

Report to Planning and Environment

To: Chair and Members
Planning and Environment Committee

From: Gregg Barrett, AICP
Director, City Planning and City Planner

Subject: Kilally South, East Basin, Environmentally Significant Area
(1918 to 2304 and 2005 to 2331 Kilally Road)

Public Participation Meeting on: April 19, 2021

Recommendation

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to the Kilally South, East Basin Environmentally Significant Area (1918 to 2304 and 2005 to 2331 Kilally Road):

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 4, 2021 to amend the Official Plan to:
- i) change Schedule "A" (Land Use) on the subject lands **FROM** Urban Reserve Community Growth, Multi Family Medium Density Residential and Environmental Review designations, **TO** an Open Space designation and **FROM** Low Density Residential **TO** an Environmental Review designation;
 - ii) change Map Schedule B1 (Flood Plain and Environmental Features) **TO** apply an Environmentally Significant Area delineation to the lands identified as the Kilally South, East Basin Environmentally Significant Area that are designated Open Space as amended above; and,
 - iii) change Map Schedule B1 (Flood Plain and Environmental Features) **TO** add Unevaluated Wetlands and Unevaluated Vegetation Patches that are designated Environmental Review as amended above.
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at a future meeting of Municipal Council after the London Plan maps are in force and effect following the Local Planning Appeals Tribunal Hearings;
- i) change the Place Types on Map 1 - Place Types - **FROM** Neighbourhoods and Environmental Review **TO** Green Space, and **FROM** Environmental Review **TO** Neighbourhood to align with the limits of the Kilally South, East Basin Environmentally Significant Area; and
 - ii) change the Place Types on Map1-Place Types- **FROM** Neighbourhood **TO** Environmental Review; and
 - iii) change Map 5 - Natural Heritage - **FROM** Potential Environmentally Significant Area, Unevaluated Vegetation Patch **TO** Environmentally Significant Area; and,
 - iv) change Map 5- Natural Heritage **TO** add Unevaluated Wetlands and Unevaluated Vegetation Patches.
- (c) The proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR3) Zone, **TO** an Open Space (OS5) Zone and **FROM** an Urban Reserve (UR2) Zone and Urban Reserve (UR3) Zone, **TO** an Environmental Review (ER) Zone.

Executive Summary

In November 2018 the City retained North-South Environmental Inc. to undertake an Environmental Impact Study (EIS) for the Kilally South, East Basin lands located at 1918-2304 and 2005-2331 Kilally Road. The EIS confirmed the boundaries of the Environmentally Significant Area and identified unevaluated wetland and unevaluated vegetation features. The proposed Official Plan and zoning By-law amendments would implement the recommendations of the EIS and would amend the 1989 Official Plan, The London Plan and Zoning By-law Z.-1 for the area as identified as an Environmentally Significant Area in the Kilally South, East Basin Environmental Impact Study to an Open Space designation in the City of London Official Plan, and Green Space in The London Plan. The areas identified as unevaluated wetlands and unevaluated vegetation patches would be identified as Environmental Review. Maps B-1 of the Official Plan and Map 5 of the London Plan would be amended to identify the Environmental Significant Area Boundary and the areas identified as unevaluated wetlands and unevaluated vegetation patches. Zoning By-law Z.-1 would be amended to apply the Open Space (OS5) Zone to the Kilally South, East Basin ESA and to zone the areas identified as unevaluated wetlands and unevaluated vegetation patches as Environmental Review (ER).

Purpose and the Effect of Recommended Action

The proposed amendment will establish the Environmentally Significant Area boundary for the lands located at 1918-2304 and 2005-2331 Kilally Road, and identify unevaluated wetlands and vegetation patches as identified in the Kilally South, East Basin Environmental Impact Study as prepared by North-South Environmental Inc.

Rationale of Recommended Action

1. The proposed amendment is consistent with the PPS 2020 as diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features;
2. The proposed amendment conforms to the policies of the 1989 Official Plan; and
3. The proposed amendment conforms to the policies of The London Plan.

Analysis

1.1 Property Description

The Kilally South, East Basin Area is generally located south of the Thames River east and west of Clarke Road on the lands municipally known as 1918 to 2304 and 2005 to 2331 Kilally Road.

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

- Official Plan Designation – Open Space, Low Density Residential, Multi Family Medium Density Residential.
- The London Plan Place Type – Neighbourhood and Green Space Place Types
- Existing Zoning – Urban Reserve (UR2), Urban Reserve (UR3) and Open Space (OS5) Zone

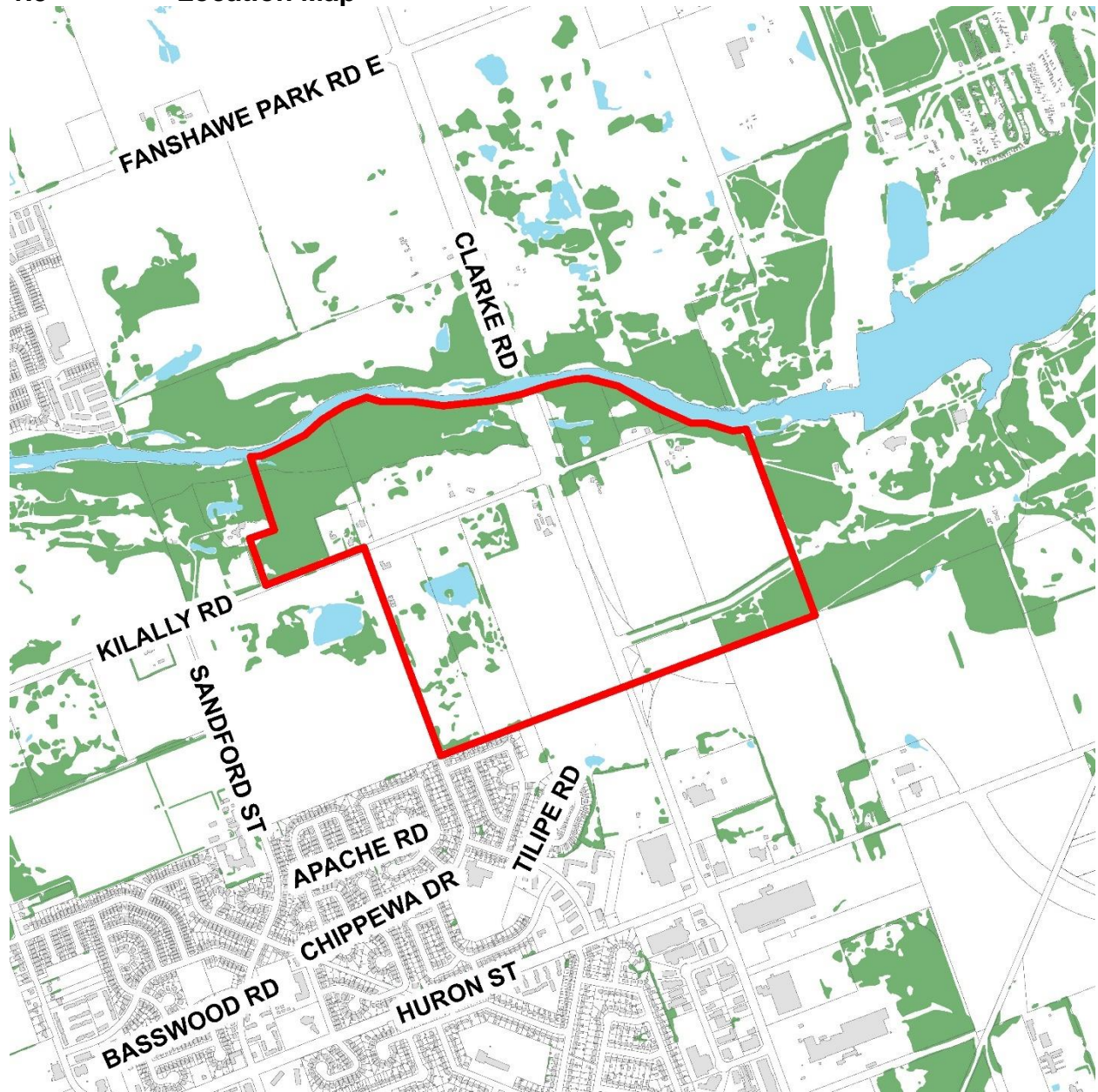
1.3 Site Characteristics

- Current Land Use – Environmentally Significant Area, residential and vacant residential
- Frontage – N/A
- Depth – N/A
- Area – approx. 124 hectares
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Thames River
- East – Upper Thames Conservation Authority
- South – residential uses
- West – residential and vacant residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The purpose and effect of this Official Plan and Zoning change is to amend the area as identified as an Environmental Significant Area in the Kilally South, East Basin Environmental Impact Study to an Open Space designation in the City of London Official Plan, Green Space in The London Plan, the areas identified as unevaluated wetlands and unevaluated vegetation patches as Environmental Review and to add on Maps B-1 of the Official Plan and Map 5 of the London Plan the Environmental Significant Area Boundary and the areas identified as unevaluated wetlands and unevaluated vegetation patches and to amend the Zoning of the lands to Open Space (OS5) Zone and to zone the areas identified as unevaluated wetlands and unevaluated vegetation patches as Environmental Review

3.0 Relevant Background

3.1 Planning History

Council on August 26, 2020 resolved:

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Kilally South, East Basin Municipal Class Environmental Assessment:

*a) the Kilally South, East Basin Municipal Class Assessment Executive Summary, as appended to the staff report dated August 11, 2020, **BE ACCEPTED**;*

*b) a Notice of Completion **BE FILED** with the Municipal Clerk;*

*c) the Project File for the Kilally South, East Basin Municipal Class Environmental Assessment **BE PLACED** on public record for a 30-day review period;*

*d) the Civic Administration **BE DIRECTED** to initiate an Official Plan amendment and Zoning By-law amendment to implement the recommendations of the Subject Lands Status Report and EIS for the Kilally South, East Basin Municipal Class Environmental Assessment; and,*

*e) the Civic Administration **BE DIRECTED** to initiate a review of combined environmental impacts related to the Clarke Road bridge rehabilitation and the proposed stormwater management projects to ensure a comprehensive assessment of environmental sustainability is completed, prior to construction of municipal projects, based on the finding of the Subject Lands Status Report and EIS for the Kilally South, East Basin Municipal Class Environmental Assessment. (2020-E05) (AS AMENDED) (2.1/10/CWC)*

3.2 Requested Amendment

Requested Amendment to the 1989 Official Plan:

- To change the designation of the lands from Urban Reserve Community Growth, Multi Family Medium Density Residential and Environmental Review designations, to an Open Space designation and from Low Density Residential to an Environmental Review designation.
- Amend Official Plan Map Schedule B-1 Natural Heritage Features to revise the Environmentally Significant Area boundaries, and
- Amend Official Plan Map Schedule B-1 Natural Heritage Features to add Unevaluated Wetlands and Unevaluated Vegetation Patches.

Requested Amendment to The London Plan:

- To change the designation of the lands from Neighbourhoods and Environmental Review to Green Space, and from Environmental Review to Neighbourhood to align with the limits of the Kilally South, East Basin Environmentally Significant Area;
- To change the designation of the lands from Neighbourhood to Environmental Review; and
- Amend Map 5 Natural Heritage to revise the Environmentally Significant Area boundaries and to add Unevaluated Wetlands and Unevaluated Vegetation Patches.

Requested Zoning By-law Amendment: to change the zoning of the subject property from an Urban Reserve (UR3) Zone, to an Open Space (OS5) Zone and from an Urban Reserve (UR2) Zone and Urban Reserve (UR3) Zone, to an Environmental Review (ER) Zone.

3.3 Community Engagement (see more detail in Appendix B)

A Notice of Application was sent to property owners within a 120 metre radius of the subject site on December 3, 2020 and was published in The Londoner on December 3, 2020. A “Possible Land Use Change” sign was placed on the subject site, fronting onto Clarke Road.

Seven (7) responses were received. Of the seven (7) responses, two (2) identified the specific concerns identified below:

- Not to designate Environmental Review lands in the 1989 Official Plan, London Plan and Zoning By-law on 2065 Kilally Road and 1511 Clarke Road; and
- Not to identify Unevaluated Vegetation Patches on Schedule B-1 of the 1989 Official Plan and Map 5 of the London Plan on 2065 Kilally Road and 1511 Clarke Road.
- Not to identify Unevaluated Wetlands on Schedule B-1 of the Official Plan on 2065 Kilally Road and 1511 Clarke Road.

3.4 Policy Context (see more detail in Appendix F) ***Provincial Policy Statement (PPS), 2020***

Section 2.1 of the PPS – Natural Heritage, establishes clear direction on the adoption of an ecosystem approach and the protection of resources. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. These features are defined within the PPS and rely on the municipality to identify and delineate specific natural features.

As identified in the Kilally South, East Basin Environmental Impact Study, the features in the Kilally South, East Basin Environmentally Significant Area include:

- habitat of endangered species and threatened species;
- significant wetlands;
- significant woodlands;
- significant valleylands;
- significant wildlife habitat;
- significant areas of natural and scientific interest (ANSI); and
- fish habitat.
- unevaluated wetlands; and
- unevaluated vegetation patches

The Official Plan (1989)

The City of London Official Plan (1989) outlines policies for the protection of natural features within the City of London. Section 15.4.1 of the Official Plan details the policies relating to the creation, expansion, and evaluation of Environmentally Significant Areas and the identification of unevaluated wetlands and unevaluated vegetation patches.

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.

Policy 1367_ identifies Environmentally Significant Areas as components of the City's Natural Heritage System. They are described as large areas that contain natural features and perform ecological functions that warrant their retention in a natural state.

Policy 1368_ states that environmentally significant areas that have been identified by City Council as being of city-wide, regional, or provincial significance are included in the Green Space Place Type on Map 1 and are identified on Map 5.

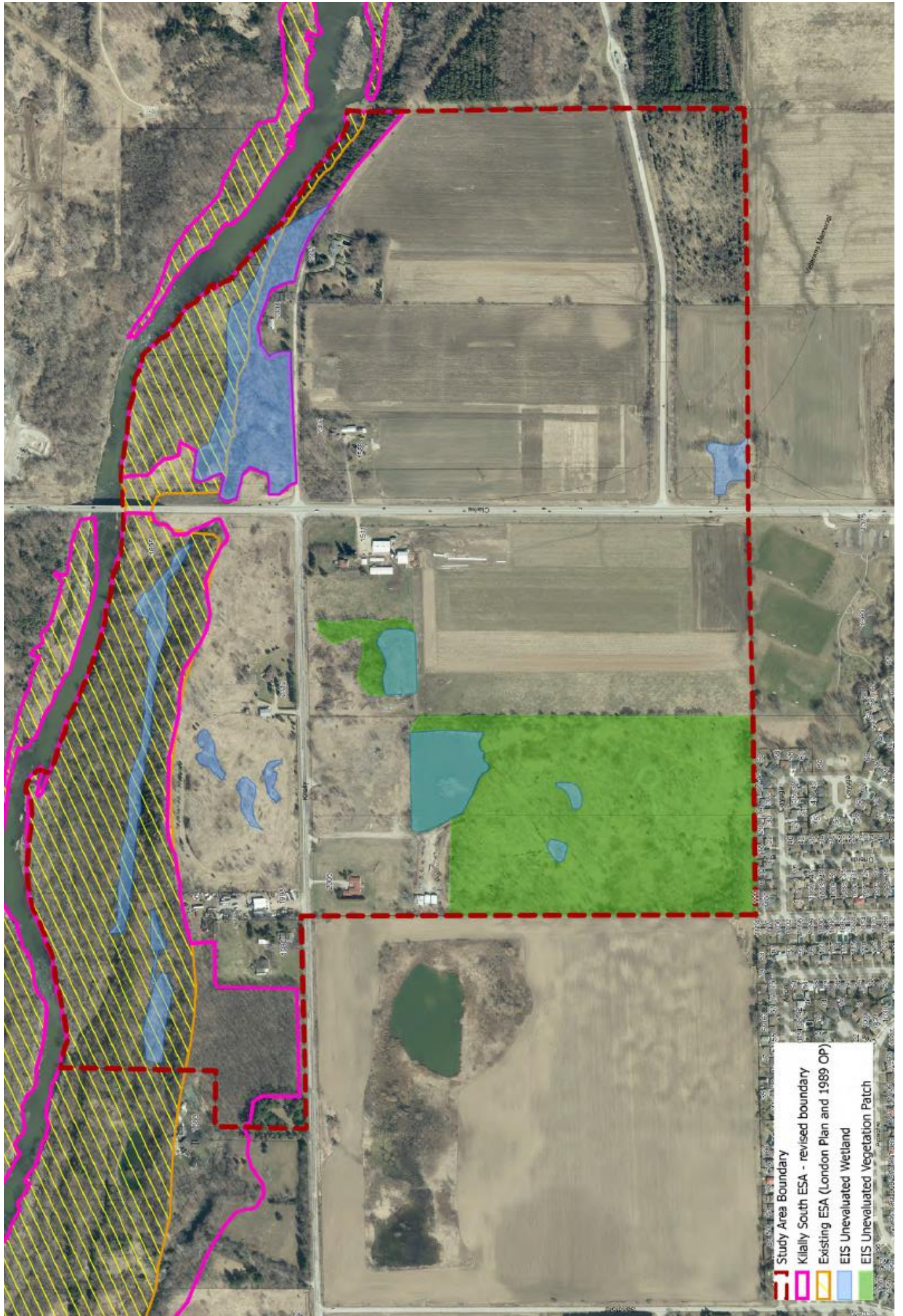
The recently completed Kilally South, East Basin Environmental Impact Study included an evaluation of these lands and identified revisions to the boundary of the ESA. The proposed amendments will amend Map 1 identifying these lands as Green Space and Map 5 as an Environmentally Significant Area, consistent with this policy.

1383_ Unevaluated vegetation patches, as identified on Map 5 were identified through the Subwatershed Plans or other environmental studies.

1335_ Development and site alteration shall not be permitted within and/or adjacent to an unevaluated wetland identified on Map 5 and/ or if an Ecological Land Classification determines that a vegetation community is a wetland that has not been evaluated.

The recently completed Kilally South, East Basin Environmental Impact Study included an evaluation of these lands and identified Unevaluated Wetlands and Unevaluated Vegetation Patches. The proposed amendments will amend Map 1 identifying these lands as Environmental Review and Map 5 as an Unevaluated Wetlands and Unevaluated Vegetation Patches, consistent with this policy.

Proposed ESA Boundary and Natural Heritage Features



4.0 Key Issues and Considerations

4.1. Environmental Significant Area and Defining Environmental Significant Area Boundary.

Section 15.4.1.3 of the 1989 Official Plan and Section 1367_ of The London Plan states that new environmentally significant areas may be identified by Council and added to Map 5 by amendment to this Plan and in conformity with the criteria set out in the Environmentally Significant Areas policies of this Plan. Environmentally significant areas recognized by Council are identified as Environmentally Significant Areas on Map 5 and included in the Green Space Place Type on Map 1.

15.4.1.3 of the Official Plan and Section 1371_ of the London Plan require that candidate areas that clearly satisfy two or more of the following criteria will be considered for recognition as environmentally significant areas:

1. The area contains unusual landforms and/or rare to uncommon natural communities within the country, province or London subwatershed region.
2. The area contains high-quality natural landform-vegetation communities that are representative of typical presettlement conditions of the dominant physiographic units within the London subwatershed region, and/or that have been classified as distinctive in the Province of Ontario.
3. The area, due to its large size, generally more than 40 hectares, provides habitat for species intolerant of disturbance or for species that require extensive blocks of suitable habitat.
4. The area, due to its hydrologic characteristics, contributes significantly to the healthy maintenance (quality or quantity) of a natural system beyond its boundaries.
5. The area has a high biodiversity of biological communities and/or associated plant and animal species within the context of the London subwatershed region.
6. The area serves an important wildlife habitat or linkage function.
7. The area provides significant habitat for rare, threatened or endangered indigenous species of plants or animals that are rare within the country, province or county

On August 26, 2020 Council received the Kilally South, East Basin EA, Environmental Impact Study and directed staff to prepare Official Plan, London Plan and Zoning By-law Amendments to designate the Kilally South, East Basin as an Environmental Significant Area as established in the Environmental Impact Study.

The Kilally South, East Basin Environmental Impact Study confirms that the area as defined as an Environmentally Significant Area meets all the above criteria and it is appropriate to be designated by Council as Open Space on Schedule A and Environmentally Significant Area on Map B-1 of the 1989 Official Plan and as Green Space on Map 1 and Environmentally Significant Area on Map 5 of the London Plan. All lands within the Environmental Significant Area as identified in the Kilally South, East Basin Environmental Impact Study will be Zoned Open Space (OS5).

4.2. 2112 Kilally Road

Three unevaluated wetlands were identified in the Environmental Impact Study on this property. These wetlands were described as: three wetland inclusions with areas of 0.14 ha, 0.14 ha and 0.08 ha, respectively. The largest wetland is a marsh dominated by Phragmites and the two smaller wetlands are swamps dominated by willows.

Possibly Significant – these wetlands are small and did not contain Species at Risk or Significant Wildlife Habitat, but they could be considered significant if they are complexed with the large wetland located on 2065 Kilally Road to the north.

The London Plan *Section 1317_ and the 1989 Official Plan state that when a new component of a Natural Heritage System has been identified through a required study associated with an environmental assessment or municipal infrastructure project, the natural heritage feature or area shall be added to 1989 Official Plan Map B-1 and London Plan Map 5 and identified as Open Space on Schedule “A” of the 1989 Official Plan and Green Space on Map 1 of the London Plan.

These wetlands have been identified through the Kilally South, East Basin Stormwater Environmental Assessment, Environmental Impact Study and will be identified on Map B-1 of the 1989 Official Plan and Map 5 of the London Plan as Unevaluated Wetlands. The wetlands will be identified on Schedule “A” of the 1989 Official Plan as Open Space and on Map 1 of the London Plan. The wetlands will be zoned Environmental Review (ER) to ensure that further studies will be taken to determine the significant prior and development of the lands.

Location of Proposed Wetlands 2112 Kilally Road



4.3. 1511 Clarke Road and 2065 Kilally Road

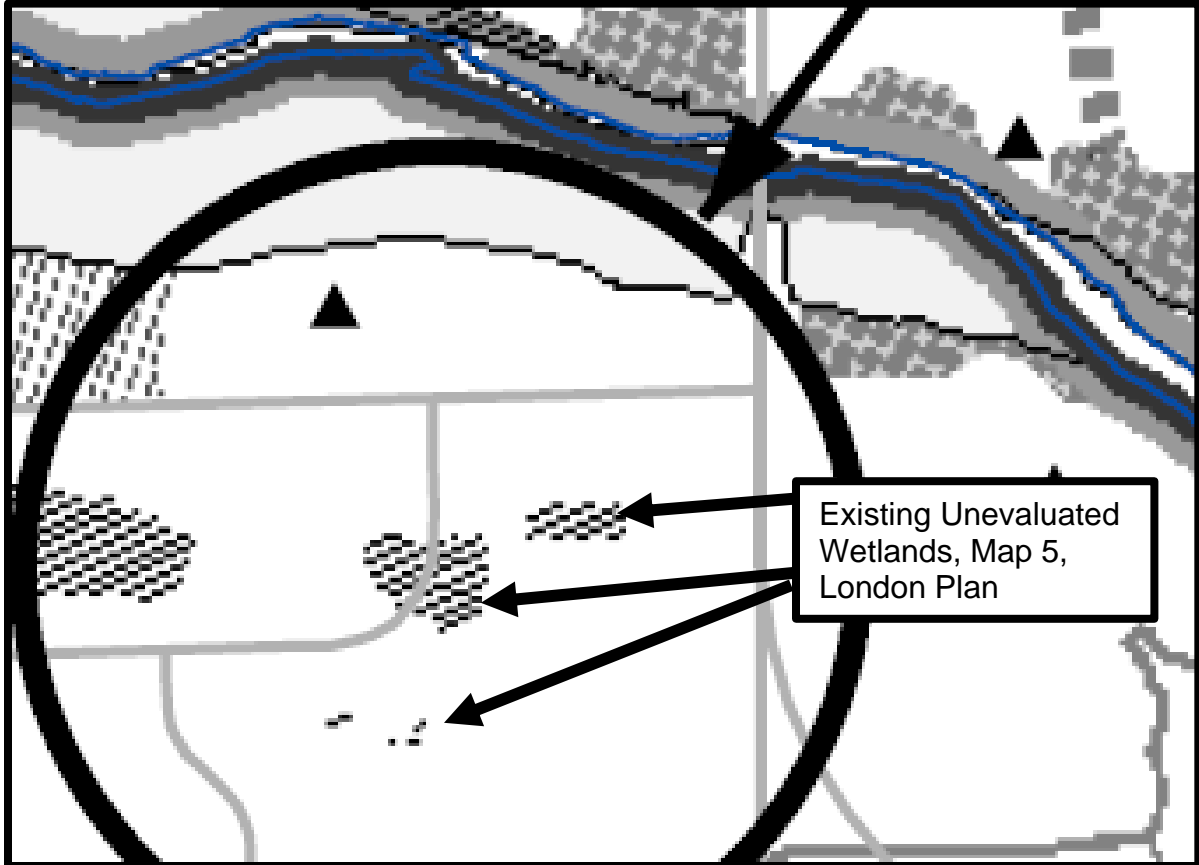
Existing Conditions

The Lands are currently designated Multi-Family Medium Density Residential and Low Density Residential in the 1989 Official Plan and Neighbourhood Place Type in the London Plan. Unevaluated wetland features are located on the properties and are identified on Map 5 of the London Plan.

Section 15.4 of the Official Plan and Section 1335_ of the London Plan state that Development and site alteration shall not be permitted within and/or adjacent to an unevaluated wetland identified on Map 5, and that City Council shall require that the unevaluated wetlands be evaluated by qualified persons in accordance with the Ontario Wetlands Evaluation System. The evaluation must be approved by the Ministry of Natural Resources and Forestry.

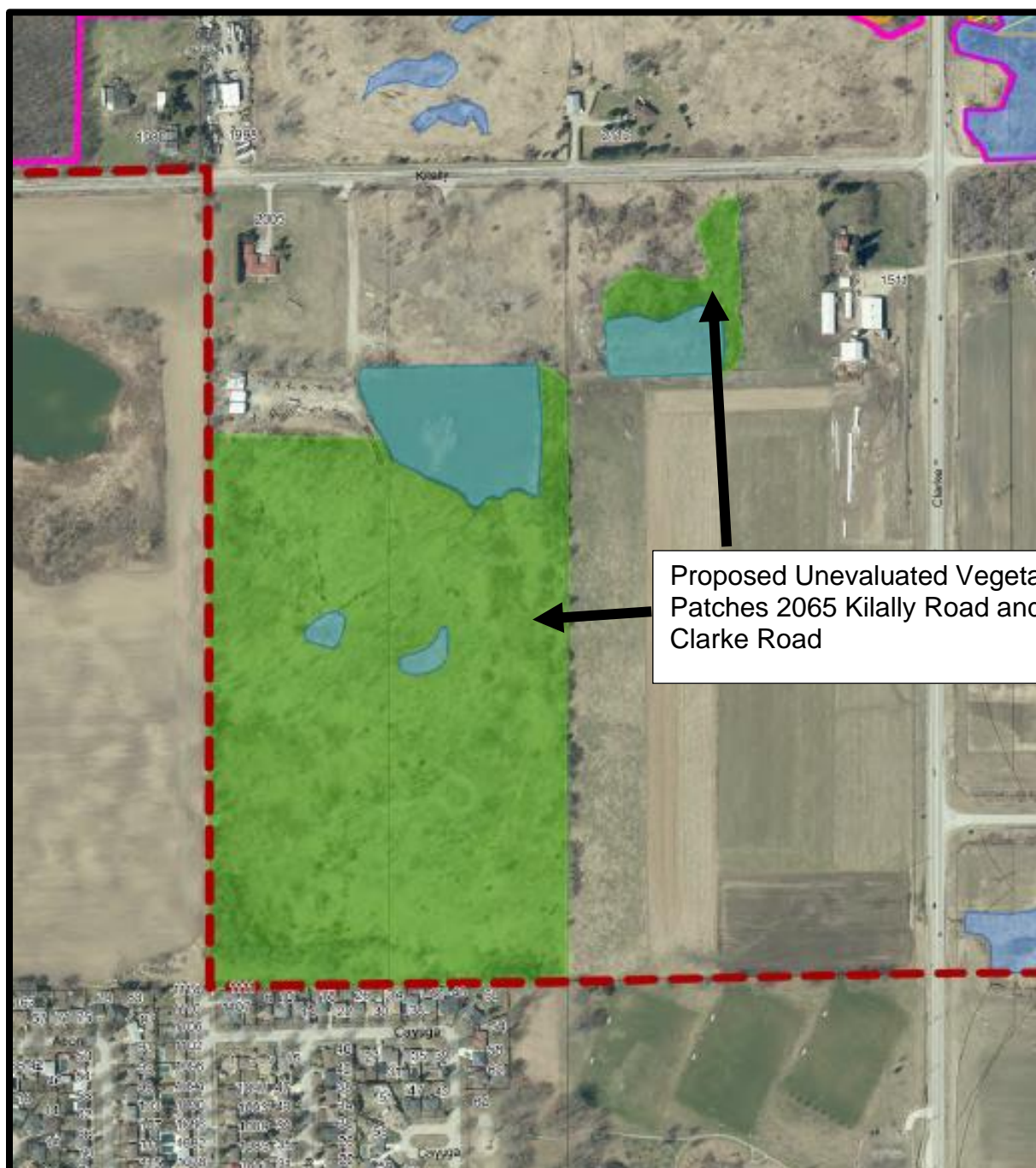
The wetlands are identified on Map 5 of the London Plan. An amendment to the 1989 Official Plan Map B-1 is proposed to add the identified wetlands. The identified wetlands will require the completion of an Ontario Wetlands Evaluation with approval of the Ministry of Natural Resources and Forestry prior to any development of the sites.

Existing Unevaluated Wetlands 2065 Kilally and 1511 Clarke Road



The Kilally South, East Basin Stormwater Environmental Assessment, Environmental Impact Study, has identified an unevaluated vegetation patch on the rear portion of the 2065 Kilally Road and on the front northwest portion of 1511 Clarke Road.

Proposed Unevaluated Vegetation Patches 2065 Kilally Road and 1511 Clarke Road



The proposed amendment to the 1989 Official Plan and The London Plan is to designate the unevaluated vegetation patch as Environmental Review and to amend the Zoning By-law to Environmental Review (ER) and to add unevaluated vegetation patches to Official Plan Map B-1 and London Plan Map 5.

The property owner of 2065 Kilally Road in a letter dated January 8, 2021 (attached appendix D) opposes the proposed amendments stating that: *Currently, The London Plan has identified our property located at 2065 Kilally Road as Neighborhood Place Type on Map 1 and has only identified the existing dug pond as unevaluated wetland. It, therefore, comes to our surprise that after such an extensive and comprehensive review of the London Plan that more than 75% of the property is being proposed to change from "Neighborhood" to "Environmental Review". It should be noted that the property is a former aggregate pit and that the young vegetation that exists sporadically does not represent significant habitat or woodlands and is in fact "scrublands" therefore does not meet the required threshold of the proposed Place Type.*

There are numerous policies that exist that will require a development application to determine significance and retention or if the lands are available for development. We do not support the proposal and see no warrant in the change as these lands, having

been fully extracted are prime to fulfill the housing objectives of the PPS and City of London Official Plan.

On December 9, 2020, a phone call with the property owner at 1511 Clarke Road stated that he was opposed to the proposed amendments.

Section 15.4.3 of the 1989 Official Plan and Section 1383_ of the London Plan state that:

- unevaluated vegetation patches, as identified on Map 5 and Map B-1 were identified through the Subwatershed Plans or other environmental studies.
 - These unevaluated vegetation patches were identified through the Kilally South, East Basin Stormwater Management Environmental Assessment, Environmental Impact Study. These unevaluated vegetation patches have been identified through an environmental study. The proposed amendment to add the unevaluated vegetation patches to London Plan Map 5 and Official Plan Map B-1 conforms to the Official Plan and London Plan policies.
- These features may include treed areas, swamps, wetlands, savannahs, old field plantations, or other similar natural features.
 - The Environmental Impact Study states that:
 - The unevaluated vegetation patch on 2065 Kilally Road is a complex feature which contains a mosaic of woodland, thicket, meadow and marsh communities. It is difficult to delineate the boundaries of woodland features on this property. However, the woodland is larger than 0.50 ha on 2065 Kilally Road (OP 89 Section 15.4.14 and LP Section 1385) and would be considered significant because it is located within a groundwater recharge area and contains Significant Wildlife Habitat: and
 - The unevaluated vegetation patches on 2065 Kilally Road and 1511 Clarke Road could not be surveyed to a sufficient level of detail due to lack of property access. However, woodland and thicket communities on these properties are within 230 m of the pond located on 2065 Kilally Road which is a significant amphibian breeding habitat (woodland type). As a result, these woodlands would likely also qualify as Significant Woodlands as defined in the City's Environmental Management Guidelines (2007); however, the precise boundaries of the Significant Wildlife Habitat will need to be refined through further study along with significant woodland evaluation.
 - The woodlands located on 2065 Kilally Road and 1511 Clarke Road qualify as Unevaluated Vegetation Patches as per the Section 15.4.3 of the 1989 Official Plan and Policy 1383 of the London Plan and it is recommended these unevaluated vegetation patches be included on the London Plan Map 5 and the Official Plan Map B-1 as Unevaluated Vegetation Patches.
- Unevaluated vegetation patches may be included in the Environmental Review 1989 Official Plan designation on Schedule "A" and Environmental Review of the London Plan Place Type on Map 1.
 - The proposed unevaluated vegetation patches conform with the 1989 Official Plan and London Plan policies as identified unevaluated vegetation patches. The proposed amendment to designate the patches as Environmental Review on Schedule "A" of the 1989 Official Plan and on Map 1 of the London Plan conforms to Section 15.4.3 of the 1989 Official Plan and Policy 1383 of the London Plan.
- 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.

- The current designations of these identified unevaluated vegetation patches is Residential in the 1989 Official plan and Neighbourhood Place Type in the London Plan. The proposed amendment to Environmental Review designation and Place Type identifies the patches as unevaluated and that future studies are required to determine any natural heritage significance. As part of any future development application on the properties an Environmental Impact Study will be required to be submitted as part of a complete application. The determination of significance will be evaluated during this process.

Conclusion

The proposed amendments to the 1989 Official Plan, The London Plan and Zoning By-law Z.-1 to establish the boundary of the Kilally South, East Basin Environmentally Significant Area as established in the Kilally South, East Basin Environmental Impact Study is appropriate. The amendments meet the intent of Section 2.1 of the PPS, Section 15.4.1 of the 1989 Official Plan and Section 1367_ of The London Plan.

The proposed zoning amendment to zone all the lands within the boundary of the Kilally South, East Basin Environmentally Significant Area as Open Space (OS5) will protect the lands and only allow conservation uses.

The proposed amendment to Schedule "A" and Map B-1 of the 1989 Official Plan and Map 1 and Map 5 of the London Plan to add Environmental Review designation and Place Type and unevaluated wetlands and for the unevaluated vegetation patches meet the intent of Section 2.1 of the PPS, Section 15.4.3 of the 1989 Official Plan and Section 1383_ of The London Plan.

The proposed amendments represent good planning and are an appropriate use of the lands.

Prepared by: Craig Smith
Senior Planner, Sustainability and Resiliency

Submitted by: Michael Fabro
Manager, Sustainability and Resiliency

Recommended by: Gregg Barrett, AICP
Director, City Planning and City Planner

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021)

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to the
Meadowlily Environmentally Significant
Area.

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

1. Amendment No. # to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on May 4, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 4, 2021
Second Reading – May 4, 2021
Third Reading – May 4, 2021

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the designation of 1918 to 2304 and 2005 to 2331 Kilally Road described herein from Urban Reserve Community Growth, Multi-family Medium Density Residential and Environmental Review designations, to an Open Space designation and from an Open Space Designation and Low Density Residential to an Environmental Review designation on Schedule “A”, Land Use, to the Official Plan for the City of London.
2. To apply an “Environmentally Significant Area” (ESA) delineation on Schedule “B-1”, (Flood Plain and Environmental Features) to the Official Plan for the City of London.
3. To add “Unevaluated Wetlands and Unevaluated Vegetation Patches” on Schedule “B-1” (Flood Plain and Environmental Features) to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to Kilally South, East Basin Environmentally Significant Area lands in the City of London.

C. BASIS OF THE AMENDMENT

Based on more detailed information that has been made available through the completion of the Kilally South, East Basin, Environmental Impact Study, the final land use designations and Natural Heritage features can now be accurately confirmed in the Official Plan.

D. THE AMENDMENT

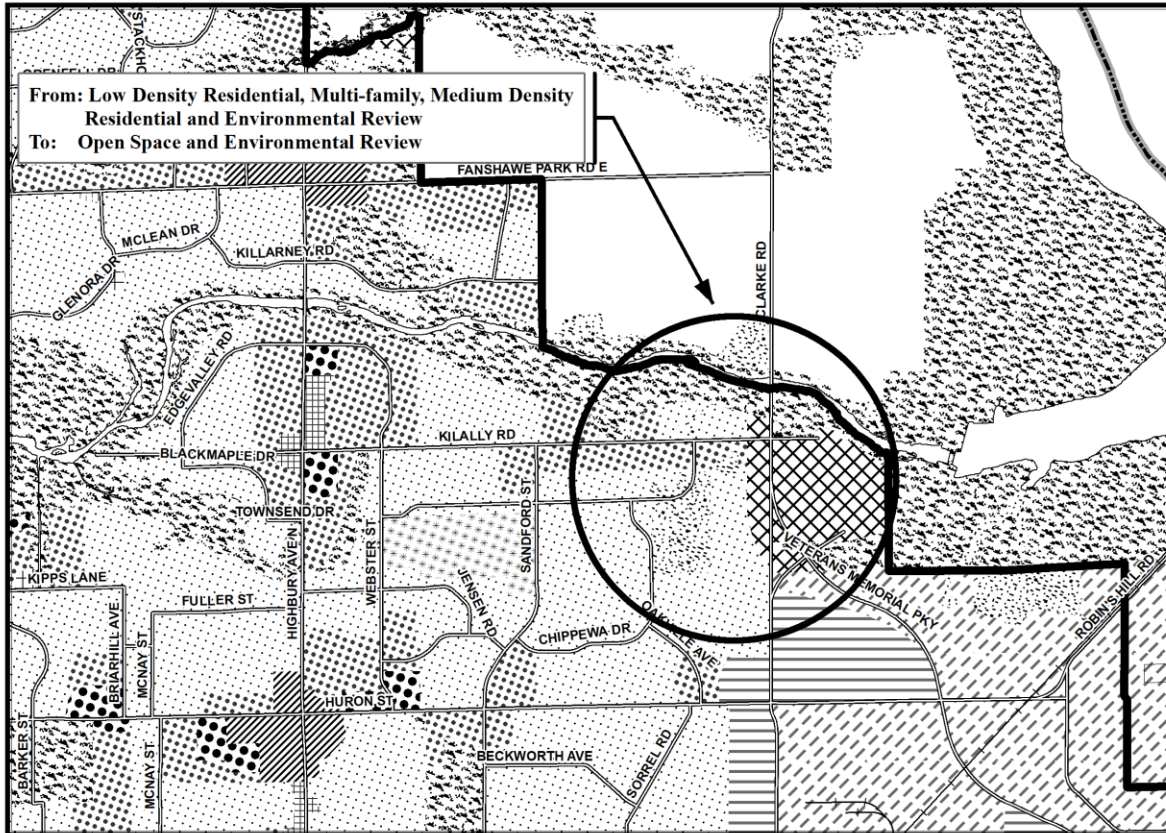
The Official Plan for the City of London is hereby amended as follows:

1. Schedule “A”, Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands within the Kilally South, East Basin Environmentally Significant Area in the City of London, as indicated on “Schedule 1” attached hereto from an Urban Reserve Community Growth, Multifamily Medium Density Residential and Environmental Review designations, to an Open Space designation and from a Low Density Residential designation to an Environmental Review designation.
2. Schedule “B-1” Flood Plain and Environmental Features, to the Official Plan for the City of London Planning Area is amended by changing the delineation to the lands identified as the Kilally South, East Basin Environmentally Significant Area that are designated Open Space as amended above as Environmentally Significant Area as indicated on “Schedule 2” attached hereto.
3. Schedule “B-1” Flood Plain and Environmental Features, to the Official Plan for the City of London Planning Area is amended by adding Unevaluated Wetlands and Unevaluated

Vegetation Patches as indicated on "Schedule 2" attached hereto.

Map Schedule A

AMENDMENT NO:



Legend

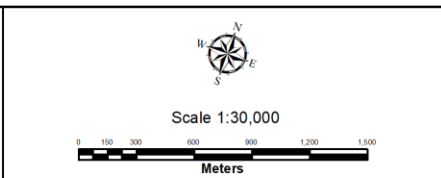
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community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

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

**SCHEDULE 1
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-9275

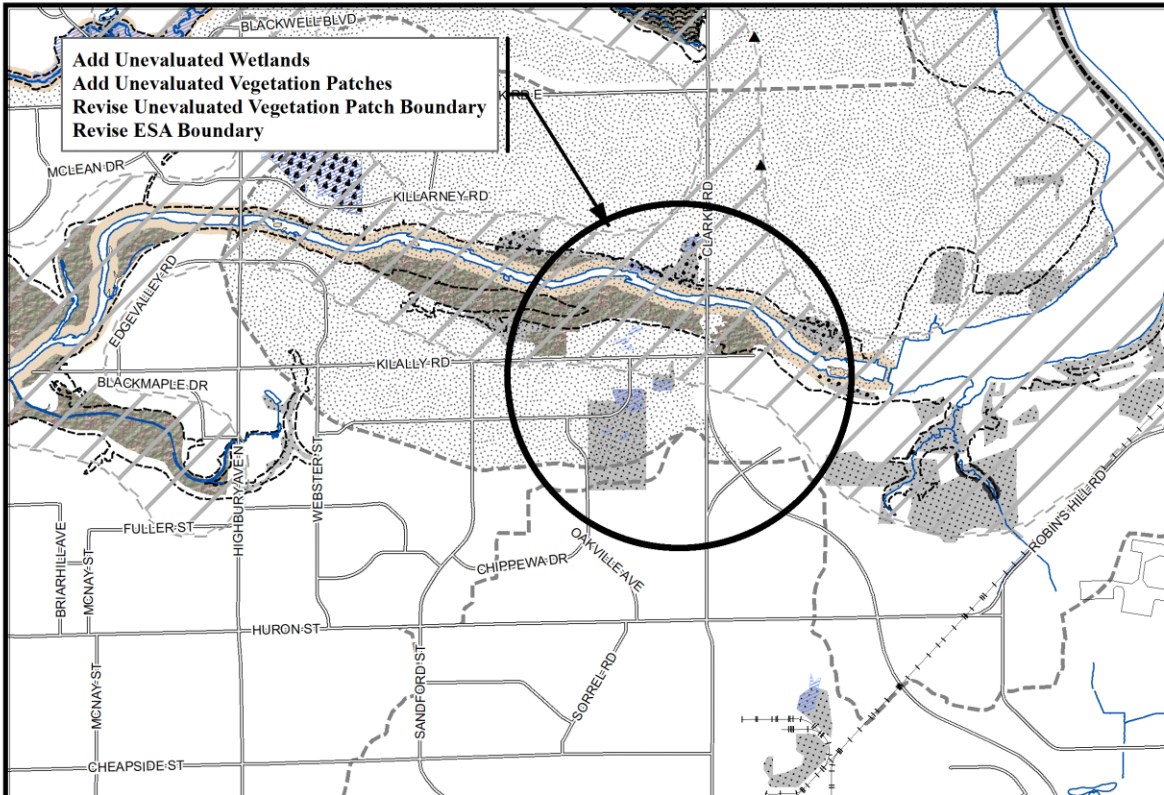
PLANNER: CS

TECHNICIAN: MB

DATE: 2021/02/25

Map Schedule B-1

AMENDMENT NO:



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.

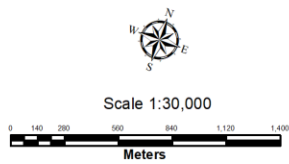
Base Map Features

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

This is an excerpt from the Planning Division's working consolidation of Schedule B1 to the City of London Official Plan, with added notations.

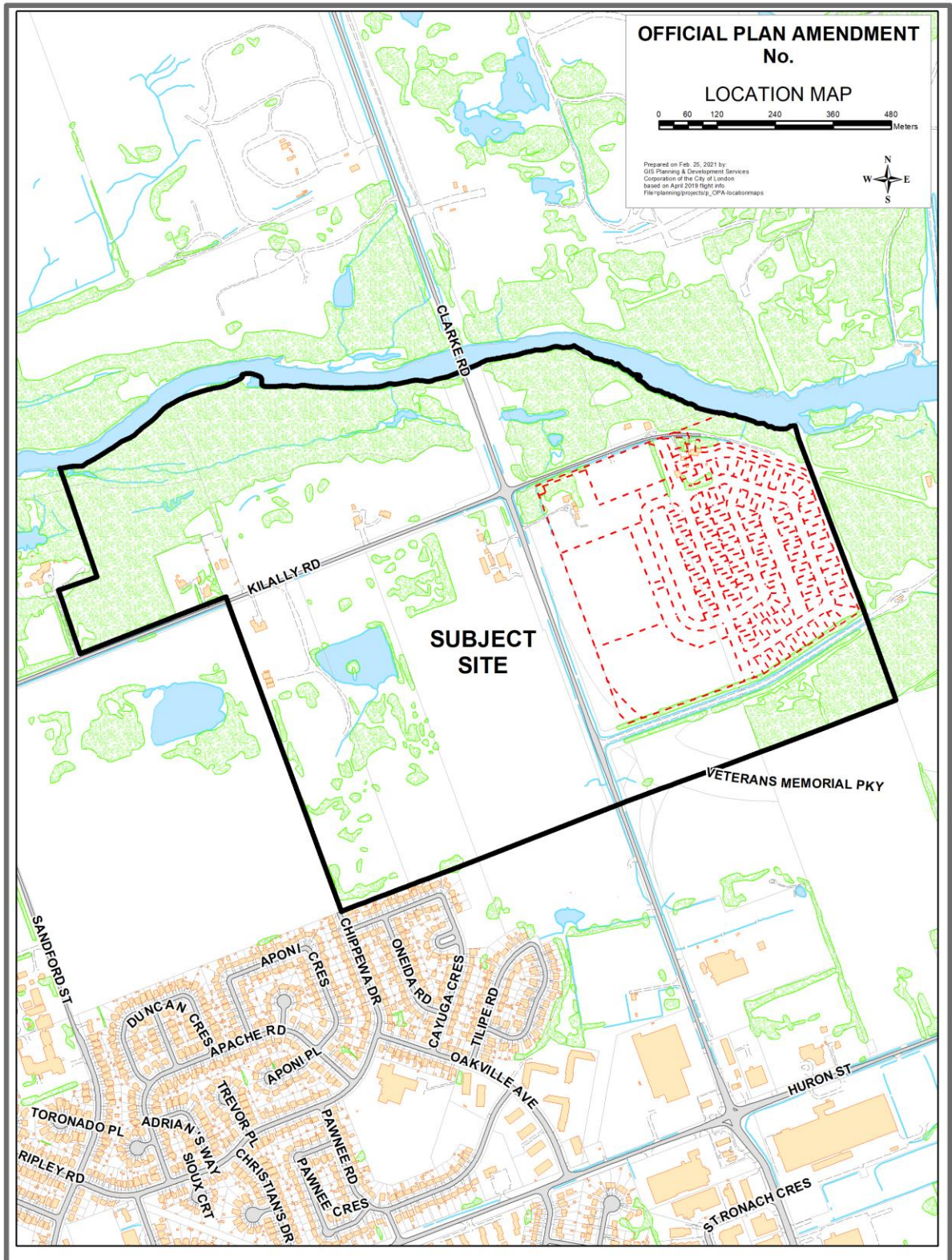
**SCHEDULE #####
TO
OFFICIAL PLAN
AMENDMENT NO. _____**

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-9275
PLANNER: CS
TECHNICIAN: MB
DATE: 2021/02/25

Official Plan Amendment Location Map



Appendix B

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

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for the City of London, 2016 relating to the Meadowlily Environmentally Significant Area.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on xxx.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – xxx
Second Reading – xxx
Third Reading – xxx

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the Place Type of 1918 to 2304 and 2005 to 2331 Kilally Road described herein from Neighbourhood and Environmental Review to Green Space and from Environmental Review to Neighbourhood to align with the limits of the Kilally South, East Basin Environmentally Significant Area on Schedule "A", Map 1 – Place Type, to The London Plan for the City of London.
2. To change the Place Type of certain lands described herein from Neighbourhood to Environmental Review on Schedule "A", Map 1 – Place Type, to The London Plan for the City of London.
3. To change the designation from Potential Environmentally Significant Area to Environmentally Significant Area on Map 5 - Natural Heritage.
4. To add unevaluated wetlands and unevaluated vegetation patches on Map 5- Natural Heritage.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to Kilally South, East Basin Environmentally Significant Area lands in the City of London.

C. BASIS OF THE AMENDMENT

Based on more detailed information that has been made available through the completion of the Kilally South, East Basin Environmental Impact Study, the final land use designations and Natural Heritage features can now be accurately confirmed in the Official Plan

D. THE AMENDMENT

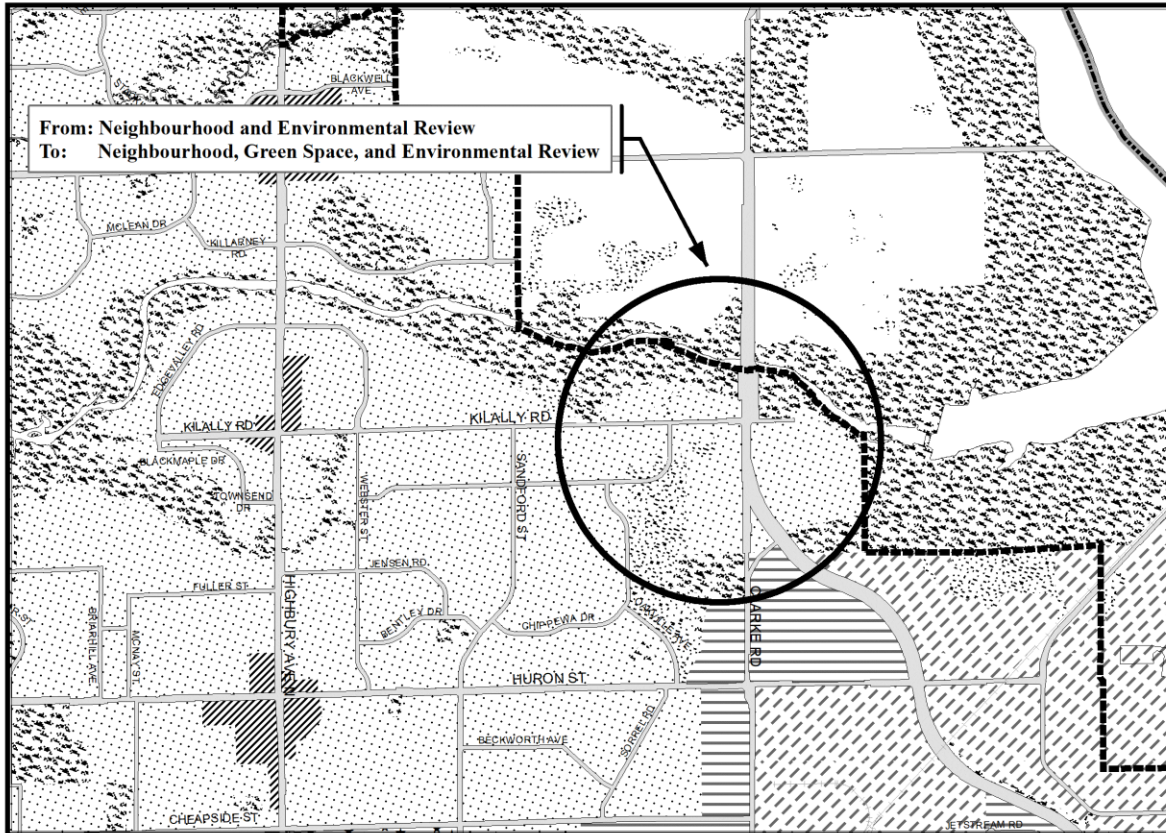
The London Plan for the City of London is hereby amended as follows:

1. Map 1 - Place Types, to the London Plan for the City of London Planning Area is amended by designating those lands located within the Kilally South, East Basin Environmentally Significant Area in the City of London, as indicated on "Schedule 1" attached hereto from Neighbourhoods and Environmental Review to Green Space and from Environmental Review to Neighbourhoods.
2. Map 1- Place Types, to the London Plan for the City of London Planning Area is amended by changing Neighbourhood to Environmental Review as indicated on "Schedule 1" attached hereto.
3. Map 5 - Natural Heritage, to the London Plan for the City of London Planning Area is amended by designating those lands located within the Kilally South, East Basin Environmentally Significant Area the City of London, as indicated on "Schedule "2" attached hereto to change the designation Potential Environmentally Significant Area and Unevaluated Vegetation Patch to Environmentally Significant Area.
4. Map 5 - Natural Heritage, to the London Plan for the City of London Planning Area is amended by adding Unevaluated Vegetation Patches

and Unevaluated Wetlands as indicated on "Schedule "2" attached hereto.

Amended Map 1 London Plan

AMENDMENT NO:



Legend

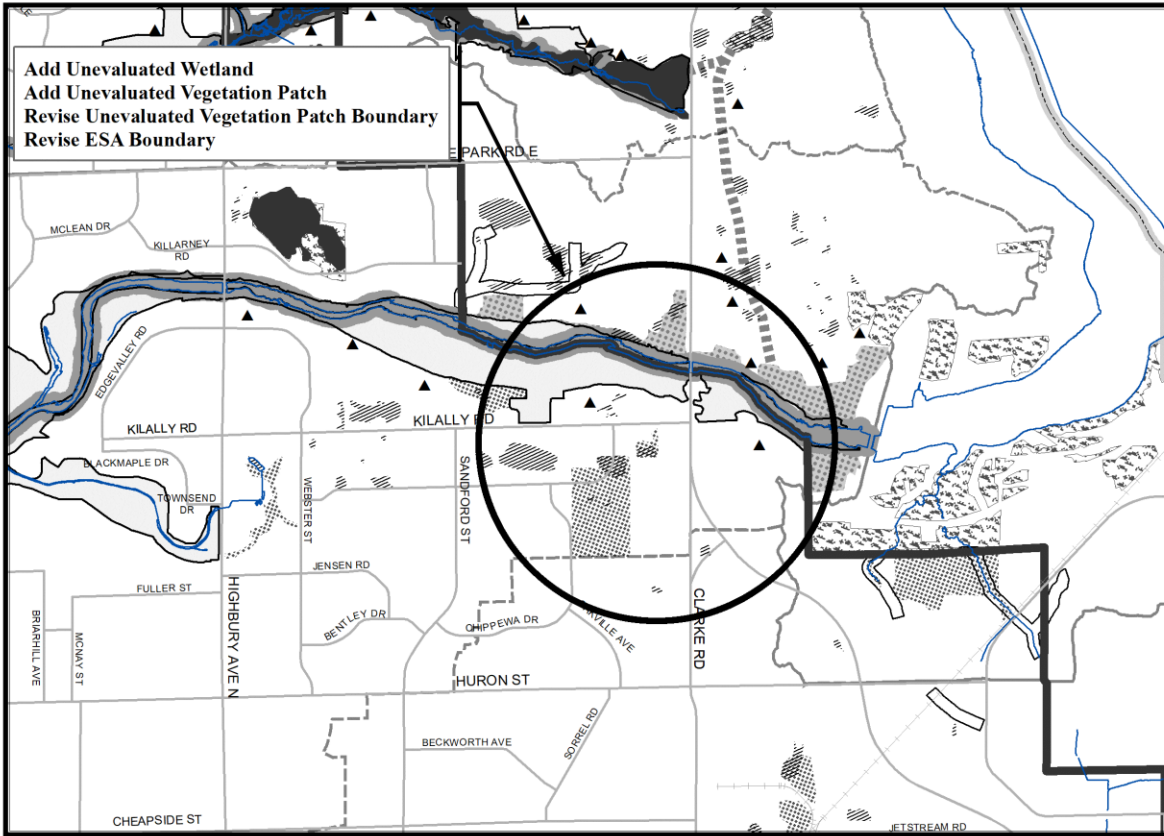
- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management 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.*

<p>SCHEDULE # TO THE LONDON PLAN</p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1200 1500</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9275</p> <p>PLANNER: CS</p> <p>TECHNICIAN: MB</p> <p>DATE: 2/26/2021</p>
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Amended Map 5 London Plan

AMENDMENT NO:



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

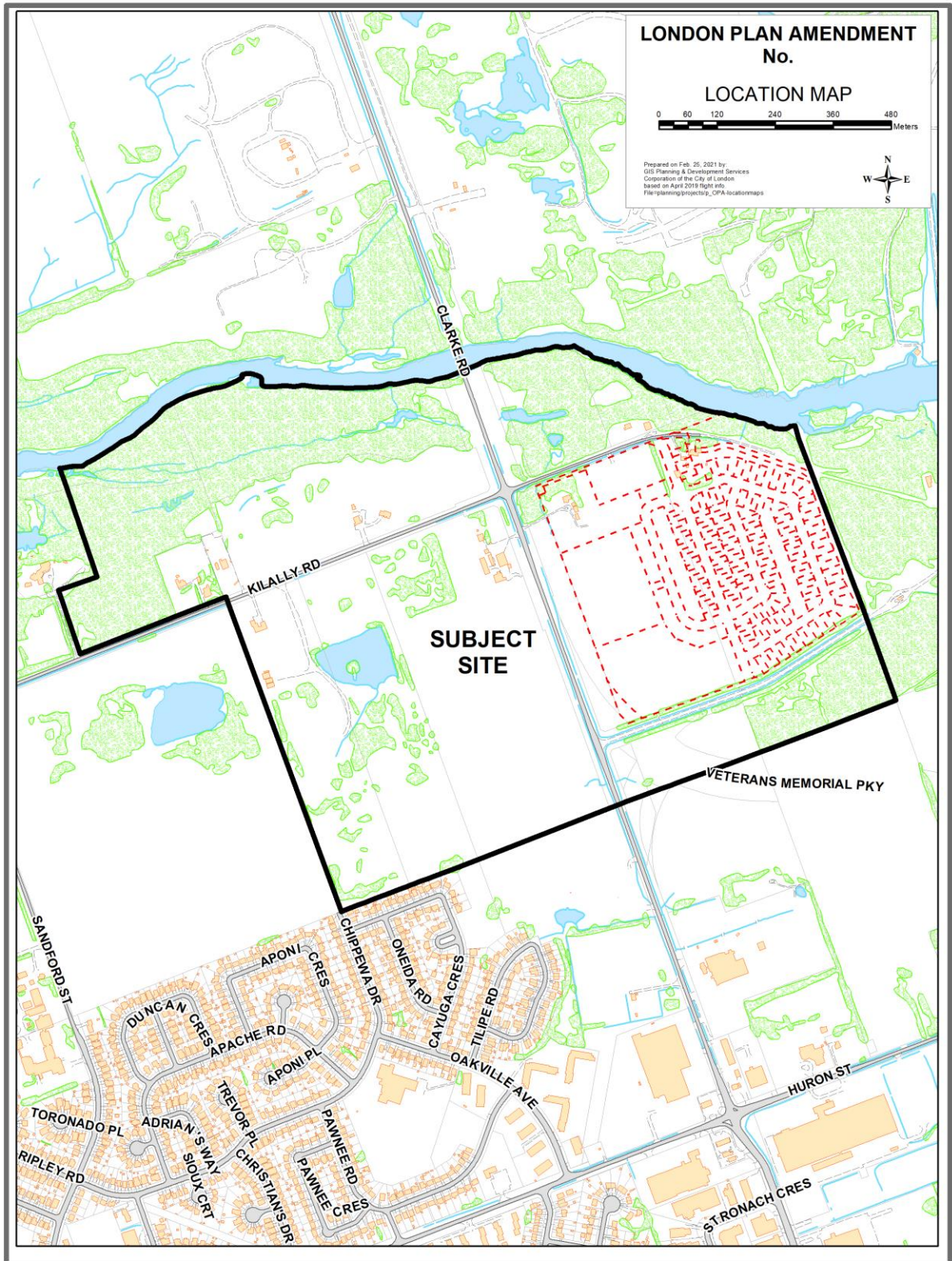
Base Map Features

- 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.

<p>SCHEDULE # TO THE LONDON PLAN</p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9275</p> <p>PLANNER: CS</p> <p>TECHNICIAN: MB</p> <p>DATE: 2/26/2021</p>
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London Plan Location Map



Appendix C

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to
rezone the Kilally South, East Basin
Environmentally Significant Area.

WHEREAS the City of London has applied to rezone the Kilally South, East Basin Environmentally Significant Area, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform 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 within the Kilally South, East Basin Environmentally Significant Area, as shown on the attached map, from an Urban Reserve (UR3) Zone, to an Open Space (OS5) Zone and from an Urban Reserve (UR2) Zone and Urban Reserve (UR3) Zone, to an Environmental Review (ER) Zone.

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 xxx.

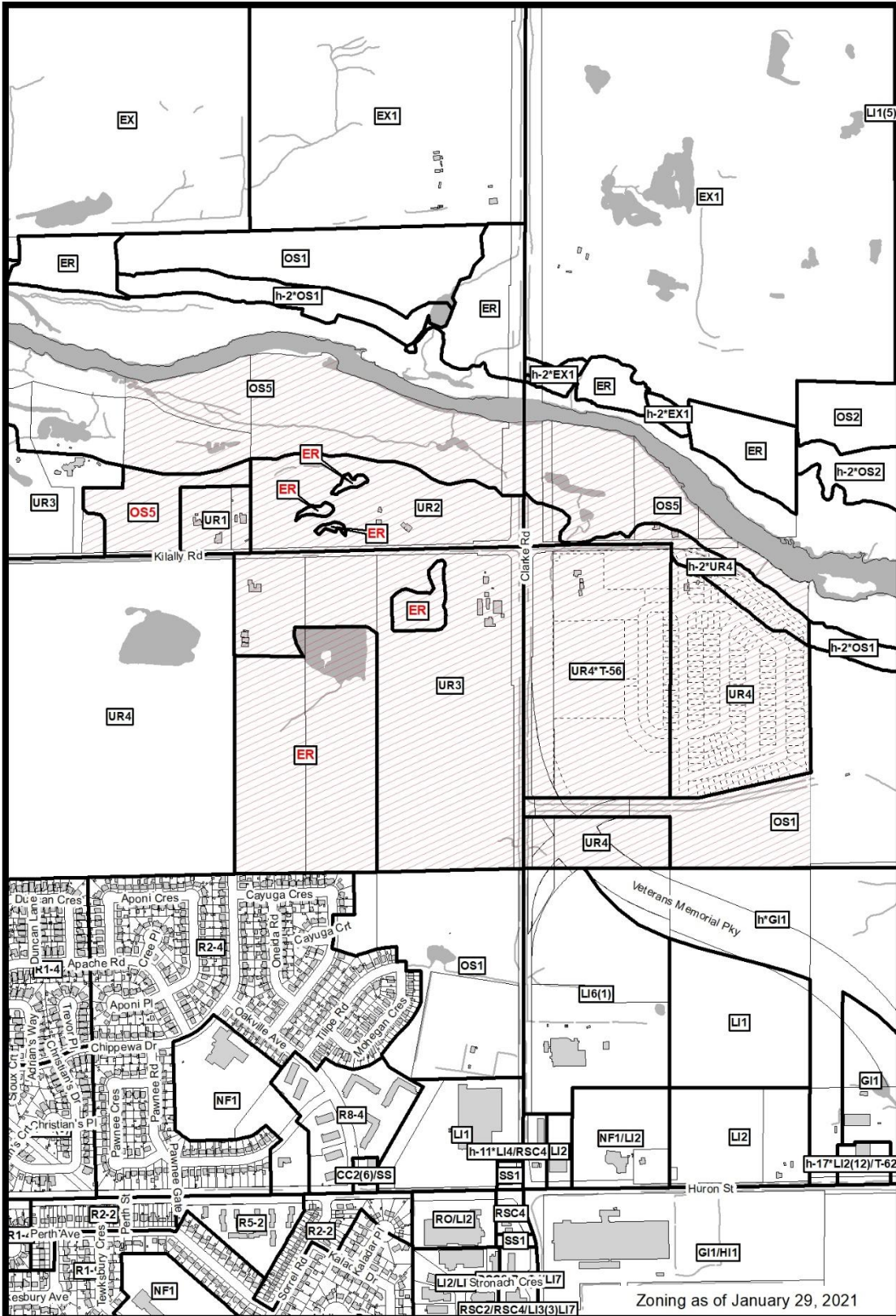
Ed Holder
Mayor



Catharine Saunders
City Clerk

First Reading – xxx
Second Reading – xxx
Third Reading – xxx

Zoning Amendment Map

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



<p>File Number: OZ-9275 Planner: CS Date Prepared: 2021/02/25 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:10,007</p> <p>0 50 100 200 300 400 Meters</p> 
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Appendix D – Public Engagement

Community Engagement

Public liaison: On December 3, 2020, Notice of Application was sent to 344 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 3, 2020. A “Planning Application” sign was also posted on the site.

7 replies were received

Nature of Liaison: The purpose and effect of this Official Plan and Zoning change is to amend the area as identified as an Environmental Significant Area in the Kilally South, East Basin Environmental Impact Study to an Open Space designation in the City of London Official Plan, Green Space in The London Plan, the areas identified as unevaluated wetlands and unevaluated vegetation patches as Environmental Review and to add on Maps B-1 of the Official Plan and Map 5 of the London Plan the Environmental Significant Area Boundary and the areas identified as unevaluated wetlands and unevaluated vegetation patches and to amend the Zoning of the lands to Open Space (OS5) Zone and to zone the areas identified as unevaluated wetlands and unevaluated vegetation patches as Environmental Review.

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

Concern for:

2- property owners do not want lands designated Environmental Review and unevaluated vegetation patches (see body of report for analysis);

4- property owners were looking for clarification; and

The Upper Thames River Conservation Authority supports the proposed amendments.

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

Written	Phone Call
Auburn Developments 560 Wellington Street London ON N6A 3R4	Bruce Johnson 1511 Clarke Road London ON N5V 5B4
Upper Thames River Conservation Authority 1424 Clarke Road London ON N5V 5B9	Chris Dehart 2304 Kilally Road
David and Milica Litt 1980 Kilally Road London, ON	Lew Lint 2112 Kilally Road
Joan & John Marcin	
Morgan Stackhouse	



January 8th, 2021.

City of London,
Development and Compliance Services
300 Dufferin Ave.
London, ON N6A 4L9

Attention : Mr. Craig Smith, MCIP, RPP Senior Planner

Re: OZ-9275-Kilally Road – 2065 Kilally Road

Please be advised that we received the above-referenced Notice just prior to the Christmas break and offer the following subsequent to our meeting on January 7th, 2021.

Currently, The London Plan has identified our property located at 2065 Kilally Road as Neighbourhood Place Type on Map 1 and has only identified the existing dug pond as an unevaluated wetland. It therefore, comes to our surprise that after such an extensive and comprehensive review of The London Plan, that more than 75% of the property is being proposed to change from 'Neighbourhood' to 'Environmental Review'. It should be noted that the property is a former aggregate pit and that the young vegetation that exists sporadically does not represent significant habitat or woodlands and is in fact 'scrub lands', therefore, does not meet the required threshold of the proposed Place Type.

There are numerous policies that exist that will require a development application to determine significance and retention or if the lands are available for development. We do not support the proposal and see no warrant in the change as these lands, having been fully extracted are prime to fulfill the housing objectives of the PPS and City of London Official Plan.

Should you wish to meet to discuss further, please advise.

Yours truly,

A handwritten signature in black ink, appearing to read "S. Stapleton", written over a horizontal line.

Per, Stephen Stapleton
Vice President
Auburn Developments Inc.



ss Stapleton@auburndev.com
www.auburndev.com

Appendix E – Policy Context

The following studies, 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:

Kilally South, East Basin Stormwater Servicing Environmental Impact Study, North-South Environmental Inc.

Provincial Policy Statement, 2020

The London Plan

1317,1319, 1320,1333,1335,1336,1368,1369,1383,1431 wetland policies

1989 Official Plan

15.4.1.1, 15.4.4.13, 15.4.2 wetland polices

Z.-1 Zoning By-law

Section 2- Definitions

Section 3 – Zones and Symbols

Section 4 – General Provisions

Section 36 – Open Space (OS) Zone

Section 37- Environmental Review (ER) Zone