

# Agenda

## Ecological Community Advisory Committee

The 11th Meeting of the Ecological Community Advisory Committee

October 19, 2023, 4:30 PM

Committee Room #5

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Métis and Inuit today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact [advisorycommittee@london.ca](mailto:advisorycommittee@london.ca).

Pages

### 1. Call to Order

1.1 Disclosures of Pecuniary Interest

### 2. Scheduled Items

2.1 4:30 PM Parks Design and Construction Representatives and Stantec Consulting Representatives re Lambeth Centennial Park Boardwalk Lifecycle Renewal - Draft EIS & Ecological Restoration Project

### 3. Consent

3.1 10th Report of the Ecological Community Advisory Committee

2

3.2 BioBlitz Poster

5

### 4. Sub-Committees and Working Groups

4.1 3849 Campbell Street North

6

### 5. Items for Discussion

### 6. Adjournment

# Ecological Community Advisory Committee Report

The 10th Meeting of the Ecological Community Advisory Committee  
September 21, 2023

Attendance S. Levin (Chair), S. Evans, T. Hain, S. Hall, B. Krichker, K. Moser, G. Sankar, S. Sivakumar and V. Tai and H. Lysynski (Committee Clerk)

ABSENT: P. Baker, E. Dusenge, K. Lee, M. Lima, R. McGarry S. Miklosi

ALSO PRESENT: S. Butnari, M. Sheply, B. Westlake-Power and E. Williamson

The meeting was called to order at 4:37 PM; it being noted that T. Hain, G. Sankar, S. Sivakumar and V. Tai were in remote attendance.

## 1. Call to Order

### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

## 2. Scheduled Items

None.

## 3. Consent

### 3.1 8th Report of the Ecological Community Advisory Committee

That it BE NOTED that the 8th Report of the Ecological Community Advisory Committee, from its meeting held on July 20, 2023, was received.

### 3.2 9th Report of the Ecological Community Advisory Committee

That it BE NOTED that the 9th Report of the Ecological Community Advisory Committee, from its meeting held on August 17, 2023, was received.

### 3.3 Municipal Council resolution – 7th Report of the Ecological Community Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on July 25, 2023, with respect to the 7th Report of the Ecological Community Advisory Committee, was received.

### 3.4 Bird Friendly Brochure

That it BE NOTED that the "Preventing Window Collisions Saving Our Birds" brochure, was received.

#### **4. Sub-Committees and Working Groups**

##### **4.1 Planning Application – 2473 Oxford Street West**

That the Ecological Community Advisory Committee Working Group comments on the Environmental Impact Statement relating to the property located at 2473 Oxford Street West BE FORWARDED to the Civic Administration for review and consideration.

#### **5. Items for Discussion**

##### **5.1 Planning Application – 764, 772, 774 Crumlin Sideroad**

That it BE NOTED that the Notice of Planning Application for Official Plan and Zoning By-law Amendments dated August 1, 2023, relating to the properties located at 764, 772 and 774 Crumlin Sideroad, was received for information.

##### **5.2 Adelaide Street North Environmental Assessment Study**

That it BE NOTED that the City of London Municipal Class Environmental Assessment Study, Notice of Completion for the Adelaide Street North Improvements, was received.

##### **5.3 Planning Application - 3849 Campbell Street North**

That a Working Group consisting of S. Levin and S. Evans BE ESTABLISHED to review the Notice of Planning Application for Draft Plan of Subdivision and Zoning By-law Amendment relating to the property located at 3849 Campbell Street North.

##### **5.4 465 Sunningdale Road West - Working Group Comments**

That the Ecological Community Advisory Committee Working Group comments on the Environmental Impact Statement relating to the property located at 465 Sunningdale Road West BE FORWARDED to the Civic Administration for review and consideration.

##### **5.5 Resignation - P. Baker**

That it BE NOTED that the resignation of P. Baker was received with regret.

##### **5.6 Upper Thames River Conservation Authority Environmentally Significant Areas Agreement Update Process**

That it BE NOTED that the Ecological Community Advisory Committee held a general discussion with respect to the Upper Thames River Conservation Authority Environmentally Significant Areas Agreement update process.

##### **5.7 Attendance Requirements**

That the appointment of S. Miklosi BE RESCINDED from the Environmental and Ecological Community Advisory Committee due to lack of attendance.

**6. (ADDED) Differed Matters / Additional Business**

- 6.1 (ADDED) Planning Application - 1990 Commissioners Road East and 2767 Doyle Drive

That it BE NOTED that the Notice of Planning Application for a Zoning By-law Amendment dated September 20, 2023, relating to the properties located at 1990 Commissioners Road East and 2767 Doyle Drive, was received for information.

- 6.2 (ADDED) Planning Application - 2331 Kilally Road and 1588 Clarke Road

That it BE NOTED that the Notice of Planning Application dated August 18, 2020 for Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments relating to the properties located at 2331 Kilally Road and 1588 Clarke Road, was received for information.

- 6.3 (ADDED) Notice of Application - 323 Oxford Street West and 92 and 825 Proudfoot Lane

That it BE NOTED that the Notice of Planning Application for a Draft Plan of Subdivision and Zoning By-law Amendments dated August 30, 2023, relating to the properties located at 323 Oxford Street West, 92 and 825 Proudfoot Lane, was received for information.

- 6.4 (ADDED) Notice of Application - 1944 Bradley Avenue

That a Working Group consisting of S. Levin and B. Krichker BE ESTABLISHED to review the Notice of Draft Plan of Subdivision relating to the property located at 1944 Bradley Avenue.

- 6.5 (ADDED) Municipal Council resolution – 8th Report of the Ecological Community Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on August 29, 2023, with respect to the 8th Report of the Environmental and Ecological Community Advisory Committee, was received.

**7. Adjournment**

The meeting adjourned at 5:53 PM.

# 2023 BioBlitz

Presented by: The Ecology Department at The City of London

## What Is It ?

Come help support the creation of: **London's Environmentally Significant Areas (ESAs) Phase 1 Conservation Master Plan (CMP)**



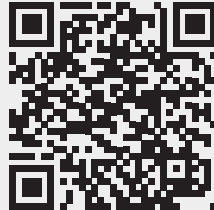
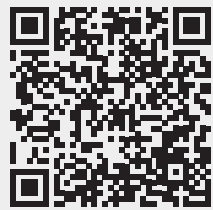
## When can you help ?

You can participate in data collection through **October 16-22, 2023**



## Download iNaturalist

Scan the QR Code for your device



Once signed up, go to the Projects tab and look for and join the "London ESA Phase 1 CMP 2023"

### Go to the participating ESAs and start looking

Stay on-trail and follow all ESA rules



**Look for:** Plants, Animals, Fungi, Insects or evidence of them.



**Document and Photograph** anything you find. Photos are the best tool to help us.



**Upload and Share** your data.

### Get back out there!



**Data will be reviewed by the project team and City Ecologists** for inclusion into the upcoming reports in 2024.



## Participating ESAs

Scan the QR Code for one of the **Environmentally Significant Areas** to learn more about it.



**Lower Dingman ESA** - located in southwest London, a rural setting in the city - The publicly owned lands cover 20 hectares.



**Kains Woods ESA** - located in the west end of London along the Thames - The publicly owned lands cover 28 hectares.



**Warbler Woods ESA** - a natural corridor that connects to Kains Woods - The publicly owned lands cover 40 hectares.



**Pottersburg Creek ESA** - located in east London along the multi-use trail - The publicly owned lands cover 14.4 hectares.



London  
CANADA

## **DRAFT PLAN OF SUBDIVISION - ZONING BY-LAW AMENDMENT**

**3849 CAMPBELL STREET NORTH, file 39T-23502/Z-9614**

**EIS by MTE dated April 24, 2023 Reviewed by ECAC members S. Evans and S. Levin, Sept 29, 2023**

**ECAC also reviewed the file planner's memo of August 25, 2023 as well as the minutes to the June 12, 2022 Proposal Meeting**

### **KEY COMMENTS:**

The EIS states that the entire patch has not been studied, but then concludes that development with minimal buffering will not negatively affect the Significant Woodland. This is quite a questionable conclusion.

ECAC agrees with the file planner's memo:

- that a site visit with City and other agency staff should take place to delineate and observe the natural features (particularly the "wet area" noted in the EIS that is located outside the study area but in the feature)
- that the proposed buffers of the feature (Patch 10070) as proposed in the EIS are inconsistent with Section 5.3 of the Environmental Management Guidelines and insufficient support (which seems solely based on the smaller buffer from the road) for a reduction in the width is provided in the EIS
- that the buffer be zoned OS5 (and designated Green Space) and included within a block in the Draft Plan

### **ADDITIONAL COMMENTS AND RECOMMENDATIONS:**

ECAC also notes the EIS position regarding an SLSR on page 2 that:

"The Scoping Checklist was drafted but never finalized as there was no agreement on the need for a separate SLSR. It is MTE's understanding that no separate SLRS is required given the area has been studied with updated land use designations guided by the London Plan and Southwest Area Plan (SWAP)."

However, Patch 10070 was not studied during SWAP. As highlighted below, the "Draft" Southwest Area Plan – Natural Heritage Study" by AECOM, dated March 12, 2010 clearly noted on page 26 and 27 that landowner permission was not granted for AECOM to study the feature (section highlighted by ECAC).

#### **2.6.1.2 Lambeth Area**

*The Lambeth Planning Area occupies a total of 696.26 hectares within our study area. It is located south of the Talbot Planning Area, bordered to the north by patch No.10069, to the east by Bostwick Rd and Dingman Creek to the south and west. There are three unevaluated patches designated on Schedule A of the Official Plan within the Lambeth Planning area making up a total of 91.52 ha of forested area. This represents approximately 13.14% of forested land within the Lambeth Planning area. They are identified as patches No. 10051, No. 10070, and No. 10075, on the Candidate Environmentally Significant Areas and Subwatershed Features Map of the City's Official Plan. **Field investigations were completed for***

**only patch No. 10075 as we did not obtain landowner approvals for patches No. 10051 or No. 10070.** A portion of the Lower Dingman Corridor ESA occurs along the western boundary of the Lambeth Planning Area (patch no. 10003).

## **ALL OF PATCH 10070 is a SIGNIFICANT WOODLAND**

ECAC is of the opinion that all of Patch 10070 is a Significant Woodland based on the presence of hydrological features within the feature. As noted in the following extracts from the 2010 AECOM work, when considered in its entirety, all of Patch 10070 meets the criteria (one High) for being designated as a Significant Woodland. The following information from pages 18, 26, and 27 of AECOM and air photos of the entire Patch, provide more complete information than the EIS, particularly page 13 which states:

“No surface water features have been identified within or adjacent to the Subject Lands to consider downstream fish habitat.”

*AECOM page 18*

*“Anguish Drain conveys surface and possibly ground water from the area of woodland patch 10070 in a southwest direction to Dingman Creek. Property owner consent allowed field investigations to be conducted from Colonel Talbot Road to the Lower Dingman Corridor ESA on June 12 and 24, 2009. At the Colonel Talbot Road area, Anguish Drain flowed through landscaped residential properties. Mean wetted width was 1.2m and mean wetted depth was 0.15m with 90% flats and 10% riffles. The substrate in the flats was mainly silt and detritus and the riffles consisted mainly of small cobbles and gravels. Bank slumping is common and is likely due to lack of woody riparian plants and high seasonal and rain event flow variations. Watercress, skunk cabbage and cyprinids were observed throughout this area. According to UTRCA mapping, the upper reaches of Anguish Drain have an undetermined flow status. The middle reaches were reported to be intermittent and the lower reaches west of Colonel Talbot Road are permanent warmwater. Fish sampling by UTRCA from 2005 to 2009 at Colonel Talbot Road resulted in captures of creek chub and brook stickleback, two intermediately tolerant, coolwater species.”*

**This meets the Woodland Evaluation Guideline as High for the criterion “Presence of hydrological features within or contiguous with the patch.” (See page 3-4, 3-5 of the EMG 2021). This means all of Patch 10070 is a Significant Woodland.**

*AECOM pages 26 – 27*

**Patch No. 10070** - Patch No. 10070 is located within the western portion of the study area, east of Colonel Talbot Road & west of Bostwick Road near Anguish Drain and is approximately 18.4 hectares in size. It occupies approximately 2.64% of the total 13.14% of forested land within the Lambeth area. On November 25<sup>th</sup> 2009, roadside investigations were completed to compliment the desktop analysis. The canopy is at least 60% with edge species comprised of ash (*Fraxinus* sp), sugar maple, beech, and basswood with an average diameter at breast height (DBH) of 15-20 centimetres. The patch seemed to be fairly homogenous in composition with edge tree species having small driplines. Also apparent from recent aerial photography and visible from the road were two clear-cut areas (6.08 ha), creating areas susceptible to windthrow. These two areas however create an excellent opportunity for restoration within the patch. There also exists an opportunity to connect patches No. 10070 and No. 10069 via the agricultural field separating the two patches.

A desktop application of the City of London’s Woodland Evaluation Guidelines and ESA guidelines were conducted and resulted in patch No. 10070 as being a **significant** component of the natural heritage system. If development should occur within the vicinity of this patch a woodland evaluation using the City guidelines should be completed conducting appropriate field work to confirm results of the desktop application.

Coupled with the EIS conclusion for the “slice” of the Patch studied (EIS page 16 noted in italics in the next paragraph), further study is only required to delineate the entire Significant Woodland, not to determine whether or not it is significant.

**EIS p. 16**

*“Significant Woodland Evaluation*

*Once the boundary is delineated, the patch can be evaluated for different significant natural heritage features. Based on the EMG Woodland Evaluation criteria (City of London, 2021), Community 1 (FOD5-2) in the east edge of Patch 10070 qualifies as a Significant Woodland because it is a mature wooded community and is within a Significant Groundwater Recharge Area (SGRA). Both of these characteristics give the woodland a ‘high’ score, qualifying the woodland as significant according to the EMGs (2021). Community 1 will be treated as a Significant Woodland in this EIS, but further study is needed to delineate and then evaluate the remainder of Patch 10070.”*

**BUFFERING**

It was clearly noted in the June 10, 22 Proposal meeting:

*“The EIS must be completed in accordance with provincial guidelines and standards, including the Provincial Policy Statement, Natural Heritage Reference Manual, the London Plan and the Environmental Management Guidelines, (EMG’s) (2021).”*

A 30 m buffer is required. An exception, as contemplated in Section 5.3 of the EMGs has not been convincing. The buffer must be designated and zoned Green Space / OS5. The EIS states on page 18:

*“This development proposal provides a buffer that ranges from 2 to 33m from the rear lot lines of the single-family lots, with an additional 6 metres of rear yard lawn before any hard surfaces.”*

First off, in no way is a 2 m buffer (from figure 10 it appears the proposed buffers range from 1.6 m to a max of 26.5 in the south portion of the site) from the rear lot lines sufficient even where less than the minimum buffer is contemplated in the EMGs. Construction impacts are highly likely and as shown in the recent work done for the City by Dougan, the worst impacts of encroachment are within the first 10 m from a lot line (also found in many studies of developments in SW Ontario by McWilliam – see citation at end – and others). Secondly, to suggest that rear yards can function as buffer is not supportable as individual homeowners are never permanent and the success of “education” has been less than sterling.

**RECOMMENDATION 1: The development proposal be changed to provide the buffering required under the EMG for a Significant Woodland.**

ECAC does note positively, Recommendation 28 on page 23 of the EIS regarding the posting of educational signage.

**RECOMMENDATION 2: The educational signage proposed in recommendation 28 must be included in the conditions of development and/or site plan approval.**



ECAC agrees that fencing with no gates (as required by the City anyway) adjacent to the Significant Woodland is a given.

An invasive species management is a positive recommendation, ECAC wonders why the proponent is not managing invasive species in the rest of the Significant Woodland?

**RECOMMENDATION 3: If the city can require invasive species management in all of Patch 10070 as part of the development agreement for this application, it should be included.**

## **MONITORING PLAN**

On page 24 of the EIS it is noted that:

“Encroachment into the adjacent Significant Woodland should be monitored for two years post-construction (e.g., litter present in natural features, informal trail creation, creation of fence gates, mowing/gardening in the buffer) and additional strategies should be implemented if required.”

ECAC believes that if the reduced buffering is accepted, that it is almost certain, based on Dougan’s recent work for the city, encroachment will affect the Significant Woodland. It is unclear what “additional strategies” can be implemented after habitation (rather than construction) that would reverse gates in fencing, mowing/gardening in the buffer (especially the proposed rear yard areas as “buffer”) and informal trail creation given the lack of a trail plan for the Significant Woodland. Nor is ECAC aware of any means by which the city can hold the proponent to remediate these issues.

**RECOMMENDATION 4: if this part of the monitoring plan is accepted by the city, the trigger point be two years after assumption, not two years post-construction.**

**RECOMMENDATION 5: The cored areas of Patch 10070 must be designated Green Space and zoned OS5.**

p.15 of EIS

“Community 2 is being maintained as agricultural croplands and is surrounded on all sides by deciduous forest in Patch 10070. However, it is larger than 1ha and therefore does not technically qualify for patch inclusion. Community 2 should be more fully evaluated if any future development is proposed adjacent to this section of Patch 10070.”

ECAC does not recall that the sections of 10070 that were cored illegally were permitted to be used for agricultural. Although outside the true scope of the development application, to allow development to take place where illegal clearing took place is to reward bad behaviour and must not be permitted. The current land owner knows the history of the site.

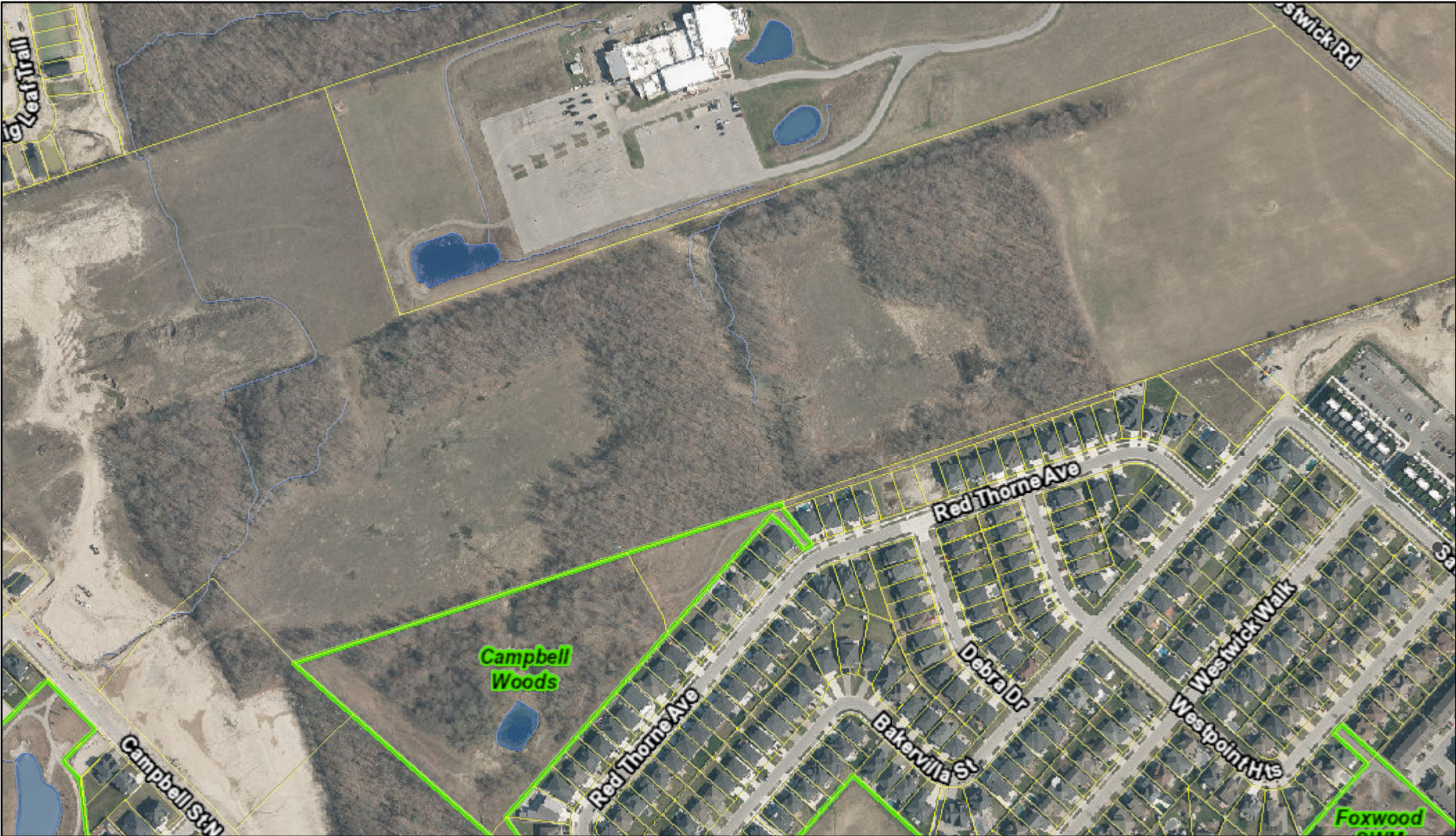
**McWilliam, Eagles, Seasons and Brown, *Arboriculture & Urban Forestry* 2010. 36(6): 253-260**







# London City Map



2023-10-03, 1:48:37 p.m.

