

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Global Waste Disposal London Ltd
2040 River Road

Public Participation Meeting on: August 10, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Global Waste Disposal London Ltd relating to the property located at 2040 River Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting August 25, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone, **TO** an Open Space Special Provision (OS5(_)) and a Light Industrial Special Provision/General Industrial Special Provision (LI6(_)/GI2(_)) Zone; and
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone, **TO** a Light Industrial/General Industrial Special Provision (LI6/GI2(_)) Zone, **BE REFUSED** as there is inadequate protection for the long-term preservation of the area of re-naturalization, and an Open Space Special Provision (OS5(_)) Zone is appropriate to clearly delineate the area to be protected and ensure the undisturbed future viability of this re-naturalized area.
- (c) **IT BEING NOTED** that the following site plan matter was raised during the application review process: to restore an area of disrupted natural heritage feature with an accepted restoration plan.

Executive Summary

Summary of Request

The requested amendment is to permit a waste transfer station and recycling depot.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to zone a portion of the site to allow for an expanded range of industrial uses, and to zone a portion of the site to protect an area of disrupted open space for enhancement and restoration.

Rationale of Recommended Action

1. The proposed new use of the site is consistent with the Provincial Policy Statement 2020, as it maintains the function and economic contribution of the employment lands and restores a natural heritage area;
2. The recommended amendment conforms to the in-force policies of The London Plan including but not limited to the policies of the Heavy Industrial Place Type;

3. The proposed industrial use is appropriate for the subject site and conforms to the in-force policies of the 1989 Official Plan including but not limited to the General Industrial policies of Chapter 7.
4. The recommended amendment will ensure the continued operation and viability of the industrial area for current and future uses; and,
5. The enhancement and restoration area to be zoned for the long-term protection of the feature conforms to the in-force policies of the 1989 Official Plan including but not limited to Chapter 15, and the in-force and effect policies of The London Plan including, but not limited to the Environmental Policies.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site consists of a rectangular property directly fronting River Road and a triangular parcel to the northeast at the rear. A portion of unopened road allowance for the future connection of Scanlan Street is located to the northwest of the site. 2040 River Road is located within the interior of an industrial node that is bounded by Clarke Road to the west, the CN rail corridor to the north, and the Clarke Road Park to the south. There are a mix of uses surrounding the site such as scrap yards, aggregate resource processing facilities, auction establishment uses, future industrial uses and some remnant residential uses along the north side of River Road. There is an open space to the east of the site known as the River Road Park which was a former City Landfill and is now home to the Model Airplane Flying Club.



Figure 1: Street view of 2040 River Road

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – General Industrial
- Schedule B1 – unevaluated vegetation patches, unevaluated wetlands
- Schedule B2 – conservation authority regulation limit, riverine erosion hazard limit for unconfined system
- The London Plan Place Type – Heavy Industrial
- Map 5* - unevaluated vegetation patches, unevaluated wetlands, unevaluated valley lands
- Map 6* - conservation authority regulation limit, riverine erosion hazard limit for unconfined systems, significant groundwater recharge area, highly vulnerable aquifers
- Existing Zoning – h*GI2; LI6/GI2

1.3 Site Characteristics

- Current Land Use – storage depot

- Frontage – 30.4m (99.7ft)
- Depth – Varies
- Area – 25,458m² (274,027 sq ft)
- Shape – irregular

1.4 Surrounding Land Uses

- North – Salvage Yard and Future Industrial Lands
- East – Model Airplane Flying Club
- South – Salvage Yard and Cement Plant
- West – Auction Establishment and General Industrial

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is to permit a 'waste transfer station and recycling depot' on the site with the existing dwelling converted to an office. Special provisions are requested to the General Industrial Zone to add the use, to allow for a reduced lot frontage of 30 meters, and to regulate the type and area of outside storage.

2.2 Detailed Description of Operation

The applicant is Global Waste Disposal London Ltd which provides services to commercial, industrial, and residential users in the London region through removal and disposal of various wastes. The proposed facility receives bins and enclosed containers to sort, separate and recycle collected materials which would otherwise be sent on for disposal at City landfill and other private disposal sites. The recycling of waste material can reduce the demand for new raw resources, lower final waste disposal costs, and help to conserve landfill space.



Figure 2: Rendering of proposed use of site

3.0 Relevant Background

3.1 Planning History

The site has been used by Global Waste Storage and Truck Yard since 1989. In 2012, the single detached dwelling at 2040 River Road was acquired by Global Waste.

3.2 Requested Amendment

The requested amendment is to add a new use to the General Industrial (GI2(_)) zone as a special provision, and maintain the existing Light Industrial (LI6) Zone variation and extend to the entire site. The existing 'h' holding provision was also requested for removal.

3.3 Recommended Amendment

The recommended amendment will also include a portion of the site to be zoned as Open Space (OS5) to restore and enhance a portion of the site with natural heritage features that was disrupted to provide future protection.

3.4 Community Engagement (see more detail in Appendix B)

Two replies were received requesting additional information and clarification about the proposal and expressing interest to be kept informed.

3.5 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (PPS) 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement encourages healthy, liveable and safe communities that are sustained by accommodating an appropriate range and mix of employment uses, including industrial and commercial to meet long-term needs (1.1.1.b). The PPS also requires that natural features shall be protected for the long term (2.1).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The site is within the Heavy Industrial Place Type which includes industries that generate significant planning impacts such as noise, vibration, air emissions, hazardous materials, and unsightly outdoor storage (1109). A portion of the site is within Map 5* – Natural Heritage and Map 6* – Hazards and Natural Resources.

Official Plan

The site is within the General Industrial designation, which is intended for a broad range of industrial uses including activities that could have a detrimental impact on residential or other uses (7.2). A portion of the site is within Schedule B1 – Natural Heritage Features and Schedule B2 – Natural Resources and Hazards.

Zoning

The existing zoning is a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone which provides for and regulates a broad range of industrial activities, though does not allow the specific nature of the requested “waste transfer station and recycling depot” use.

4.0 Key Issues and Considerations

4.1 Location

Provincial Policy Statement, 2020

The PPS promotes opportunities for a diversified economic base, including maintaining a range of economic activities and ancillary uses which take into account the needs of existing and future businesses (1.3.1 b)). The proposed industrial use maintains the industrial nature of the area and moderately diversifies the permitted uses which enhances the viability of the industrial node overall.

The London Plan

Industrial Place Types represent a critical part of The London Plan's City Structure – where one-third of Londoners work and where many of the goods and services the City produces are designed, manufactured, processed, assembled and then transported to the world (1104). Employment lands include the majority of the existing and planned industrial lands in the City, primarily clustered around the Veterans Memorial Parkway and Highway 401 corridors which provide important connections to the North American free trade routes. These corridors support the majority of London's employment areas as defined by the Provincial Policy Statement and include light and heavy industrial uses (136). The site is centrally located within a larger Heavy Industrial node that extends to the east of Clarke Road, north of the Clarke Road Park and south of the CN rail corridor, and has convenient access to the Highway 401 and major transportation routes. The proposed 'waste transfer station and recycling depot' reinforces the industrial role of the site within an area that is appropriately planned and used for intensive industrial uses.

1989 Official Plan

The 1989 Official Plan provides direction to ensure that the General Industrial designation is, for the most part, intended to apply to areas which are appropriately separated from residential areas (7.2). The site is located within an established industrial area that currently permits, and has a long-term planned intent area for intensive industrial uses. The site is well separated from lands that are designated or zoned for residential uses, though there are some remnant residential uses within the area that have not yet transitioned to industrial uses.

4.2 Use

Provincial Policy Statement, 2020

Section 1.3 of the PPS contains the Employment policies, which promote economic development and competitiveness by providing an appropriate mix and range of employment uses to meet long-term needs (1.3.1.a). The subject site forms part of an existing industrial node which contributes to the City's overall economic and employment sector. The PPS also encourages municipalities to provide opportunities for economic development and community investment-readiness, which is consistent with facilitating the new use for a 'waste transfer station and recycling depot' (1.7).

The London Plan

The Heavy Industrial Place Type permits a broad range of industrial uses that can generate significant planning impacts such as noise, vibration, air emissions, hazardous materials and unsightly outdoor storage (1109). Composting and recycling facilities are preferred within the Heavy Industrial Place Type and the Waste Management Resource Recovery Area (1120). The subject site is within the appropriate place type for the intended use, and well located to support the 'waste transfer station and recycling depot'. In the Heavy Industrial place type, large storage facilities, contractor yards and residential and other source recycling facilities may be permitted provided where they will not detract from the industrial operations of the area (1114_4). The proposed use will have a similar scale of operation and range of impacts to the existing uses in the Heavy Industrial Place Type, though is not specifically permitted by the existing zone.

The Solid Waste policies within the City Building section of The London Plan promote the reduction, re-use, recycling, composting, and recovery of materials from solid waste, wherever possible, through the use of innovative means, new technology, conservation measures, and public education and community engagement programs (480). The proposed 'waste transfer station and recycling depot' will divert materials that would otherwise be directed to landfills, and will facilitate the reuse and recycling of materials collected.

1989 Official Plan

The General Industrial designation permits any industrial use that includes assembling, fabricating, manufacturing, processing, and repairing activities; service trades; public and private utilities and related facilities; large storage facilities, such as wholesale and warehouse establishments, contractors yards, transportation terminals, and heavy equipment sales and service; and residential and other source recycling facilities (7.2.1). The proposed use is similar in nature to the contemplated range of uses and represents the same type of impacts.

Chapter 17 of the 1989 Official Plan contains policies for services and utilities as well as waste management. It is a policy that Council will encourage cost-effective alternative methods of disposing of, or utilizing, solid waste, including recycling, reduction, recovery, and re-use (17.5.1). The proposed 'waste transfer station and recycling depot' use will separate materials received for recycling and recovery, which will assist in minimizing the materials that would otherwise be sent directly to the landfill.

4.3 Intensity and Form

The PPS requires that settlement areas are to be the focus of growth and development, and that their vitality and regeneration shall be promoted (PPS 1.1.3.1). The subject site is located within an industrial node within an existing settlement area, and the proposal will broaden the range of uses permitted with a new and complementary industrial use. The PPS further requires that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (PPS 1.1.3.2 a) & b). The proposed 'waste transfer station and recycling depot' allows for the efficient utilization of the existing industrial site, and will make use of existing public and private servicing.

The London Plan

The location of waste transfer stations, composting facilities, recycling facilities or storage areas will be planned, designed, operated and maintained in such a way as to promote compatibility with adjacent existing and future land uses, and to minimize any adverse impacts on the natural environment and surrounding area (483). The proposed 'waste transfer station and recycling depot' is not proposed to handle any hazardous waste on site and is a compatible land use to the adjacent land uses, including the portion of the site to be re-naturalized, in concert with the recommend open space zone.

Height within the Heavy Industrial Place Type will not exceed two storeys (1124_3). There is an existing one storey building on-site which was formerly used as a single detached dwelling and is proposed to be modified and adaptively reused an office. The garage to the east of the dwelling will be removed to allow for vehicle movement into the rear yard and some parking is proposed in the front yard of the structure.

1989 Official Plan

Area and site design criteria for development of general industrial lands is subject to assessment of traffic, access and buffering impacts (7.2.5). The site is located on an arterial road in an industrial area with convenient access to Highway 401 via Veteran's Memorial Parkway. The main access for the site is from River Road with an additional vehicular access provided from the unopened Scanlan Street road allowance to the north of the site. The vehicular traffic will utilize the major road network and does not require any movement through residential neighbourhoods.

The parking for the 'waste transfer station and recycling depot' is based on the parking rate of the 'Manufacturing and Assembly Industry' which requires one parking space per 200m² of gross floor area. There are six (6) spaces proposed in front of the building which meets and exceeds the minimum three (3) spaces required, and there is ample space for additional parking located at the rear. There is existing water service available from River Road and the sanitary system will utilize the existing private

system. Stormwater will need to be managed on-site and specific servicing details will be dealt with through the Site Plan Approval process.

Outdoor storage will be screened by the River Road properties as the lot is an irregular shape with the majority of the land behind the existing built form. Additional considerations for the parking layout and screening will be dealt with further at the time of Site Plan Approval.

4.4 Environmental Compliance Approval

Waste disposal sites and transfer stations may be permitted in the Heavy Industrial Place Type subject to a zoning by-law amendment application and to meeting the requirements of the Ministry of the Environment and Climate Change (1114_10.c). This is also a requirement in the 1989 Official Plan where waste disposal sites and transfer stations may be contemplated subject to meeting the requirements of the Ministry of the Environment and other Ministries in accordance with the Environmental Assessment Act, the Environmental Protection Act, and other guidelines and policies that apply (7.2.2.iii). Further, if a Certificate of Approval is required from the Ministry of the Environment, such certificates shall be applied for concurrently with the application for Zoning By-law Amendment (17.5.4).

The applicant had obtained an Environmental Compliance Approval (ECA) No. A 800735 dated March 17, 1995 for past operations at 2040 River Road. On April 10, 2019 the applicant met with the Ministry of the Environment, Conservation and Parks for pre-submission consultation for the future Environmental Compliance Approval at the same time as the pre-application consultation occurred with the City of London for the Zoning By-law Amendment. An amendment to the 1995 ECA was recently approved on February 20, 2020 by the Ministry to support the requested operation and use of 2040 River Road. The recommended zoning amendment would permit the land use, and the province, through the ECA, would then govern the specific operation of the user.

4.5 Compatibility

The PPS provides direction that employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas (PPS, 1.3.2.2). The London Plan further requires that the Province's *D-series Guidelines* be implemented to ensure that industrial uses and sensitive land uses are not located inappropriately close to one another (1138).

The D-6 Guidelines were created by the Ministry of the Environment in 1995 in accordance with the Environmental Protection Act, and are intended to prevent or minimize land use conflicts due to the encroachment of sensitive and intensive uses on one another. There are four existing (remnant) dwellings located on the north side of River Road to the west of the subject site, and one existing dwelling located to the east of the subject site which are considered to be sensitive uses within the industrial area. The D-6 Guidelines set out review requirements for the impacts of noise, dust, odour and vibration from industrial uses on sensitive uses. An assessment was undertaken with input from Golder Associates including a site visit on August 12, 2019.

The existing dwellings are located within a highly active industrial node and are exposed to current nuisances in the area associated with industrial operations such as noise, dust, and vibration. The Point of Reception (ROR) where impacts would be measured for the five (5) existing dwellings are currently located within the required separation distance for two nearby industrial uses including the Gerdau Metal Recyclers, and JNF Ready Mix which are both located on the south side of River Road. Typically, sensitive uses would be required to locate outside of the separation distance as this is the area that would likely be subject to negative impacts and nuisance from operation. There are additional intensive uses surrounding the dwellings in the area, including the auto wreckers: Starr Auto Wreckers, American Iron and Metal Co. and Gerdau Metal Recyclers, and aggregate resource processing operations such as JNF Ready Mix and

Pyramid Paving. The industrial nature of the area generates impacts associated with intensive operation including noise, vibration, and dust which the existing dwellings would be subject to currently.



Figure 3: Sensitive and Industrial Land Uses

The proposed ‘waste transfer station and recycling depot’ use will involve the movement of large trucks, conveyors and loaders which are anticipated to be a moderate source of noise, and possibly some secondary impacts associated with dust and vibration. Odour impacts have been described as highly improbable as no organic or biodegradable materials would be processed or handled on site. The recommended use will not create new nuisances for the single detached dwellings, and will have similar impacts to the range of general industrial uses currently permitted in the existing General Industrial (GI2) zone.

Single detached dwellings are not a permitted land use in the area, nor are residential uses contemplated as a long-term planned function along River Road. The London Plan directs that uses sensitive to impacts that may be generated by surrounding industrial land uses will not be permitted as they may preclude or hinder the operation of the intended heavy industrial uses in this place type (1114_3). Though the existing dwellings are considered to be legal non-conforming uses, it is expected that in the long-term the residential uses will cease and the node will transition to function entirely for industrial purposes. The conversion of the dwelling at 2040 River Road into an office and scale house is one such example of this transition which removes a sensitive use and establishes a more appropriate use and fit for the area.

4.6 Restoration and Enhancement Area – Open Space (OS5) Zone

The PPS, 2020 identifies that “natural features and areas shall be protected for the long term” (PPS, 2.1.1). A portion of the site is within an area of ‘unevaluated wetland’ and an ‘unevaluated vegetation patch’ on Schedule B-1 of the 1989 Official Plan and Map 5* of The London Plan, and a portion is within the regulated area of the Upper Thames River Conservation Authority, the Riverine Erosion Hazard Limit for Unconfined Systems on Schedule B-2 of the 1989 Official Plan and Map 6* of The London Plan. Schedules B-1 and B-2 form part of the 1989 Official Plan and are to be considered together with Schedule A – Land Use. Similarly, Map 5* and Map 6* form part of The London Plan and are required to be considered in addition to the Place Types. The PPS, 2020 also identifies that no development or site alteration shall occur on adjacent lands to natural heritage features and areas unless it has been evaluated and has been demonstrated that there will be no negative impacts on natural features or their ecological functions (PPS, 2.1.8).

The London Plan identifies that components of the natural heritage system apply to recognized and potential or unevaluated components as identified or delineated on Map 5* (1316*). The 1989 Official Plan environmental policies provide for the recognition and protection of significant natural features and ecological functions and lands subject to development constraints such as flooding. The lands known to be subject to the policies of Chapter 15 are delineated on Schedule B1 and B2 (Ch.15).

Unevaluated vegetation patches as delineated on Schedule B1 may include treed areas, swamps, wetlands or similar natural features. Most large unevaluated vegetation patches are designated Environmental Review and smaller patches may have previously been designated for development or agricultural activity. The unevaluated vegetation patches delineation is considered to be interim in nature until such time as the significance of these patches can be confirmed through the completion of an environmental study (15.4.13). The unevaluated vegetation patch for the subject site is also within a development designation (general industrial) though site alteration is only permitted with an environmental impact assessment of the features.

The London Plan contains similar policy, and also directs that “unevaluated vegetation patches previously identified for development or agricultural activity will be assessed for significance and protection as part of any development application or secondary planning study” (1383). The site is within an industrial place type and zoned for industrial uses, and through a development application such as this Zoning By-law Amendment, an assessment would have been required to determine potential significance of the unevaluated patch.

In the 1989 Official Plan, known wetlands that have not yet been evaluated are identified on Schedule B1 as “unevaluated wetlands” (15.4.2). The London Plan directs that development and site alteration shall not be permitted within and/or adjacent to an unevaluated wetland identified on Map 5* and that the unevaluated wetland is required to be evaluated by a qualified person (1335). Wetlands and their surrounding areas of interference are also subject to regulation under the Conservation Authorities Act (1336).



Figure 4: Upper Thames River Conservation Authority

In addition to areas that are included in the Environmental Review or Green Space place types, vegetation patches in other place types that are larger than 0.5ha in size shall be evaluated in conformity with the policies of this plan to determine the significance of vegetation and identify the need for protection prior to planning and development approvals (1385). The portion of the vegetation patch on the subject lands extends to the east to form a larger patch greater than 0.5ha as described by policy.

Notice of Violation

Through the review of this application, and with input from the City's ecologist and Upper Thames River Conservation Authority, it has been determined that various on-site alterations have occurred at the northeast corner of the site. This area is within the UTRCA regulated area, and changes occurred without prior assessment by a qualified professional through an environmental study or a Section 28 permit from the UTRCA. Site alteration includes tree removal, changes to grade (berming) and subsequently potential changes to a water course and a portion of a wetland. A site visit was attended by the UTRCA and the applicant/owner in November 2019 to explore the extent of the changes. On December 10, 2019, the UTRCA issued a Notice of Violation for unauthorized interference with a wetland, alteration to a watercourse, placement of fill and site grading. The applicant, UTRCA, and City Staff are collaborating to positively rectify this violation through the recommendations presented in this Zoning amendment;

Natural Heritage System in Other Designations

The site is designated General Industrial and within the Heavy Industrial place type while also having a portion of the site on Schedules B1 and B2 and Map 5* and 6*. The 1989 Official Plan recognizes such instances where:

“components of the Natural Heritage System that are identified on Schedule “B1” but not designated Open Space or Environmental Review on Schedule “A”, will be evaluated to further assess their significance and determine the need for protection under the policies of the Official Plan. Where appropriate, these features and functions may be protected in whole or in part through measures such as, but not limited to, Open Space zoning, tree preservation plans associated with subdivision or site plan applications, public land acquisition, site alteration and tree conservation by-laws, conservation easements and private stewardship initiatives” (15.2.4).

Despite the industrial designation and place type of the site, the natural heritage areas and policies equally apply which require evaluation prior to site alteration or disruption and a permit from the Conservation Authority. To address the unauthorized alteration activity on site, restoration and enhancement works are recommended for a portion of the site to remove fill materials in the regulated limit and facilitate the restoration to pre-construction conditions or better. It is recommended that a portion of the site associated with the restoration plan be zoned Open Space Special Provision (OS5(_)), to clearly delineate the area to be protected and ensure the undisturbed protection and future viability of this re-naturalized area.

The 1989 Official Plan directs that waste facilities must be planned, designed, operated and maintained in such a way as to promote compatibility with adjacent, existing and future land uses, and to minimize any adverse impacts on the environment (17.5.4). The proposed 'waste transfer station and recycling depot' is an appropriate use on the majority of the site outside of the restoration and enhancement area recommended to be zoned OS5(_). The recommended zoning amendment will clearly delineate the area that can be used for industrial activity and the natural area to be restored and maintained as open space.

OZ-8271 – Unevaluated Vegetation Patches Review

In 2014, Municipal Council directed staff to initiate a city-wide application (OZ-8271) to undertake a review of the “Unevaluated Vegetation Patches” shown on Schedule B-1 of the 1989 Official Plan that were not identified as Open Space or Environmental Review designations on Schedule A (Land Use), in an effort to reconcile inconsistencies between the schedules. The report grouped different types of properties into 4 categories as follows: category 1: lands before the OMB (that were removed from further study under the application); category 2: lands that included the removal of unevaluated vegetation patches or the addition the Open Space designation under Schedule A (Land Use); category 3: lands that required re-circulation and technical amendments for the proposed changes; category 4: lands to be deferred to a future date pending additional review due to their complexity.

The site forms part of vegetation patch 09017 and was classified as a category 4 property. This patch along with the others in category 4 were located on lands designated and zoned for industrial uses, which had been planned for those uses for an extended period of time (ie. 25 years or more). At the time of the report, it stated that “a desktop analysis of the vegetation patches on these lands is not sufficient to determine the level of their significance”. It further stated that on-site analysis may be required which was not possible or available at the time of the report. As such, a decision to determine the ecological features on the subject site was deferred and there was no amendment recommended for the subject site to have the portion of the lands within the patch to be designated for Open Space or Environmental Review, as more information was required. Furthermore, this application considered only “unevaluated vegetation patches”, and did not consider “unevaluated wetlands” as part of the review.

4.7 Zoning

The recommended zoning is for the majority of the site to be zoned Light Industrial Special Provision/General Industrial Special Provision (LI6(_)/GI2(_)) to allow for the additional use of the ‘waste transfer station and recycling depot’. Special provisions in the general industrial zone variation will allow for a reduced frontage of 30m, and to regulate the location of open storage. A special provision in both the Light Industrial and General Industrial zones is included to permit a 0m setback from the Open Space (OS5) zoned lands to ensure the lands adjacent to the Open Space zone are able to be utilized for the industrial uses. A special provision is also proposed to allow the lands within the recommended Open Space (OS5) zone to be included in the calculation of landscape open space for the site.

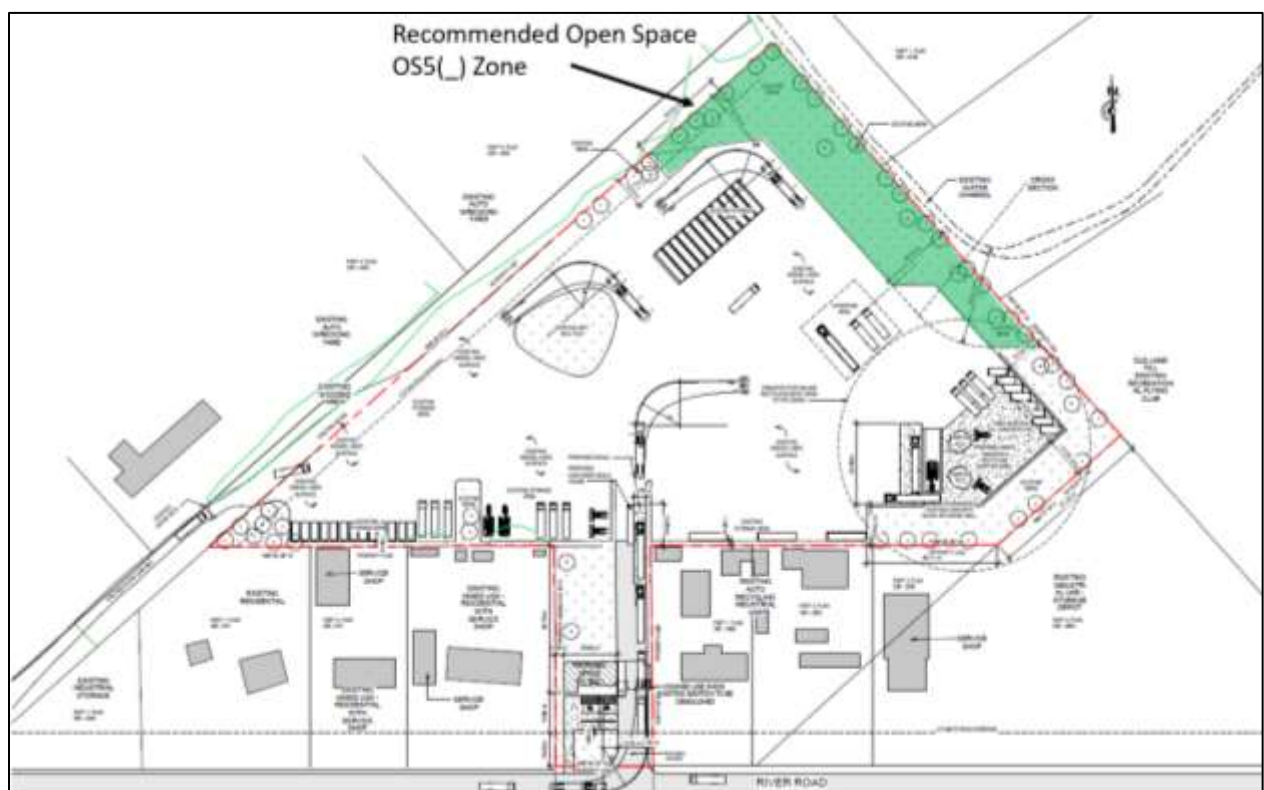


Figure 5: Extent of Open Space Zone

The Open Space (OS5) Zone variation applies to important natural features and functions that have been recognized by Council as being of City-wide or regional significance and identified as components of the Natural Heritage System on Schedule ‘B’ of the Official Plan and section 15.3 of the Environmental Policies. In section 15.3 ii) Council may require or encourage the retention of natural features through the area planning, subdivision approval, official plan and/or zoning by-law amendment, consent, variance and site plan approval processes. The Open Space Special Provision (OS5(_)) zone will apply to the northeast portion of the site and permits passive uses with no structures such as conservation lands, conservation works, passive recreation uses and managed woodlots. A special provision is recommended to require no minimum lot frontage or lot area.

More information and detail is available in the appendices of this report.

5.0 Conclusion

The proposed 'waste transfer station and recycling depot' is consistent with the Provincial Policy Statement, 2020, and conforms with the General Industrial policies of the 1989 Official Plan and the Heavy Industrial Place Type and Environmental policies of The London Plan. The recommended 'waste transfer station and recycling depot' provides an appropriate and compatible land use within an intensive industrial node. The area of open space will provide for future protection of a natural heritage area to be re-naturalized.

Prepared by:	Sonia Wise, MCIP, RPP Senior Planner, Planning Policy
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief building Official
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 Development Services.	

July 31, 2020

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 2040
River Road.

WHEREAS Global Waste Disposal London Ltd has applied to rezone an area of land located at 2040 River Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2040 River Road, as shown on the attached map comprising part of Key Map No. A113 from a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone to an Open Space Special Provision (OS5(_)) Zone and a Light Industrial Special Provision/General Industrial Special Provision (LI6(_)/GI2(_)) Zone

- 2) Section Number 36.4 of the Open Space Zone (OS5) Zone is amended by adding the following Special Provision:

OS5(_) 2040 River Road

a) Regulations

- i) No minimum lot frontage requirement
- ii) No minimum lot area requirement

- 3) Section Number 40.4 of the Light Industrial (LI6) Zone is amended by adding the following Special Provision:

LI6(_) 2040 River Road

a) Regulations

- i) Rear and Interior Side Yard Depth abutting an Open Space (OS5) Zone Variation (Minimum) 0m (0ft)
- ii) Lands within the Open Space (OS5) Zone Variation may be used in the calculation for landscaped open space.

- 2) Section Number 41.4 of the General Industrial (GI2) Zone is amended by adding the following Special Provision:

GI2(_) 2040 River Road

a) Additional Permitted Use

- i) Waste Transfer Station and Recycling Depot
 - ii) Definition: "Waste Transfer Station and Recycling Depot" means a type of waste disposal site as defined in the Environmental Protection Act (EPA), for non-hazardous solid wastes and liquids, including transferring, separation, processing and recycling of such wastes
- b) Regulations
- i) Frontage (Minimum) 30m (98.4ft)
 - ii) Open storage shall not be permitted in any required exterior side yard
 - iii) Front Yard Depth for open storage (Minimum) 20m (65.6ft)
 - iv) Rear and Interior Side Yard Depth abutting an Open Space (OS5) Zone Variation (Minimum) 0m (0ft)
 - v) Lands within the Open Space (OS5) Zone Variation may be used in the calculation for landscaped open space.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on August 25, 2020.

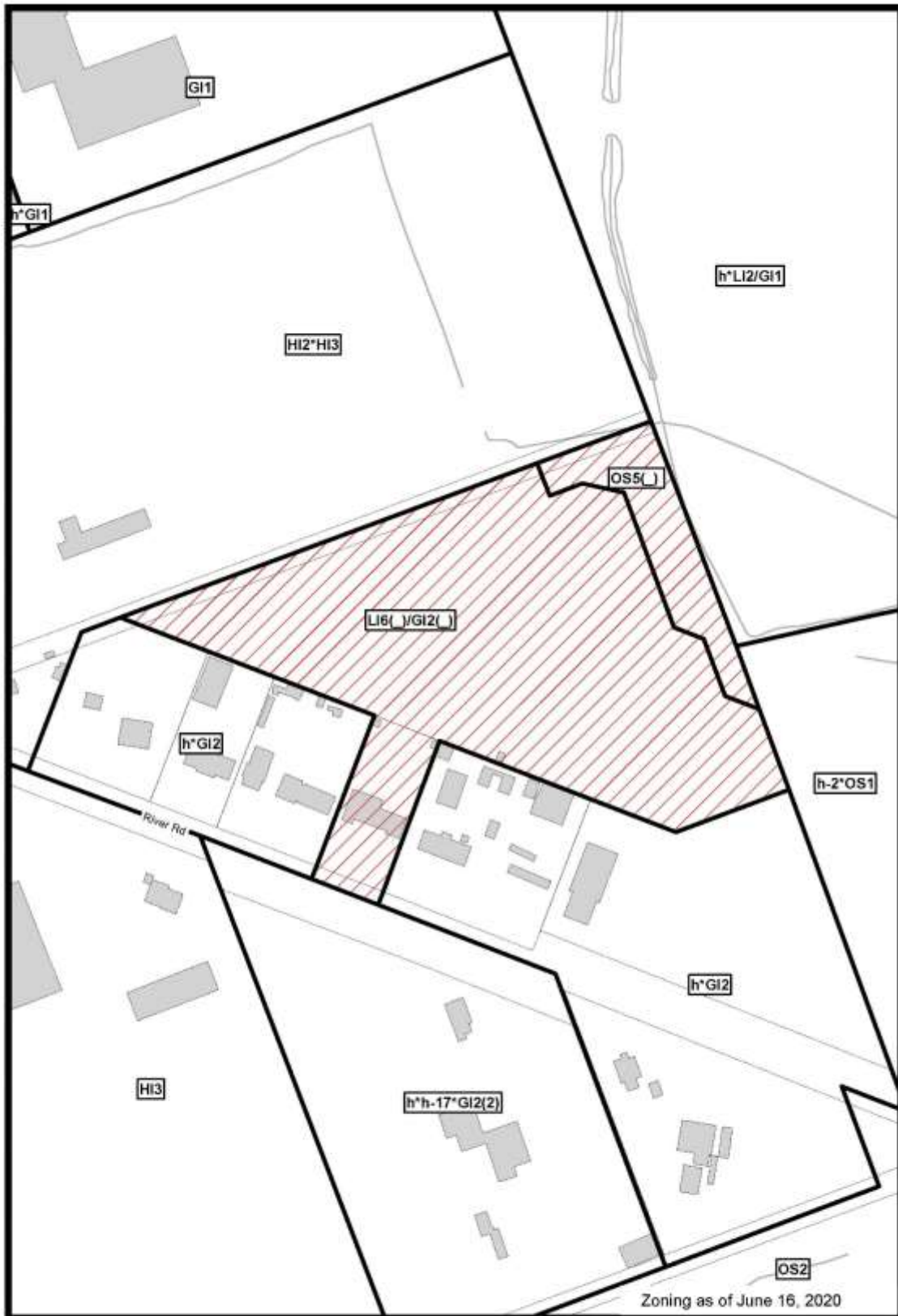
Z-9133
S.Wise

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – August 25, 2020
Second Reading – August 25, 2020
Third Reading – August 25, 2020

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9133
Planner: SW
Date Prepared: 2020/07/10
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On November 13, 2019, Notice of Application was sent to 14 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 14, 2019. A “Planning Application” sign was also posted on the site.

2 replies were received requesting additional information.

Nature of Liaison: Request to permit a waste transfer station and recycling depot in addition to the existing range of uses permitted. Possible change to Zoning By-law Z.-1 from a holding General Industrial (h*G12) Zone and a Light Industrial/General Industrial (LI6/G12) Zone to a Light Industrial/General Industrial Special Provision (LI6/G12(_)) Zone to permit the additional use of a waste transfer station and recycling depot. A special provision is requested to permit a reduced front yard setback of 30m, and to permit more than two shipping containers on site. There is a request to remove the general ‘h’ holding provision.

Responses: A summary of the various comments received include the following:

Request for more information regarding the proposal, and request for more information regarding local road improvements.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
David Starr, 2056 River Road, London ON N5W 6C2	
Molly Young, 2030 River Road, London ON N5W 6C2	

Agency/Departmental Comments

June 26, 2020 – UTRCA Memo #2



June 26, 2020

City of London – Planning Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Sonia Wise (sent via e-mail)

Dear Ms. Wise:

Re: File No. Z-9133 - Application to Amend the Zoning By-law – REVISED
Owner: Fernando Da Silva
Applicant: Global Waste c/o Victor Da Silva
Agent: Luis Carlo
2040 River Road, London, Ontario

The Upper Thames River Conservation Authority (UTRCA) received the original Zoning By-law Amendment application for the subject lands on November 13, 2019 and provided comments to the City of London and the applicant on December 10, 2019.

Natural Hazards – Delegated Responsibility

The December 2019 comments were provided through the UTRCA's provincially delegated responsibility for the natural hazard policies of the PPS, as established under the "Provincial One Window Planning System for Natural Hazards" Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Municipal Affairs and Housing. This means that the Conservation Authority represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards and ensures that the proposal is consistent with the PPS. As noted in the December 2019 letter, the subject lands and adjacent lands contain natural hazards and their associated areas of interference.

Conservation Authorities Act – Legislative Authority

The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure that development proposals meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents as well as the policies in the UTRCA's Environmental Planning Policy Manual (2006). Permit applications must meet the requirements of Section 28 of the *Conservation Authorities Act* and our policies as set out in our Environmental Planning Policy Manual. This approach ensures that the principle of development is established through the *Planning Act* approval process and that subsequently, the necessary approvals can be issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

Watershed Agency – Advisory Role

In addition to the delegated responsibility for the natural hazards policies, the UTRCA provides technical advice on natural heritage to ensure an integrated approach for the protection of the natural environment consistent with UTRCA Board approved policies. The linkages and functions of water resource systems consisting of groundwater and surface water features, hydrologic functions and the natural heritage system are necessary to maintain the ecological and hydrological integrity of the watershed. The PPS also recognizes the watershed as the ecologically meaningful scale for integrated and long-term planning which provides the foundation for considering the cumulative impacts of development. As noted in the December 2019 letter, the subject lands and adjacent lands contain natural heritage features and/or their associated areas of interference/functions.

The UTRCA's past and current comments represent the delegated, legislative and advisory roles in the plan review process.

Since the issuance of the December 2019 comments, the UTRCA has been working with the applicant and consulting team to work towards an agreement on a restoration plan. Following several site visits, phone calls and emails, the UTRCA received the enclosed drawings on Monday, June 22, 2020. The UTRCA can advise the City that these plans align with the works agreed to with the applicant and consulting team. Based on this information, we offer the following revised recommendation:

- 1) The UTRCA has no objections to the Zoning By-law Amendment application to add an additional permitted use to these lands.
- 2) The UTRCA advises the City implement to appropriate open space zoning to reflect the natural hazard and natural heritage features identified on-site/adjacent to these lands.

The OS4 and OS5 Zone variations are the most restrictive open space zone variations and are applied to lands which have physical and/or environmental constraints to development. A very limited range of structures is permitted subject to site specific studies. The OS4 Zone variation is intended to be applied to hazard lands; specifically the floodway, steep slopes and lands that may be subject to erosion as well as landfills and contaminated sites. Development within the OS4 Zone is regulated pursuant to the Conservation Authorities Act. The variation is intended to provide for development of low impact recreational facilities that do not normally include structures or buildings, and require locations within or adjacent to the floodplain. Buildings may require floodproofing, dry and safe access, etc. if located in flood fringe areas, subject to the Conservation Authorities Act.

The OS5 Zone variation applies to important natural features and functions that have been recognized by Council as being of City-wide or regional significance and identified as components of the Natural Heritage System on Schedule "B" of the Official Plan and regulated by policies in Section 15.3 of the Official Plan. These include Environmentally Significant Areas; Significant Woodlands; Locally Significant Wetlands; Significant Wildlife Habitat; Habitat of Vulnerable Species; River, Stream and Ravine corridors; Upland Corridors; and Fish Habitat and Naturalization Areas. In order to protect the identified features and functions, permitted activity is limited to a range of low-impact uses associated with passive recreation, conservation and ecosystem management. Development and site alteration is permitted only if it has been demonstrated through an appropriate study that there will be no negative impacts on the features and functions for which the area has been identified.

- 3) The UTRCA will require the restoration plan provided on June 22, 2020, to be implemented through the Site Plan and Section 28 permit application process. We will require additional information through these processes that will include but not be limited to: a grading plan, stormwater management plans, landscape plan, etc.

MUNICIPAL PLAN REVIEW FEE

Consistent with UTRCA Board of Directors approved policy Authority Staff are authorized to collect fees for the review of *Planning Act* applications. Our 2020 fee for this review is \$750.00 and will be invoiced to the applicant under separate cover. We would also like to advise the applicant that a separate fee is applicable for the review of the UTRCA Section 28 permit application and any technical reports required. UTRCA staff will advise of additional fee requirements moving forward.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 430.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY

Tracy Annett, MCIP, RPP

Manager, Environmental Planning and Regulations

Enclosure: UTRCA Regulation Limit Mapping (please print on legal paper for accurate scales)
UTRCA Comments on Z-9133, dated December 10, 2019
Proposed Concept Site Plan (A1) and Details (A2) provided by L. Claro on June 22, 2020

cc: Victor Da Silva, Applicant
Michael Tomazincic, City of London Manager of Current Planning
James MacKay, City of London Development Services Ecologist
Brent Verscheure, UTRCA Land Use Regulations Officer
Stefanie Pratt, UTRCA Land Use Planner

December 10, 2019 – UTRCA Memo #1



December 10, 2019

City of London – Planning Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Sonia Wise (sent via e-mail)

Dear Ms. Wise:

Re: File No. Z-9133 - Application to Amend the Zoning By-law
Owner: Fernando da Silva
Applicant: Global Waste c/o Victor da Silva
Agent: Luis Carlo
2040 River Road, London, Ontario

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the *Planning Act*.

PROPOSAL

The applicant is proposing to re-zone the subject lands to allow for an additional use of "Waste Transfer Recycling Depot", a reduced frontage along River Road, permissions for additional shipping containers, and the removal of the holding provision.

BACKGROUND

During UTRCA's staff review of the submitted application, it became apparent through the review of aerial photography that a series of unauthorized works occurred on the subject lands within the regulated area. These works included unauthorized interference with a wetland, alteration to a watercourse, placement of fill, and site grading. The UTRCA held a meeting with the applicant on site on November 28, 2019, seeking confirmation of these works and to gather further information from the applicant in this

regard. The details of this site visit are provided below as they relate to the natural hazard and natural heritage feature policies applicable for these lands.

On December 10, 2019, the UTRCA issued a Notice of Violation for unauthorized interference with a wetland, alteration to a watercourse, placement of fill, and site grading. As described below, the UTRCA will require the applicant to complete restoration works.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, 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 a riverine flooding hazard, and a wetland hazard and the surrounding area of interference. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners 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.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL

The UTRCA's Environmental Planning Policy Manual is available online at: <http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>
The policy which is applicable to the subject lands includes:

2.2.4 Natural Hazard Features

An allowance of 15 metres has been added to the Riverine Hazard Limit for the purpose of maintaining sufficient access for emergencies, maintenance and construction activities. The allowance provides for an extra factor of safety providing protection against unforeseen conditions that may affect the land located adjacent to a natural hazard area.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements.

The subject lands historically contained a watercourse that ran alongside the eastern property line. Based on a review of aerial photography, the location of this watercourse has been altered and it is now located fully on the adjacent parcel to the east. The UTRCA completed a site visit with the applicant on November 28, 2019, where the applicant advised that the neighbouring property owner completed the relocation of the watercourse along with additional adjacent site works.

Regardless of this relocation, the area adjacent to the watercourse is subject to an associated flood plain hazard and UTRCA regulation limit which will result in a setback greater than what is being currently provided.

3.2.6 & 3.3.2 Wetland Policies

New development and site alteration is not permitted in wetlands. Furthermore, new development and site alteration may only be permitted in the area of interference and /or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological and ecological function of the feature.

As shown on the enclosed mapping, the subject lands contain a wetland, approximately 1 acre in size. Based on a review of aerial photography, the wetland has been cleared. At the site visit on November 28, 2019, the applicant provided details relating to this clearing and advised that a mixture of recycled concrete and gravel material was brought to the site to fill in this area to prepare for the expanded use of a waste transfer and recycling depot.

Since the clearing of the wetland, berms have been installed along portions of the north property line, the entirety of the east property line, and portions of the south property line. The installation of the north berm has resulted in the ponding of water on the adjacent parcel. The UTRCA advised that the berms will need to be removed/relocated. The UTRCA advised the applicant that restoration works are required on the subject lands to re-establish a natural area. These works shall result in a net environmental benefit and tie into the existing natural heritage and natural hazard features on the surrounding lands. A restoration plan prepared by a certified ecologist, is required to appropriately plan for the restoration of the features lost and to establish an appropriate development limit/setbacks from the restored area.

SIGNIFICANT WOODLAND

The woodland that is located on the subject lands has been identified as Significant in the Middlesex Natural Heritage Study (2003) and the Middlesex Natural Heritage Systems Study (2014). New development and site alteration is not permitted in woodlands considered to be significant. Furthermore, new development and site alteration is not permitted on adjacent lands to significant woodlands (within 50 metres) unless an EIS has been completed to the satisfaction of the UTRCA which demonstrates that there will be no negative impact on the feature or its ecological function.

As shown on the enclosed mapping, the subject lands contain a Significant Woodland, approximately 2 acres in size. All of the vegetation associated with this feature was cleared alongside the unauthorized wetland interference. As mentioned under Section 3.2.6/3.3.2 above, restoration works are required to re-establish a natural area on the subject lands.

DRINKING WATER SOURCE PROTECTION

Clean Water Act

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

MUNICIPAL PLAN REVIEW FEE

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of *Planning Act* applications. Our fee for this review is \$275.00 and will be invoiced to the applicant under separate cover. We would also like to advise the applicant that a separate review fee is applicable for the review of the UTRCA Section 28 permit application and any technical reports required. UTRCA staff will advise of additional fee requirements moving forward.

COMMENTS & RECOMMENDATION

As indicated, the subject lands are regulated by the UTRCA for a flooding hazard associated with an on-site/adjacent watercourse, and a wetland hazard and the surrounding area of interference. The UTRCA issued a Notice of Violation on December 10, 2019 for unauthorized interference with a wetland, alteration to a watercourse, placement of fill, and site grading.

The UTRCA requires restoration for the unauthorized removal/interference of these features. UTRCA staff is of the understanding that the applicant is willing to work to restore these lands to the satisfaction of the Conservation Authority. The restoration plan is required to be prepared by a qualified ecological consultant. This study shall speak to the restoration of the previously existing features, along with establishing an appropriate development limit/setback requirements from the restored naturalized area.

The UTRCA is not supportive of this application in its' current state and recommends this application be deferred until such a time that an agreement for the restoration works

is finalized. Furthermore, at the time of a future re-submission of this application, the UTRCA recommends including:

1. Appropriate zoning for Open Space to ensure future protection of the restored naturalized area;
2. Revisions to the Planning Justification Report with appropriate representations of the site features and policy interpretation;
3. Additional requirements as determined through the required Section 28 permit application.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 430.

Yours truly,

UPPER THAMES RIVER CONSERVATION AUTHORITY

Stefanie Pratt

Land Use Planner

Enclosure: UTRCA Regulation Limit Mapping (please print on legal paper for accurate scales)

UTRCA Notice of Violation, dated December 10, 2019

cc: Victor da Silva, Applicant

Luis Carlo, Agent

James MacKay, City of London Development Services Ecologist

Brent Verscheure, UTRCA Land Use Regulations Officer

November 26, 2019 – London Hydro

No objection to zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

December 9, 2019 – Development Services: Engineering

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned pre-application:

Comments for the Re-Zoning:

- The removal of the holding provision is pre-mature since there is no municipal storm or sanitary services available for the site and a site plan application has not been received and reviewed.

The following items are to be considered during the site plan approval stage:

Transportation:

- Road widening dedication of 18.0m from centre line required along River road as per the Zoning By-law Section 4.21
- Road widening dedication of 10.75m from centre line required along Scanlan Street as per the Zoning By-Law section 4.21
- All equipment, storage containers and other items currently stored within the Scanlan Street ROW are to be removed and relocated all disturbed areas are to be restored
- Temporary access over the Scanlan Street ROW will be permitted until such time as the road is constructed, at such time the access to Scanlan Street will need to be formalized in accordance with City Standards
- Detailed comments regarding access design and location will be made through the site plan process

Water:

- Water is available via the 200mm DI watermain on River Road.
- The Owner shall abandon the existing water service (cut and capped at the main, in accordance with the City of London standards), in conjunction with the demolition of the existing building.
- Additional comments will be provided during site plan consultation/application.

Wastewater:

- There are no municipal sewers fronting the subject lands on River Road.

Stormwater:

- There is no municipal storm sewer or outlet to service this site and therefore the development of the site should consider BMP's including applicable LIDs solutions as described in the second bullet of the general comment below along with any applicable on-site SWM controls.
- The Site is located within the UTRCA regulated area and as such, approval/permits should be processed/obtained.
- The site has a "GI2" designation and therefore any proposed re-development design shall comply with the approved City Standard Design Requirements for Permanent Private Stormwater System (PPS), including LIDs.
- Any proposed LID solution should be supported by a Geotechnical Report prepared with focus on the type of soil, its infiltration rate and hydraulic conductivity under field saturated conditions. The report should include geotechnical recommendations of any preferred LID solution.
- Additional SWM related comments will be provided upon future review of this site.

January 15, 2020 – Development Services: Heritage

Archaeological Assessment sufficient.

May 5, 2020 – Development Services: Urban Design

Urban Design staff reviewed the submitted conceptual site plan for the requested zoning by-law amendment at the above noted address and can confirm that there are no urban design related comments at this stage. There may be comments related to the treatment of the River Road frontage through the Site Plan Process.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

Provincial Policy Statement, 2020

- 1.1.1.b – appropriate range and mix of uses
- 1.1.3.1 – settlement areas to be the focus for growth and development
- 1.3.2.2 – separation or mitigation from sensitive land uses to industrial
- 1.1.3.2.a – land use patterns to efficiently use land and resources
- 1.1.3.2.b – land use which is appropriate for planned or existing infrastructure
- 1.3.1.a – appropriate range and mix of employment uses
- 1.3.1.b – opportunities for a diversified economic base
- 1.7 – economic development and investment-readiness
- 2.1 – long term protection of natural features
- 2.1.8 – no development or site alteration to natural features unless evaluated

The London Plan

Map 1* - Place types

Map 5* - Natural Heritage

Map 6* - Hazards and Natural Resources

85 – Non-residential forms of intensification encouraged

480 – Solid waste policies promote recycling and reuse of waste

481_3 – Support innovative waste collection and diversion programs

483 – Waste transfer and recycling facilities to be designed to promote compatibility

1104 – Industrial lands role in City employment

1109 – Heavy Industrial Place Type

1114_3 – Sensitive uses and industrial uses

1114_4 – Large storage facilities should not detract from place type

1114_9 – The Province's D-Series Guidelines will be implemented for compatibility

1114_10c – Waste disposal sites – certificate of approval from ministry

1120 – Composting and recycling facilities in heavy industrial place type

1124_3 – Height within heavy industrial place type

1125_7 – On-site truck movements

1138 – Industrial and sensitive uses

1314 – natural heritage system shown on maps but not in green space or ER place type

1316* - Natural heritage system delineated on maps

1335 – No site alteration or development of wetlands

1336 – Wetlands also subject to regulation under the Conservation Authorities Act

1383 – Unevaluated vegetation patches previously identified for development

1385 – Vegetation patches in other place types greater than 0.5ha

1989 Official Plan

Chapter 2 – Planning Framework

Chapter 7 – Industrial designation

7.2 – separation from industrial and residential uses

7.2.1 – permitted uses in General Industrial Designation

7.2.2.iii – Ministry of Environment approval for waste disposal and transfer stations

7.2.5 – Area and Site Design Criteria

7.8 – Planning Impact Analysis

Chapter 15 – Environmental Policies

15 – lands subject to the policies are delineated on schedules B1 and B2

15.3 – Council may require the retention of natural features through planning processes

15.2.4 – lands identified on Schedule B but not designated OS or ER

15.4.2 – known wetlands that have not been evaluated – 'unevaluated wetlands'

15.4.13 – unevaluated patches previously designated for development

Chapter 17 - Services and Utilities

17.5.1 – cost-effective alternative methods of disposing or alternatively utilizing wastes

17.5.4 – concurrent approval with Ministry of Environment

Z.-1 Zoning By-law

Section 2 – Definitions

Section 3 – Zones and Symbols

Section 4 – General Provisions

Section 35 – Open Space (OS) Zone

Section 40 – Light Industrial (LI) Zone

Section 41 – General Industrial (GI) Zone

Site Plan Control Area By-law – C.P.-1455-541

Tree Protection By-law – C.P. – 1515-228

Waste Discharge By-law – WM-16

Planning Impact Analysis

7.8 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.	The 'waste transfer and recycling depot' is a compatible use with the surrounding area and represents similar impacts to the existing use permitted by the GI zone.
the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to provide adequate services for industrial development;	The site is an irregular shape, but large enough to support the requested uses. An unopened extension of Scanlan Street provides additional vehicle access to supplement the River Road access.
the supply of vacant land in the area which is already designated and/or zoned for the proposed use;	Waste disposal and transfer station uses are permitted by way of a site-specific amendment and the lands in the area are of a general industrial nature which do not permit the requested use.
the location of any proposal for industrial development where there is good access to arterial roads and/or rail lines;	The site is well located within an existing industrial node, on an arterial road and in convenient distance to the Hwy 401.
impacts of the proposed change on the transportation system, including transit;	There are no anticipated impacts on the transportation system. River Road is an arterial road with approximately 2,000 vehicles per day in this location. The nearest transit service is route #3 located along Clarke Road to the west approximately 1,000m, and an additional service, route #5 is located to the north of Gore Rd and Clarke Rd approximately 1,500m.
For non-industrial uses within industrial designations the potential of the proposed uses to deter future industrial development; and	Not applicable

<p>Secondary uses which may be considered as sensitive land uses are not to be located within 300m of an area designated General Industrial and are located on either a primary collector or arterial road.</p>	<p>Not applicable</p>
<p>compliance with Ministry of the Environment standards and guidelines and the City's Waste Discharge By-law, relating to the compatibility of the proposed use with existing uses; and the potential impact of any noise, odour or other emissions on surrounding land uses;</p>	<p>The site has an existing Environmental Compliance Approval (ECA) for a Waste Management System No. A 800735 dated March 17, 1995. An amendment to the 1995 ECA was recently approved on February 20, 2020 by the Ministry to support the requested operation and use of 2040 River Road.</p>
<p>the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The existing building on site will be adaptively reused for the office which will maintain the general form and scale of the exterior. The exterior of the existing built form will be retained as the</p>
<p>the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>A portion of the site that had natural heritage features that were removed is recommended to be rezoned OS5 to ensure the future protection of the renaturalization of the area in the future.</p>
<p>the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>Vehicular access is proposed from River Road as well as the unopened Scanlan Street allowance. The access points are of an adequate width and configuration to facilitate large truck movement through the site. There are no anticipated negative impacts to pedestrians or vehicle safety and additional access management will be addressed through the Site Plan Approval process.</p>
<p>the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>The adaptive reuse of the interior of the building provides a harmonious transition that retains the scale of the residential form while being used for industrial office purposes.</p>
<p>the potential impact of the proposed development on surrounding natural features and heritage resources;</p>	<p>The natural features are proposed to be zoned as Open Space to delineate the boundary and ensure the future protection and restoration of those features.</p>
<p>compliance of the proposed development with the provisions of the City's Official Plan and Zoning By-law, Site Plan Control By-law, and Sign Control By-law; and</p>	<p>The recommended zoning amendment conforms to the 1989 Official Plan and The London Plan.</p>
<p>measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis.</p>	<p>No adverse impacts have been identified and no mitigative measures are required. Additional considerations for optimal site layout and function will be considered at the site plan approval stage.</p>

Appendix D – Relevant Background

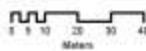
Additional Maps



LOCATION MAP

Subject Site: 2040 River Road
File Number: Z-9133
Planner: Sonia Wise
Date: 10/07/2020


Corporation of the City of London
Prepared By: Planning and Development

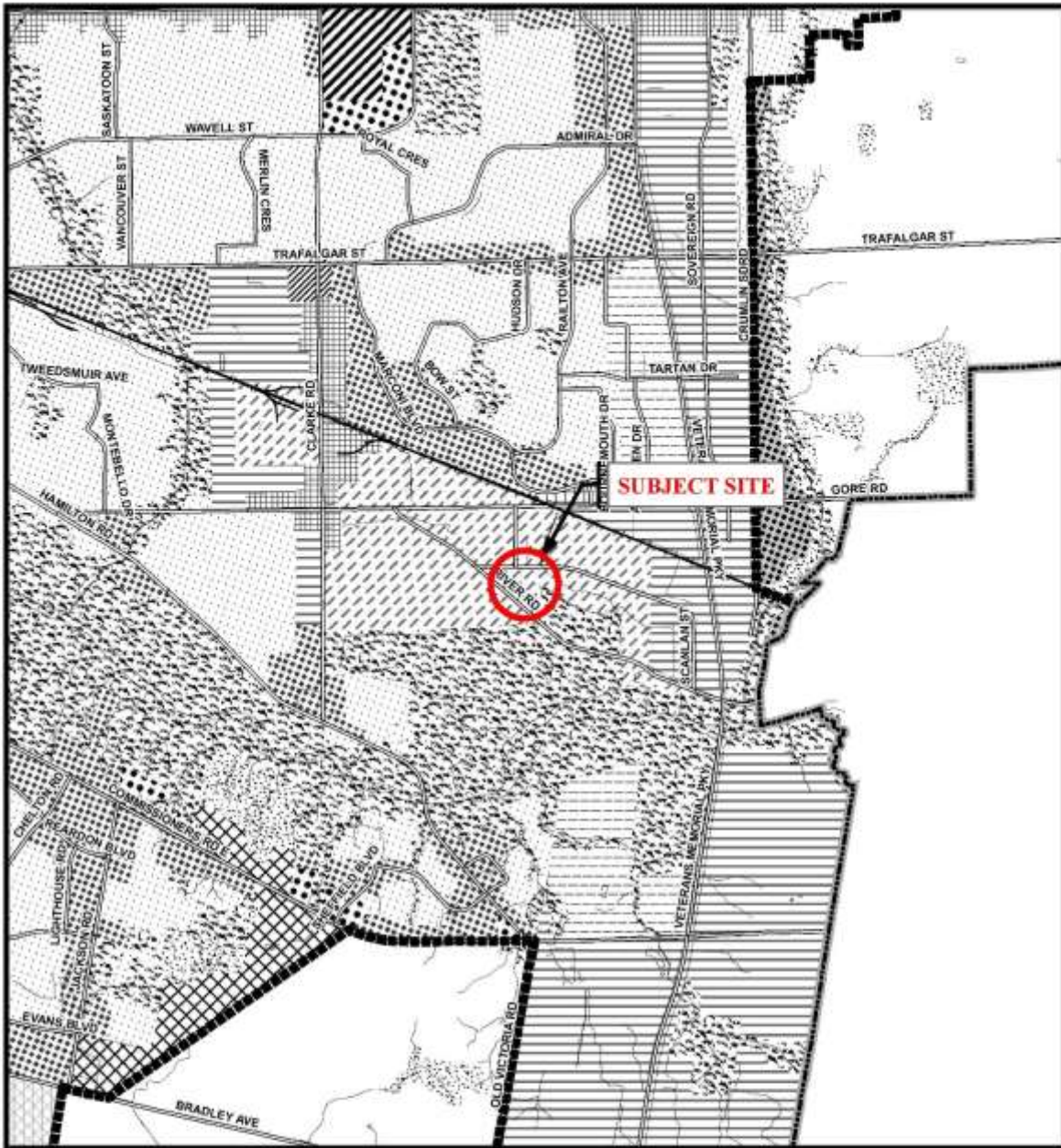


Scale 1:1750



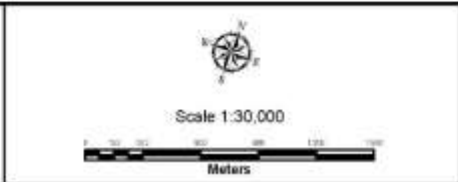
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 Subject Site

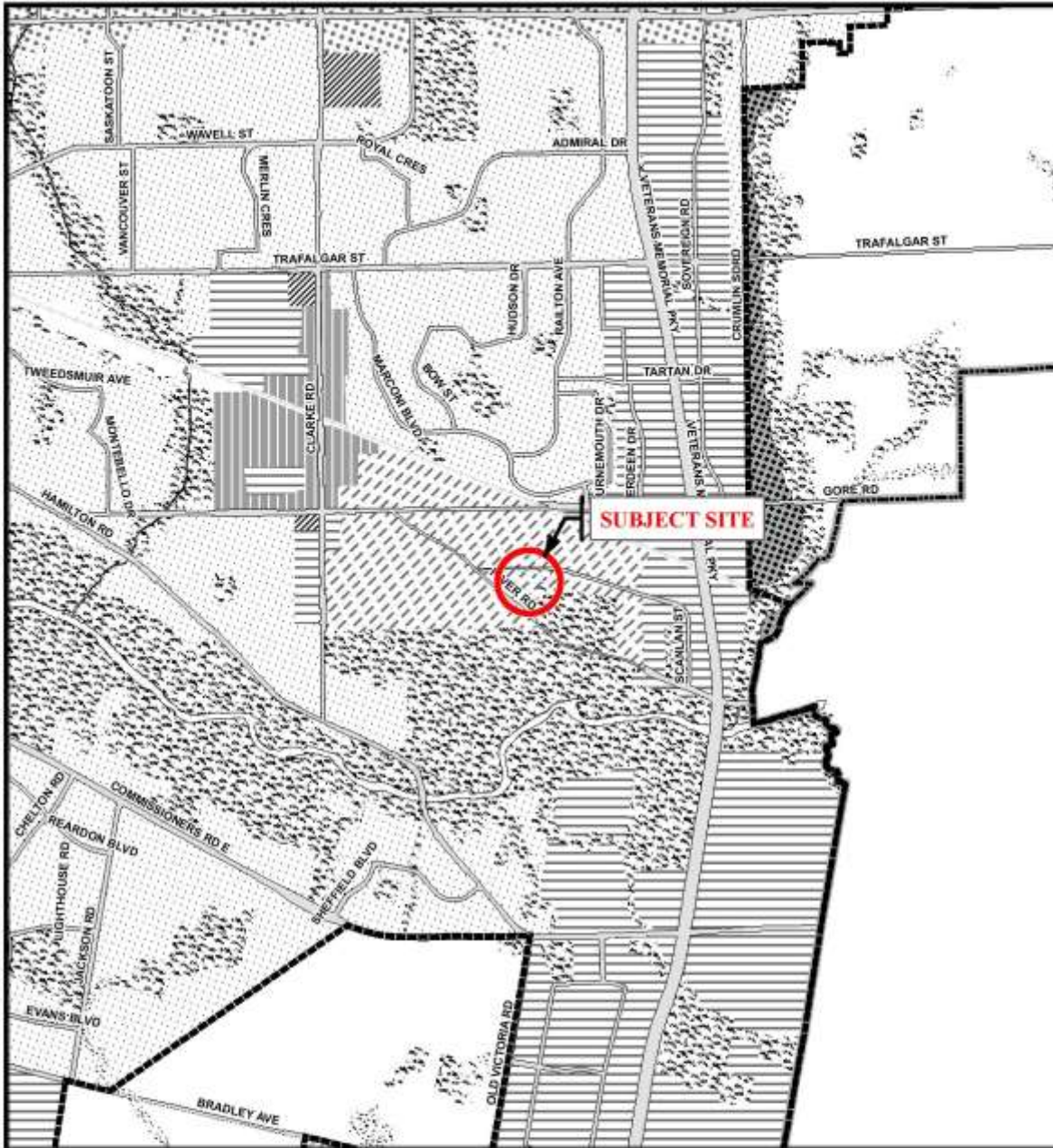


Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/Residential
	Office Business Park
	General Industrial
	Light Industrial
	Regional Facility
	Community Facility
	Open Space
	Urban Reserve - Community Growth
	Urban Reserve - Industrial Growth
	Rural Settlement
	Environmental Review
	Agriculture
	Urban Growth Boundary

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9133
 PLANNER: SW
 TECHNICIAN: RC
 DATE: 2020/07/10



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000



File Number: Z-9133

Planner: SW

Technician: RC

Date: July 10, 2020



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | OB - OFFICE BUSINESS PARK |
| R10 - HIGH DENSITY APARTMENTS | LI - LIGHT INDUSTRIAL |
| R11 - LODGING HOUSE | GI - GENERAL INDUSTRIAL |
| DA - DOWNTOWN AREA | HI - HEAVY INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| CSA - COMMUNITY SHOPPING AREA | UR - URBAN RESERVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | AG - AGRICULTURAL |
| BDC - BUSINESS DISTRICT COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| AC - ARTERIAL COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| RSC - RESTRICTED SERVICE COMMERCIAL | RT - RAIL TRANSPORTATION |
| CC - CONVENIENCE COMMERCIAL | "H" - HOLDING SYMBOL |
| SS - AUTOMOBILE SERVICE STATION | "D" - DENSITY SYMBOL |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "H" - HEIGHT SYMBOL |
| OR - OFFICE/RESIDENTIAL | "B" - BONUS SYMBOL |
| OC - OFFICE CONVERSION | "T" - TEMPORARY USE SYMBOL |
| RO - RESTRICTED OFFICE | |
| OF - OFFICE | |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



FILE NO:

Z-9133

SW

MAP PREPARED:

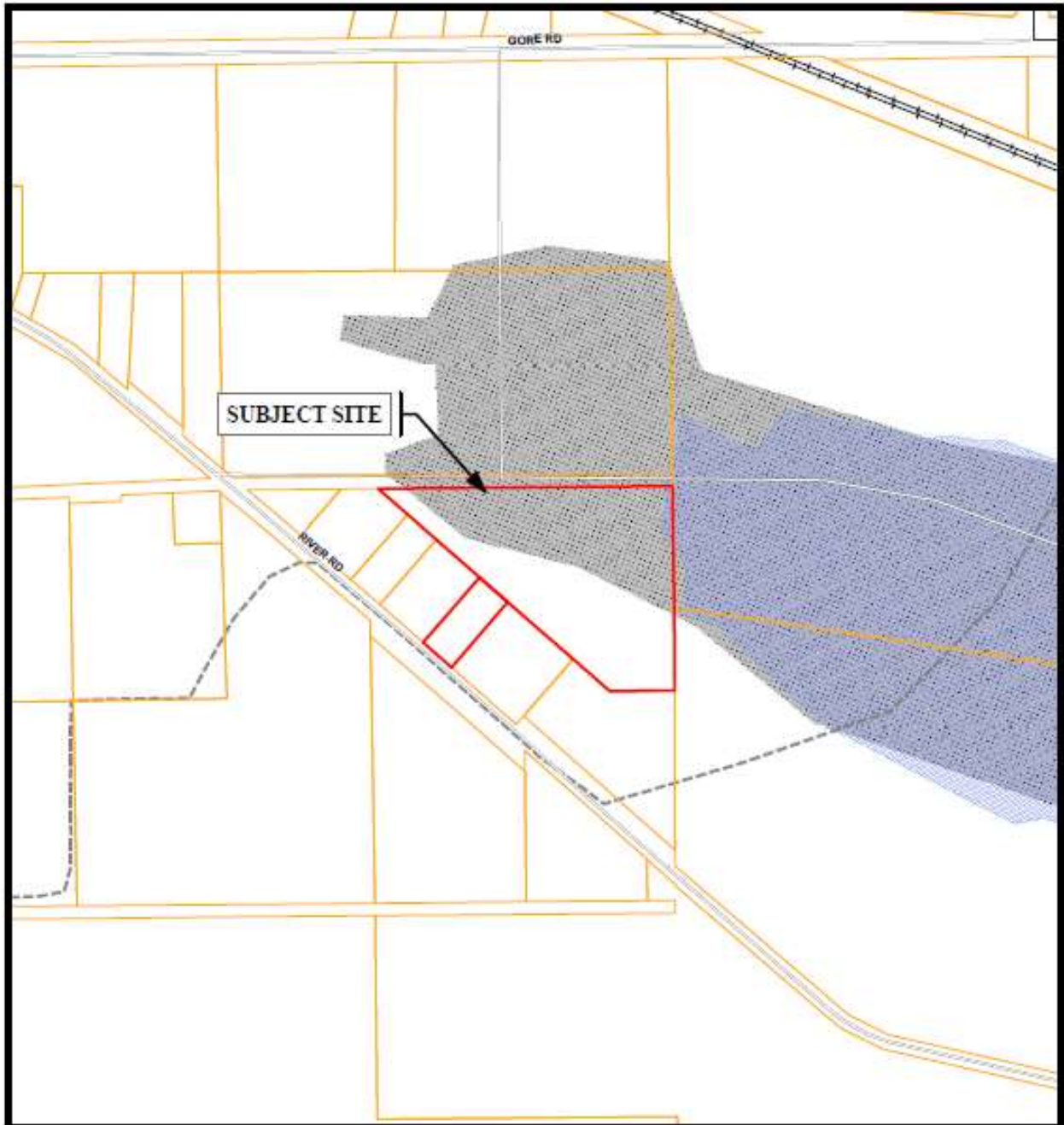
2020/07/10

RC

1:2,000

0 10 20 40 60 80 Meters


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS



NATURAL HERITAGE SYSTEM

-  ESAs
-  Potential ESAs
-  Significant Woodlands
-  Woodlands
-  Unevaluated Vegetation Patches
-  Significant River, Stream, and Ravine Corridors
-  Unevaluated Stream and Ravine Corridors
-  Provincially Significant Wetlands
-  Locally Significant Wetlands
-  Unevaluated Wetlands
-  Potential Naturalization Areas
-  Potential Upland Corridors
-  Ground Water Recharge Areas

NATURAL HAZARDS

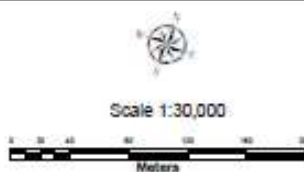
-  Maximum Hazard Line
- NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.*
- NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.*

Base Map Features

-  Railways
-  Water Courses/Ponds
-  Streets (refer to Schedule "C")
-  Conservation Authority Boundary
-  Subwatershed Boundary
-  Big Picture Meta-Cores and Meta-Corridors

CITY OF LONDON
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OFFICIAL PLAN SCHEDULE B1
- NATURAL HERITAGE FEATURES -

PREPARED BY: Graphics and Information Services

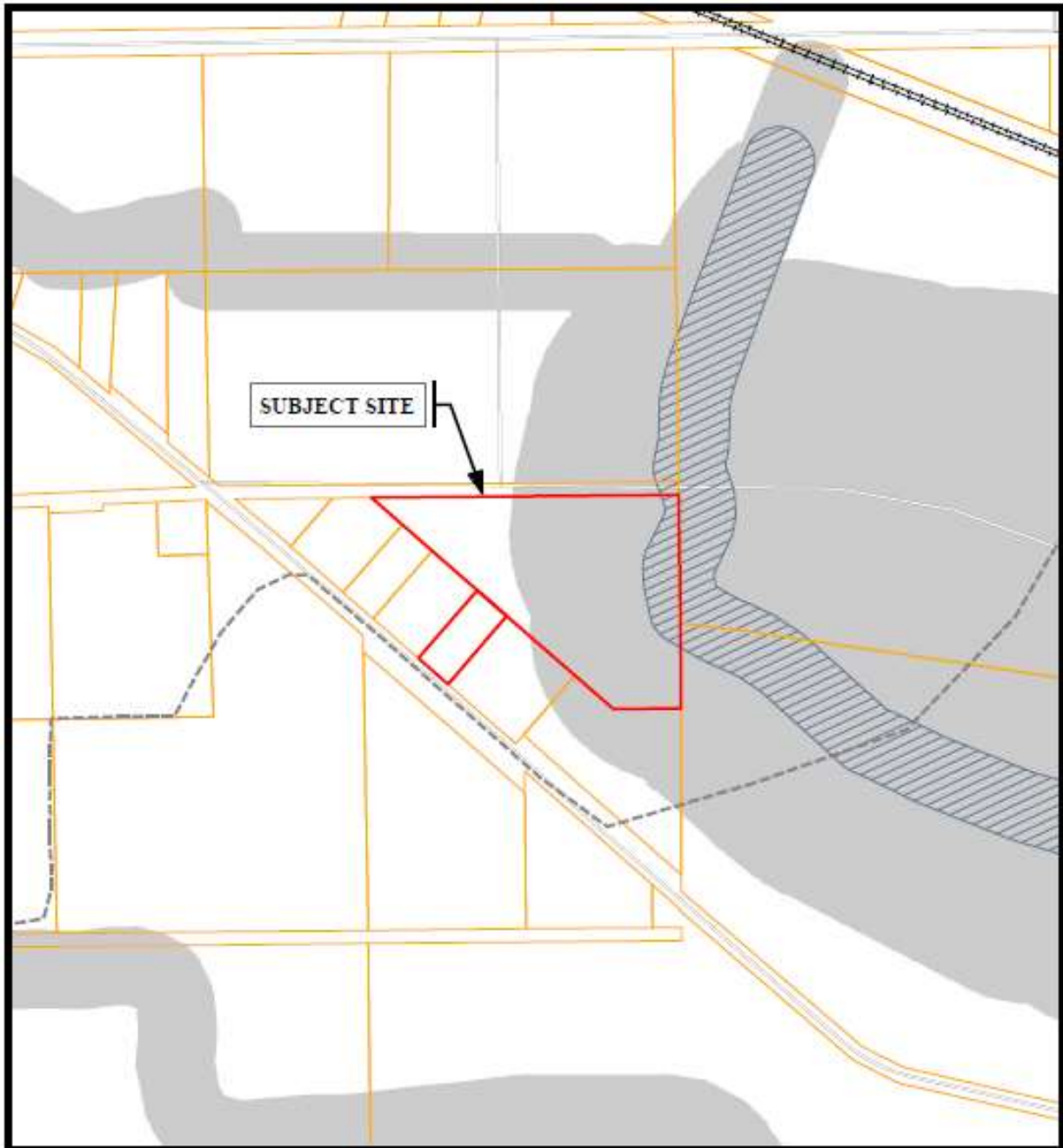


















FILE NUMBER: Z-9133

PLANNER: SW

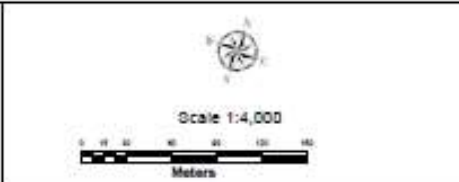
TECHNICIAN: RC

DATE: 2020/07/13

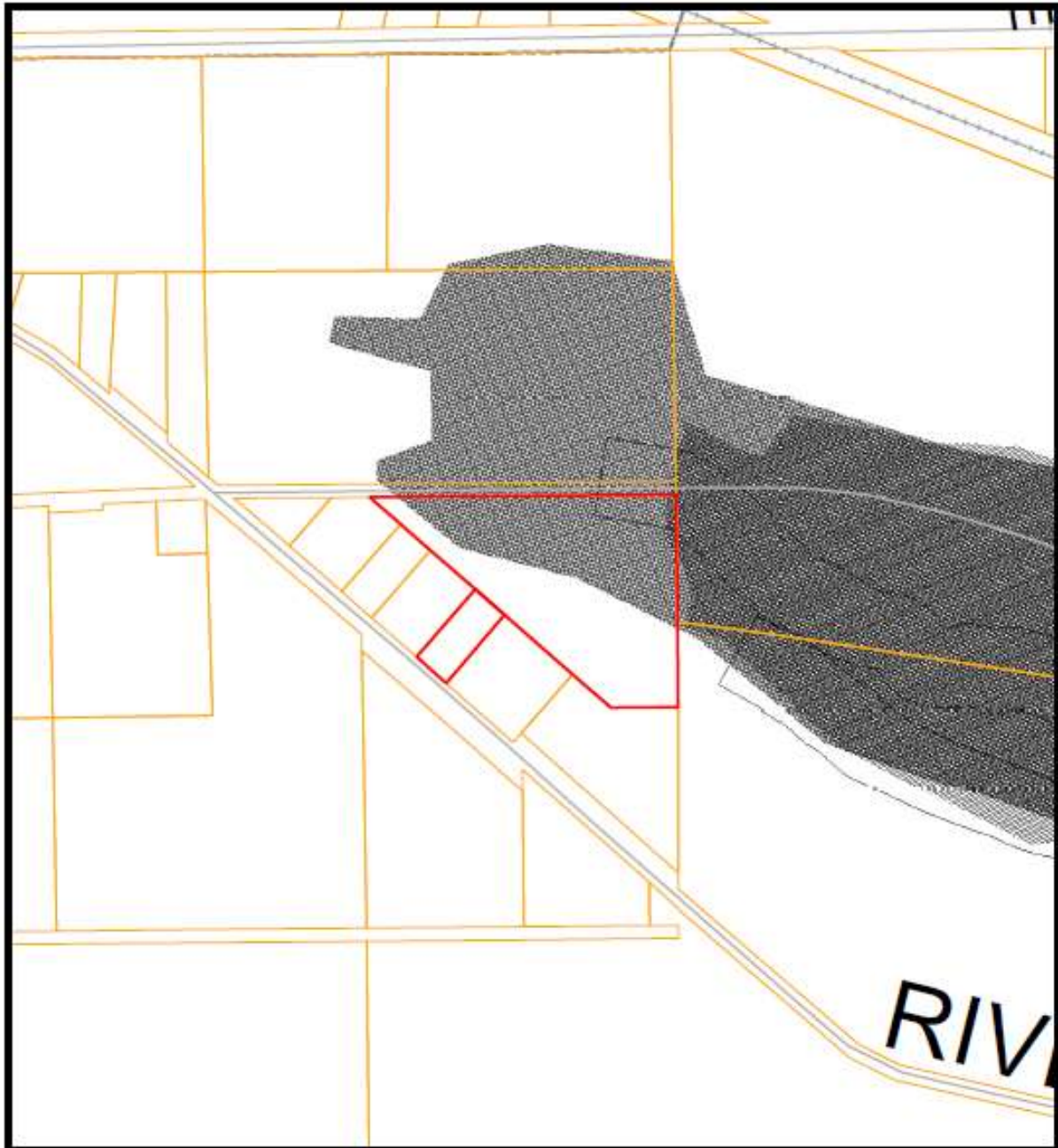


<p>NATURAL RESOURCES</p> <ul style="list-style-type: none">  Aggregate Resource Areas  Extractive Industrial  Emergency Municipal Water Wells <p>Base Map Features</p> <ul style="list-style-type: none">  Railways  Water Courses/Ponds  Streets (refer to Schedule 'C')  Conservation Authority Boundary  Subwatershed Boundary  Potential Special Policy Areas  Special Policy Area 	<p>NATURAL HAZARDS</p> <ul style="list-style-type: none">  Regulatory Flood Line <i>NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.</i> <i>NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.</i>  Riverine Erosion Hazard Limit For Confined Systems  Riverine Erosion Hazard Limit For Unconfined Systems  Steep Slopes Outside of the Riverine Erosion Hazard Limit  Abandoned Oil/Gas Wells  Conservation Authority Regulation Limit
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OFFICIAL PLAN SCHEDULE B2
NATURAL RESOURCES
AND
NATURAL HAZARDS
PREPARED BY: Geomatics and Information Services



FILE NUMBER: Z-9133
PLANNER: SW
TECHNICIAN: RC
DATE: 2020/07/13







NATURAL HERITAGE SYSTEM

-  Provincially Significant Wetlands
-  Wetlands
-  Unevaluated Wetlands
-  Significant Woodlands
-  Woodlands
-  Significant Valley Lands
-  Valley Lands

-  Areas of Natural and Scientific Interest
-  Environmentally Significant Areas (ESA)
-  Potential ESAs
-  Upland Corridors
-  Potential Naturalization Areas
-  Unevaluated Vegetation Patches

Base Map Features

-  Railways
-  Water Courses/Ponds
-  Streets (see Map 3)
-  Conservation Authority Boundary
-  Subwatershed Boundary

This is an excerpt from the Planning Division's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.

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**LONDON PLAN MAP 5
- NATURAL HERITAGE -**

PREPARED BY: Planning Services



Scale 1:30,000



File Number: Z-9133

Planner: SW

Technician: RC

Date: 2020/07/13



HAZARDS

- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the City is available from the Upper Thames Conservation Authority.
- Special Policy Areas
- Potential Special Policy Areas
- Riverine Erosion Hazard Limit for Confined Systems
NOTE: Steep Slopes Outside the Riverine Erosion Hazard Limit on the map are approximate. Precise delineation is available from the Conservation Authority having jurisdiction.
- Riverine Erosion Hazard Limit for Unconfined Systems
- Maximum Hazard Line

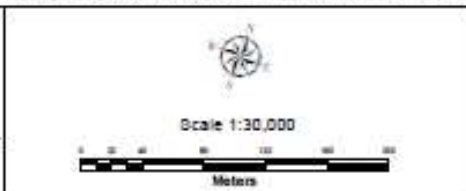
- Conservation Authority Regulation Limit
- Abandoned Oil/Gas Wells
- NATURAL RESOURCES**
- Aggregate Resource Areas
- Extractive Industrial Areas
- Wellhead Protection Area
- Emergency Municipal Water Wells
- Significant Groundwater Recharge Areas
- Highly Vulnerable Aquifers

BASE MAP FEATURES

- Streets (see Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds
- Conservation Authority Boundary
- Subwatershed Boundary

This is an excerpt from the Planning Division's working consolidation of Map 6 - Hazards and Natural Resources of the London Plan, with added notations.

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LONDON PLAN MAP 6
- NATURAL HAZARDS AND NATURAL RESOURCES -
PREPARED BY: Planning Services



FILE NUMBER: Z-9133
PLANNER: SW
TECHNICIAN: RC
Date: 2020/07/13

Appendix E – Aerial Map Imagery 2010 - 2019

2010



2011



2012



2013



2014



2015



2016



2017



2018



2019



Additional Reports

OZ-8271: Planning and Environment Committee: Unevaluated Vegetation Patches:
March 4, 2014 – Various Addresses