

Agenda Including Addeds

Ecological Community Advisory Committee

The 1st Report of the Ecological Community Advisory Committee

December 17, 2024, 4:30 PM

Committee Room #3

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.

Pages

1. Call to Order

1.1 Disclosures of Pecuniary Interest

2. Scheduled Items

3. Consent

3.1 11th Report of the Ecological Community Advisory Committee

2

3.2 Municipal Council Resolution - Community Advisory Committees

3

4. Sub-Committees and Working Groups

5. Items for Direction

5.1 1782 Kilally Road (Edgevalley Phase 2)

<https://london.ca/business-development/planning-development-applications/planning-applications/1782-kilally-road>

a. *(ADDED) Working Group comments*

5

6. Adjournment

Ecological Community Advisory Committee

Report

11th Meeting of the Ecological Community Advisory Committee
November 21, 2024

Attendance PRESENT: S. Levin (Chair), S. Evans, S. Howard, R. McGarry, K. Moser, S. Sivakumar and V. Tai and H. Lysynski (Committee Clerk)

ABSENT: N. Allen, T. Hain, S. Hall, B. Krichker and M. Spiller

ALSO PRESENT: L. Burt, K. Edwards, K. Lee, M. Shepley, E. Williamson and S. Wise

The meeting was called to order at 4:33 PM; it being noted that S. Evans, S. Howard, R. McGarry, K. Moser, S. Sivakumar, 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 10th Report of the Ecological Community Advisory Committee

That it BE NOTED that the 10th Report of the Ecological Community Advisory Committee, from its meeting held on October 23, 2024, was received.

3.2 Notice of Planning Application and Public Meeting - City-Wide: Green Development Standards and Housekeeping Amendments

That it BE NOTED that the Notice of Planning Application and Public Meeting from S. Wise, Senior Planner, with respect to the Green Development Standards and Housekeeping Amendments dated November 8, 2024, was received.

4. Sub-Committees and Working Groups

4.1 Working Group comments - 3095 Bostwick Road

That the Working Group comments relating to the Talbot Village Phase 8, 3095 Bostwick Road, Subject Lands Status Report, Environmental Impact Study and Hydrogeological Report BE FORWARDED to the Civic Administration for consideration.

5. Items for Direction

None.

6. Adjournment

That the meeting BE ADJOURNED.

The meeting adjourned at 4:54 PM.



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300 Dufferin Avenue
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November 27, 2024

M. Schulthess
City Clerk

I hereby certify that the Municipal Council, at its meeting held on November 26, 2024 resolved:

That the Civic Administration BE DIRECTED to undertake the following actions regarding the Community Advisory Committees (CACs):

- a) the Accessibility Community Advisory Committee's Terms of Reference BE AMENDED to align with the Accessibility, Inclusion, and Anti-Racism and Anti-Oppression (ARAO) staff resources and Action Plans, specifically with the Accessibility and Inclusion Advisor;
- b) in consultation with the Accessibility Community Advisory Committee and Community Advisory Committee on Planning, the Terms of Reference for CACs BE AMENDED to specify a maximum of eleven (11) voting members and to require a youth representative as part of their membership;
- c) in response to the Diversity, Inclusion and Anti-Oppression Community Advisory Committee's (DIACAC) request, DIACAC's operations BE PAUSED while a review of its Terms of Reference is undertaken by the City Clerk, in consultation with the Anti-Racism and Anti-Oppression division and the Human Rights division, with a report on findings to be provided to the Manager of Labour Relations by Q3 2025;
- d) the Animal Welfare Community Advisory Committee BE DISSOLVED effective April 2025, and update the Environmental Stewardship and Action Community Advisory Committee's terms of reference to include: responsibilities related to the welfare of animals in the community;
- e) the Ecological Community Advisory Committee BE DISSOLVED effective April 2025, and an Ecological Reference Group BE ESTABLISHED by Q2 2025 to provide technical advice on matters related to the City of London's Official Plan, including the management of natural heritage systems, Environmentally Significant Areas, woodlands, and stream corridors;
- f) the Integrated Transportation Community Advisory Committee (ITCAC) BE DISSOLVED effective April 2025, and a Mobility and Transportation Working Group be established by Q3 2025 tasked with providing advice to the Civic Administration on the implementation of the Master Mobility Plan, with representation from residents, the London Transit Commission, and other transportation partners. The working group shall meet at least three times annually, with an annual progress report to be presented to the Infrastructure and Corporate Services Committee (ICSC);
- g) a by-law BE FORWARDED to a future meeting of the Municipal Council to amend the General Policy for Community Advisory Committees to:
 - i) align the Policy with the newly structured Council standing committees;
 - ii) require that an annual workplan, aligned with the City's Strategic Plan, be approved by the respective parent standing committee and that the workplan status be provided to the parent standing committee on a quarterly basis;

- iii) align the Policy with the updated Terms of Reference; and
- iv) reflect the removal of the requirement to process applications to CACs through the Striking Committee to align with recent amendments to the Council Procedure By-law;

it being noted that the Strategic Priorities and Policy Committee received communications from the following with respect to this matter:

- a communication dated November 6, 2024 from Councillor C. Rahman and Deputy Mayor S. Lewis;
- a communication dated November 15, 2024 from S. Levin, Chair, Ecological Community Advisory Committee;
- a communication dated November 18, 2024 from B. Samuels, Chair, Environmental Stewardship and Action Community Advisory Committee;

it being further noted that the Strategic Priorities and Policy Committee received a verbal delegation from B. Samuels, Chair, Environmental Stewardship and Action Community Advisory Committee with respect to this matter. (4.5/17/SPPC)



M. Schulthess
City Clerk
/hw

cc: S. Levin
B. Samuels
S. Corman, Deputy City Clerk
E. Skalski, Deputy City Clerk
E. Hunt, Manager, Legislative Services
H. Lysynski, Committee Clerk
J. Bunn, Committee Clerk
K. Mason, Committee Clerk
Documentation Services Representative

KEY RECOMMENDATIONS

BUFFER

The draft plan drawing dated March 2022 in the document does not clearly show a 30 m buffer. This should be clarified to ensure that a 30 m buffer is established consistent with the 2021 Environmental Management Guidelines.

OFF SITE COMPENSATION

Should not be permitted

SAR – Bank Swallows

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“On June 1, 2022 approximately 20 nest holes with actively nesting Bank Swallows were observed in the centre of the Subject Lands in the side of a small soil stockpile [Figure 7]. These nest holes were not observed in 2019, 2020, or April/May 2022 during site investigations, confirming this in the first year Bank Swallows are nesting in this soil pile.”

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“Bank Swallow nest holes and foraging individuals were identified within the Subject Lands in June 2022. Approximately 20 nest holes were located in a small soil pile in the spring of 2022 and were observed being used by multiple Bank Swallows. Breeding habitat for this species will need to be considered in this EIS.”

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“Active Bank Swallow [THR] nesting holes are present in the central extraction area within the Subject Lands. About 20 holes and multiple individuals were observed in June 2022. The nesting habitat must continue to be protected throughout the active season in accordance with Best Management Practices (OMNRF, 2017) using fencing to identify and cordon off the area as well as on-site worker awareness. A minimum of 50 m will be kept open in front of the nest holes to allow unobstructed entry. MECP was immediately contacted for guidance, and they have confirmed that the mound with nest habitat can be removed without authorization after the active nesting season (i.e. after September 15) since the nesting habitat was only created this year. Site management according to BMPs (OMNRF, 2017) to prevent nesting on site in subsequent years is also recommended. MECP confirmation is provided in Appendix A. Site visits will be conducted every few weeks to ensure protections are adequate and no new nests have been established.”

ECAC RECOMMENDATION: It is presumed that the proponent removed the mounds and continued to discourage nesting. This should be confirmed with a site visit with a City Ecologist.

SAR – Eastern Hog Nosed Snake

Although the EIS suggests encounters will be unlikely, the EIS includes a Reptile Mitigation Measures handout. It is unclear to ECAC how the delivery of the material and compliance will be followed? Who will be responsible for its distribution and compliance?

ECAC notes that Queensnakes have been definitely found along the Thames to the east of this site in the area included in the EA for the replacement of the Clarke Road bridge.

ECAC RECOMMENDATION: The development agreement include a section to make this element of monitoring clear.

MONITORING

Page 35

“Encroachment into the adjacent ESA should be monitored for one year post-construction (e.g., litter present in natural features, informal trail creation) and additional strategies should be implemented if required. If encroachment is an issue, documentation will be provided to by-law enforcement and potential additional educational strategies will be considered. “

ECAC RECOMMENDATION

The part of the ESA that will no longer be in private ownership should be transferred to the City after the one year post construction monitoring and included in the ESA management contract with the City. If the intention is to document any encroachment for by law enforcement, by law enforcement can only deal with encroachment from private lands to public lands. Therefore, the assumption is that the proponent plans to transfer the property to the City after one year.

MONITORING – compensation for loss of amphibian breeding habitat

p. 20

“Community 5 (SWT2-9/MAM2) was not identified on Map 5 of the London Plan, however it was identified during MTE field investigations in the north Subject Lands. This Unevaluated Wetland is already protected within the Kilally Woods ESA, so a full OWES evaluation was not completed. It should be noted a large portion of the edge of this community is dominated by invasive *Phragmites* [Figure 6], possibly due to water fluctuations and disturbance from the adjacent aggregate activities on site.”

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“Amphibian breeding monitoring for two years’ post-wetland enhancement/creation is recommended to determine the success of created wetland breeding habitat on the south adjacent property. “

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“Recommendation 5:

Invasive plant species that are identified within setbacks should be removed and best management practices for limiting the spread of floral invasive species should be followed during development. See Section 7.3 for details on invasive species management.”

p. 29 –

“Recommendation 11:

When the wetland enhancement/creation area is designed, a water balance will need to be completed to ensure the new wetland area can provide suitable ephemeral ponding for amphibian breeding and wetland plants long-term.”

ECAC RECOMMENDATION

The proposed compensation for amphibian breeding habitat in unspecified lands to the south owned by the proponent should not be accepted. It is unclear how the recommendation on page 35 for monitoring can be enforced on a development that has yet to be subject to either an EIS or a development agreement.

A better location part of this development proposal should be identified for compensation. A suggested location would be to the north of the proposed walkway - removing phragmites there and replacing it with a constructed wetland would have greater probability of long term success. ECAC is attaching its checklist for constructed wetlands to help the proponent and its contractors in this project.

Include checklist?

COMPENSATION

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“A combination of invasive species management in the 0.6 ha *Phragmites* patches of the core wetland feature (Community 5) and some additional off-site wetland creation and/or enhancement is proposed. The off-site compensation will occur on lands owned by the proponent south of the Subject Lands across Kilally Road. Compensation details will be developed with the City of London through the detailed design.”

ECAC RECOMMENDATION

If the City agrees to this proposed compensation, whatever is agreed to must be clearly laid out in the development agreement. It is also recommended that there be financial security taken to ensure work is done. The agreement should also set out a clear timeline for the wetland creation including the most likely area for the wetland to be created. This is because it is unclear to ECAC where to the south the proposed compensation will take place as it is not privy to the development plans of the proponent. ECAC points out that a similar arrangement for an off site compensation for the removal of a wetland adjacent to Southdale Road has yet to take place and, with further development in the area, required the removal and compensation for additional wetlands!

MATERIALS FOR NEW HOMEOWNERS AND SIGNAGE

ECAC RECOMMENDATION

ECAC strongly recommends including EIS recommendations 41 and 42 regarding homeowner materials and signage in the development agreement.