hazards that are components of the UTRCA's Regulation Limits. Phase 2 of the Dingman Creek EA is targeted for completion in 2021.

In order to address land use and flood plain issues concurrently, and have the benefit of the EA evaluating the potential for flood mitigation measures, the completion of the outstanding background studies and the Secondary Plan will coincide with the second phase of the EA.

2.0 Conclusion

The White Oak-Dingman Secondary Plan area has not been identified as part of the first phase of the Dingman Creek Environment Assessment. However, the City will continue to work with the UTRCA to review and refine the flood plain and coordinate this floodplain review with the on-going Environmental Assessment's review of engineering works and those works' potential to mitigate flood risks. The City's role will include participation in the peer review, as well as assisting with the evaluation of policy alternatives. A target date of 2021 is anticipated for the second phase of the Dingman Creek Environmental Assessment.

The White Oak-Dingman Secondary Plan is located within the second phase of the Environmental Assessment. As such, the completion of the outstanding background studies and completion of the Secondary Plan will be deferred to coincide with the timing of the second phase of the EA, anticipated in 2021. If sufficient information is available through the EA process that would determine the limits of the developable lands within the planning area, the background studies work would be undertaken to advance the Secondary Plan before the completion of Phase 2 of the Environmental Assessment.

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Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

February 19, 2019
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PEC\March 18, 2019 - Update Report WODA Secondary Plan, File O-8844.docx

Appendix A – Additional Reports

Additional Reports Pertinent to this Matter

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| December 4, 2017 | Planning and Environment Committee, “White Oak/Dingman Secondary Plan – Terms of Reference for Project Initiation”. |
| November 12, 2018 | Planning and Environment Committee, “Upper Thames River Conservation Authority Dingman Creek Subwatershed Screening Area Mapping.” |