

CHAPTER 8A - OPEN SPACE LAND USE DESIGNATION

159. Amend the INTRODUCTION section by adding “lands susceptible to erosion and unstable slopes,” after “lands” in the third line; and by deleting the second and third paragraphs and replacing them with the following:

“Areas within the City that are designated Open Space are shown on Schedule “A” – the Land Use Map. Components of the Natural Heritage System such as Significant Woodlands, Provincially Significant Wetlands and Environmentally Significant Areas, are delineated on Schedule “B1” – Natural Heritage Features. Natural resources and natural hazards are delineated on Schedule “B2” – Natural Resources and Natural Hazards. Areas designated Open Space may be in either public or private ownership.

Policies in this Chapter of the Plan describe the intent, function and permitted uses of the Open Space designation. There are also policies regarding natural hazard lands and natural heritage areas designated as Open Space contained in Chapter 15 of the Plan – Environmental Policies. The Open Space policies are implemented through the Zoning By-law, other by-laws and guideline documents adopted pursuant to Section 19.2.2.. The policies will be applied in a manner that is consistent with the Provincial Policy Statement and applicable Provincial Guidelines.”

160. Amend subsection 8A.1. vi) by adding “identified, studied and” after “been” in the second line.
161. Amend subsection 8A.2. by adding the following “lands susceptible to erosion and unstable slopes” after “lands” in the second line and by adding “lands that contribute to important ecological functions” after “significance” in the third line.
162. Amend 8A.2.1. by deleting the words “and natural heritage areas,” after “hazards;” in the fifth line and replacing them with “components of the Natural Heritage System, which have been evaluated and” by deleting the “.” after “significance” in the sixth line; and by adding “;and, lands that contribute to important ecological functions” after the word “significance” in the sixth line.
163. Amend subsection 8A.2.2. i) by adding “2” after “B” in the first line and by adding “in the Open Space designation, the policies” after “included” in the first line.
164. Amend subsection 8A.2.2. ii) by adding “components of the” after “Where” in the first line and by deleting “areas” and replacing it with “system” after “heritage” in the first line.
165. Amend subsection 8A.2.3. by adding a new paragraph at the end as follows:
- “Thames River Shoreline” (in the sidebar)
- “iv) Public access along the shoreline of the Thames River will be encouraged in appropriate locations within the context of existing and future land uses, where there is no danger to public safety, and where significant natural features and ecological functions can be protected.”
166. Amend subsection 8A.2.6. by deleting paragraph “ii)” and by renumbering “iii), iv), and v), to “ii), iii), and iv), respectively.
167. Amend subsection 8A.2.6. iv) by deleting “and” at the end.
168. Amend subsection 8A.2.6. v) by deleting the “.” at the end and replacing it with “;”.
169. Amend subsection 8A.2.6. by adding the following new paragraphs at the end:
- “v) the presence of natural or desirable features or ecological functions within the subject lands; and

- vii) cultural importance of the subject lands or its features, whether locally or city-wide.”
170. Amend subsection 8A.2.7. by deleting “restrict or” after “to” in the third line; by adding “or regulate” after “prohibit” in the third line; and by deleting “site alteration and tree removal” in the third line and replacing it with “the placing, dumping, removal or regrading of topsoil or fill, and the destruction or injuring of trees”.
171. Amend subsection 8B.1. by deleting it in its entirety and replacing it with the following:

OBJECTIVES FOR THE ENVIRONMENTAL REVIEW DESIGNATION

“In addition to the components of the Natural Heritage System, which have been evaluated and designated on Schedule “A” as Open Space, in accordance with the policies in Chapter 8A and Chapter 15, there are additional lands delineated on Schedule “B1” that may contain significant natural features and important ecological functions, which should be protected until environmental studies have been completed, reviewed and accepted by the City. These potential components of the Natural Heritage System are designated as Environmental Review on Schedule “A” and shall be protected from activities that would diminish their functions pending the completion, review and acceptance of a detailed environmental study.

A detailed environmental study may be undertaken as part of the Community Plan, Area Plan, Official Plan and/or Zoning By-law amendment application, Draft Plan of Subdivision, Site Plan application, Variance or Consent application by the applicant and/or landowner, or may be undertaken by the City of London. An Environmental Review area or portion of an area that is determined to satisfy the criteria for significance under Section 15.4, shall be designated as Open Space on Schedule “A” and delineated on Schedule “B1” according to its specific nature or reason for significance according to the Official Plan policies. Other areas or portions of areas which do not satisfy the criteria for significance under the provision of Section 15.4. will be redesignated for an appropriate land use designation in accordance with the policies of the plan.”

172. Amend subsection 8B.2. by the deleting it in its entirety and replacing it with the following:

“LANDS INCLUDED

In addition to the components of the Natural Heritage System which are designated as Open Space on Schedule “A” and delineated on Schedule “B1” according to the policies under Section 15.4. there are other natural features identified through the subwatershed studies or by other environmental studies that have been reviewed and accepted by the City. These areas may be designated as Environmental Review on Schedule “A”, and delineated on Schedule “B1” as one of the following:

- i) Unevaluated Vegetation Patches;
- ii) Unevaluated Wetlands;
- iii) Unevaluated Stream and Ravine Corridors; and
- iv) Potential ESA’s.”

173. Amend subsection 8B.3. by deleting “i)” at the beginning and by deleting paragraph ii) in its entirety.

174. Amend subsection 8B3. by adding the following new subsection:

“8B3.1. Process for Evaluating Environmental Review Designations (in the sidebar)

- i) Within the Urban Growth Boundary, on the basis of more detailed environmental studies and considerations of Official Plan policies,

and Council and Provincially approved guidelines undertaken in conjunction with Community Plans, Area Plans, Official Plan and/or Zoning By-law amendment applications, Draft Plan of Subdivision applications, Site Plan applications, Consents and Variance applications, components of the Natural Heritage System within the Environmental Review designation on Schedule "A", will be delineated on Schedule "B1" as follows:

- a) Components of the Natural Heritage System that are determined to be significant in accordance with the policies in Section 15.4, shall be designated as Open Space on Schedule "A" and delineated on Schedule "B1" according to the significant environmental characteristics of the feature.
 - b) Components of the Natural Heritage System that are not determined to be significant in accordance with the policies in Section 15.4. will be designated on Schedule "A" for an appropriate land use in accordance with the policies of this Plan and removed from Schedule "B1";"
175. Amend subsection 8B3 by deleting "iii)" and adding it to 8B3.1. as paragraph "ii)".
176. Amend subsection 8B.4. by deleting "restrict or" after "by-laws to" in the third line and by adding "or regulate" after "prohibit" in the third line and by deleting "site alteration and tree removal" and replacing it with "the placing, dumping, removal or regrading of topsoil or fill, and the destruction or injuring of trees" at the end.