

Agenda Including Addeds

Environmental and Ecological Planning Advisory Committee

The 2nd Meeting on the Environmental and Ecological Planning Advisory Committee
February 20, 2020, 5:00 PM
Committee Rooms #1 and #2

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Next Meeting Date: March 19, 2020

Environmental and Ecological Planning Advisory Committee

Report

The 1st Meeting of the Environmental and Ecological Planning Advisory Committee
January 16, 2020
Committee Rooms #1 and #2

Attendance PRESENT: S. Levin (Chair), I. Arturo, A. Bilson Darko, R. Doyle, C. Dyck, S. Esan, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, B. Krichker, I. Mohamed, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau, M. Wallace and I. Whiteside and H. Lysynski (Clerk)

ALSO PRESENT: S. Chambers, C. Creighton, M. Davenport, M. Fabro, S. Hudson, J. MacKay, L. McDougall and M. Stone

ABSENT: E. Arellano, L. Banks, A. Boyer, A. Cleaver and J. Khan

The meeting was called to order at 5:00 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Chair and Vice-Chair for the term ending November 30, 2020

That the following actions be taken with respect to the election of Chair and Vice-Chair for the term ending November 30, 2020:

a) notwithstanding section 4.12 of the General Policy for Advisory Committees, S. Levin BE ELECTED as Chair; and,

b) notwithstanding section 4.12 of the General Policy for Advisory Committees, S. Hall BE ELECTED as Vice-Chair.

2. Scheduled Items

2.1 Accessibility for Ontarians Disabilities Act Training

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee received the attached presentation from M. Stone, Accessibility Specialist, with respect to the *Accessibility for Ontarians Disabilities Act* training.

2.2 Dingman Environmental Assessment

That a Working Group BE ESTABLISHED consisting of I. Arturo, S. Heuchan, B. Krichker, S. Levin and I. Whiteside, with respect to the Dingman Environmental Assessment; it being noted that the Environmental and Ecological Planning Advisory Committee heard the attached presentation from S. Chambers, Division Manager, Stormwater Engineering and D. Moulder, Aquafor Beech Ltd., with respect to this matter.

2.3 Adelaide Street North Environmental Assessment - Environmental Impact Study

That a Working Group BE ESTABLISHED consisting of L. Grieves, S. Hall and K. Moser, with respect to the Adelaide Street North Environmental Assessment Environmental Impact Study; it being noted that the Environmental and Ecological Planning Advisory Committee heard the attached presentation from M. Davenport, Engineer-in-Training, A. Evraire, M. Esraelian and A. Hussain, Parsons, with respect to this matter.

3. Consent

3.1 12th Report in the Environmental and Ecological Planning Advisory Committee

That, the following actions be taken with respect to the 12th Report of the Environmental and Ecological Planning Advisory Committee:

a) S. Levin BE REQUESTED to attend the next meeting of the Planning and Environment Committee to update the Municipal Council on the actions that have been taken with respect to environmental considerations relating to studies and reports; and,

b) it BE NOTED that the 12th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on November 21, 2019, was received.

3.2 Municipal Council Resolution - Bird-Friendly Development and Instituting a Limited Light Period for the City of London

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Municipal Council resolution adopted at its meeting held on November 26, 2019, with respect to bird-friendly development and instituting a limited light period for the City of London.

3.3 Municipal Council Resolution - 10th Report of the Advisory Committee on the Environment

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Municipal Council resolution adopted at its meeting held on November 26, 2019, with respect to the 10th Report of the Advisory Committee on the Environment, from its meeting held on November 6, 2019.

3.4 Municipal Council Resolution - 12th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Municipal Council resolution adopted at its meeting held on December 10, 2019 and a communication from S. Levin and S. Hall, with respect to the 12th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on November 21, 2019.

4. Sub-Committees and Working Groups

4.1 Kilally Stormwater South, East Basin Environmental Assessment

That the ~~attached~~, revised, Kilally South, East Basin Stormwater Environmental Assessment Working Group comments BE FORWARDED to the Civic Administration for consideration.

4.2 Environmental Management Guidelines Update

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion and reviewed and received the EEPAC Consultation Meeting Summary from its meeting held on January 6, 2020.

5. Items for Discussion

5.1 Draft Respectful Workplace Policy

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received the draft Respectful Workplace Policy.

5.2 Notice of Planning Application - 7098-7118 Kilbourne Road

That a Working Group BE ESTABLISHED consisting of B. Krichker, S. Levin and I. Whiteside, with respect to the Notice of Planning Application for the properties located at 7098 to 7118 Kilbourne Road; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received a Notice of Planning Application relating to the Draft Plan of Vacant Land Condominium, Official Plan and Zoning By-law Amendments for the above-noted properties.

5.3 2020 Go Wild Grow Wild Conference

That the expenditure of up to \$175.00 from the 2020 Environmental and Ecological Planning Advisory Committee (EEPAC) budget BE APPROVED to assist with the expenditure of a booth at the 2020 Go Wild Grow Wild event; it being noted that the cost of the booth is being shared between the EEPAC and the Animal Welfare Advisory Committee.

5.4 Draft City Budget - S. Levin

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee heard a verbal presentation from S. Levin with respect to the proposed draft city budget.

5.5 2020 Work Plan

That consideration of the Environmental and Ecological Planning Advisory Committee (EEPAC) 2020 Work Plan, BE DEFERRED to the February 2020 meeting of the EEPAC.

6. Adjournment

The meeting adjourned at 7:45 PM



London
CANADA

P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

January 29, 2020

Chairs and Members
Animal Welfare Advisory Committee

I hereby certify that the Municipal Council, at its meeting held on January 28, 2020 resolved:

That the following actions be taken with respect to the 1st and 2nd Reports of the Animal Welfare Advisory Committee (AWAC), from the meetings held on December 5, 2019 and January 9, 2020, respectively:

- a) the 1st Report of the AWAC BE RECEIVED; and,
- b) that the following actions be taken with respect to the 2nd Report of the AWAC:
 - i) that the following actions be taken with respect to the Spring 2020 Go Wild, Grow Wild (GWGW) event:
 - A) the Animal Welfare Advisory Committee BE PERMITTED to attend the 2020 GWGW event in order to promote public education/awareness of animal welfare related issues in London; and,
 - B) the expenditure of up to \$295.00 + tax from the 2020 AWAC budget BE APPROVED to pay for entry and booth space at the event; it being noted that the AWAC and the Environmental and Ecological Planning Advisory Committee may seek to share the above-noted booth and associated costs; and,
 - ii) clauses 1.1, 3.1, 3.2, 4.1, 5.1, 5.2, 5.4 and 5.5, BE RECEIVED. (2.3/2/CPSC)

C. Saunders
City Clerk
/ap

cc: Chair and Members, Environmental and Ecological Planning Advisory Committee

From: carol dyck
Sent: Thursday, January 23, 2020 10:26 AM
To: Lysynski, Heather <hlysynsk@London.ca>
Subject: [EXTERNAL] EEPAC resignation

Dear Heather,

Please accept my resignation from EEPAC effective from today, January 23, 2020 due to unforeseen circumstances.

Best wishes,

Carol Dyck

7098 & 7118 Kilbourne Road –

<http://www.london.ca/business/Planning-Development/land-use-applications/Pages/39CD-19518.aspx>

Review of EIS, Geotechnical and Hydrogeological Reports, and Stormwater Management Plan

Received at EEPAC at its January 16, 2020 meeting and reported to its February 20, 2020 meeting

Reviewed by B. Krichker, P.Eng., S. Levin, I. Whiteside

Recommendation 1: EEPAC recommends the City not accept the EIS.

RATIONALE

EEPAC points out that in the Environmental Management Guidelines, p. 122, a minimum 10 m buffer from valleylands in a topographically well-defined site is recommended. The submitted material confirms that the site meets this condition. However, none of the reports define where the valleyland ends. Nor do the reports identify any ecological buffer.

The EIS states on page 24, “The ESA should be delineated by the erosion hazard setback or the forest community (Vegetation Community 2 FOD 7), whichever is greater.” However, EEPAC notes the EIS does not use the boundary delineation process as required in the Official Plan 15.3.6.ii – as such, the EIS is incomplete.

*15.3.6(ii) The location, width, composition and use of ecological buffers necessary to protect natural heritage areas from the impacts of development on adjacent lands will be specified through application of the Council approved Guidelines for Determining Setbacks and Ecological buffers as part of a secondary plan and/or an environmental impact study.
(Clause ii) amended by OPA 438 Dec. 17/09)*

EEPAC also feels the EIS is incomplete as it leaves the monitoring plan to the detail design phase (page 29). It also lacks a fall flora inventory – the data collection date indicated in the report is not fall.

An additional reason for a consistent min 10 m setback from top of slope is because grading will need to be very sensitive to the top of slope and erosion hazard. It is unclear how some of the “backyards” of the proposed units can be graded during construction without encroaching into the proposed set back. Grading changes risk the loss of slope stability. It is also unclear to EEPAC, without a grading plan, where grading would take place. Given the number of trees in the “backyards” of units (particularly 5-9), it is unclear to us which dripline is proposed as the limit of grading. For example, to build Unit 4, there appears to be a complete removal of trees, **and these are trees connected to the ESA.**

Recommendation 2: There should be no permanent infrastructure, including pavement, beyond the setback from the top of the stable slope as grade changes risk the loss of slope stability.

RATIONALE

EEPAC notes a retainable butternut tree (protected as an endangered species) is within the proposed “backyard” of Unit 10. The trees at the “back” of the proposed unit 10 must be retained as this will clearly keep grading outside the 25 m radius of the butternut. Under the Endangered Species Act, to

protect the tree's current and future rooting area, no change should occur to the site (e.g. fill, compaction or excavation) within 25 metres of the tree. This information must be communicated to the proponent's contractors in writing to avoid contravention of the Act.

Recommendation 3: EEPAC supports the idea of the condominium corporation retaining the ESA lands as common area subject to the following conditions:

- The corporation allow the city bikeway to use the private road
- The proposed Natural Heritage Condominium Declaration (recommendation 8 on page 26 of the EIS) be a condition of approvals and part of the legal condominium documents. It must include the requirement that the corporation and owners work with a City Ecologist and EEPAC on a management and stewardship plan within 6 months of the first occupancy (instead of Recommendation 23 on page 28).
- This should be expressed in the rezoning recommendation from staff that the OS5 zone including a special provision deleting multi use pathways as a permitted use.

Another reason for this is that the post construction water balance calculation result is less than 80% of existing conditions. Additional non permeable surface would bring this down even further.

Recommendation 4: The City needs to ensure that prior to final approvals, the developer/ consultant will confirm that the water balance for the subject site under the post development condition will meet the pre development conditions;

RATIONALE

EEPAC is concerned with the comment on page 25 of the EIS under Water Balance and Seeps which states "It is not expected that basements will impact the groundwater flow on site (Englobe, 2019). The basements of the proposed development are approximately 2.44m below ground surface. The minimum depth of the groundwater measured on site is below this level and was measured at 2.69 m below ground level at its shallowest. Given the difference is 1 foot, EEPAC is not sure how the basements will be created without dewatering. Where the water will be directed during construction must be away from the ESA.

Recommendation 5: EEPAC recommends no basements

RATIONALE

While EEPAC agrees with recommendation 4 (page 26 of the EIS) regarding hydrogeological monitoring of the seepage areas post construction to check on groundwater flow, there is no consequence indicated if groundwater flow has been interrupted. If compensatory mitigation is required, post construction, EEPAC is unaware of how it would be provided by the proponent. Avoidance, thru abundance of caution is recommended. Hence EEPAC recommends no basements.

Recommendation 6: EEPAC supports the recommendation that the condo corporation limit its use of salt as the groundwater already exceeds salt minimums. However, we are unclear how such a recommendation can be enforced.

Recommendation 7:

Elevations in the final engineering drawings must show that stormwater beyond the 2 year storm will be discharged to either the pond to the north or the private road and not into the ESA. **(EEPAC also notes that the rainfall data used by the hydrogeology consultant stops at 2010.)**

Based on the information provided in this report, incorporating UDCSS SWM storage criteria and a very small development area, it appears the presented SWM design is adequate.

Recommendation 8: An ecologist must visit the site at least once a week to determine if the recommended grading, water taking and erosion and silt controls are functioning. Each visit must be on an unscheduled basis and reported to Development Service and the UTRCA. The contractor must inspect sediment and erosion control measures daily as per Recommendation 17 of the EIS. Further, the removal of this fencing noted in Recommendation 19, should not take place until Development Services has confirmed revegetation and site stabilization has taken place. However, the Recommendation does not provide clarity as to who determines when “adequate re-vegetation and site stabilization has occurred.” (page 28).

Recommendation 9: Prior to approvals there must be clarity as to what defines adequate re-vegetation and site stabilization.

Recommendation 10: EEPAC notes very large trees will be lost – compensatory mitigation as per the London Plan must be required. Cavity trees must be retained or bat boxes (approved by a City Ecologist) substituted (as indicated in Recommendation 13 of the EIS on page 27).

Recommendation 11: Recommendation 22 on page 28 should be reworded to say “All stormwater must be temporarily (we assume this means during construction) directed away from the natural heritage feature through a system of swales, ...”

Recommendation 12: Given the location adjacent to an ESA, EEPAC recommends the development conform to the Canadian Standards Association (CSA) A460:19, *Bird-friendly building design*.

Although not a requirement of the proponent, EEPAC urges City Council to direct staff to begin the Lower Dingman ESA Conservation Master Plan.

Misc

EEPAC repeats its concern that consultants are permitted to use different map scales even when showing similar material. For example, Figure 9 vs Figures 10 and 11.



You, Your Dog, & Nature in London



A guide to help you and
your dog enjoy and protect
nature in London

**Your dog must be on a
leash (max. 1.8m/6ft)
at all times.**

Parks and Recreation Area By-law PR-2
Dog Licensing and Control By-law PH-4

Natural areas, including **Environmentally Significant Areas (ESAs)**

**need to be protected by
minimizing human and pet
disturbance.**

For the safety of wildlife, visitors and your pet:

-  Keep your dog on a leash at all times.
-  Stay on marked trails.
-  Dispose of all pet waste in garbage bins or carry it out.
-  Be aware of dangers such as vehicles, other animals, ill-willed individuals, traps and snares, toxic products, algae blooms, poisons, sick animals, parasites, rabies, distemper and other diseases.

Wild Animals

A wide variety of mammals, birds, reptiles, and amphibians call our urban neighbourhoods and ESA's home. Almost all conflict situations between wildlife and dogs occur when dogs are off-leash.

Off leash dogs may injure, orphan or separate wildlife offspring from their family.

The mere presence of your dog can disrupt the feeding, foraging, mating, denning, and nesting of rare and endangered birds and animals.

Wildlife expend vital energy reserved for survival when chased by dogs.

Birds of prey may perceive small dogs as a potential food source.



Coyotes and other wildlife are highly protective of family members and perceive dogs as a threat, especially near nesting/den sites or established territory.

Coyotes may 'escort' or 'shadow' a dog walker out of an area when coyote pups or a den are nearby.

Plants

Off-leash dogs run, roll and dig in natural areas, damaging and destroying rare and endangered plant species. Many plants can cause seriously harm or kill your dog. Some include:

Poison Oak Poison Ivy
Poison Sumac Giant Hogweed



Safety Tips

Always obey by-laws or ordinances that apply to wild spaces you visit.

Be aware of the wildlife in areas where you walk your pets.



Keep a respectful distance from wildlife.

Never feed wildlife; this includes indirect feeding, such as leaving food waste in wild spaces. Feeding wildlife disrupts natural foraging behaviors and encourages unnatural proximity and tolerance to people.

If a coyote is nearby, small dogs can be lifted and carried for safety. Do not run; leave the area slowly, keeping your dog close to you.

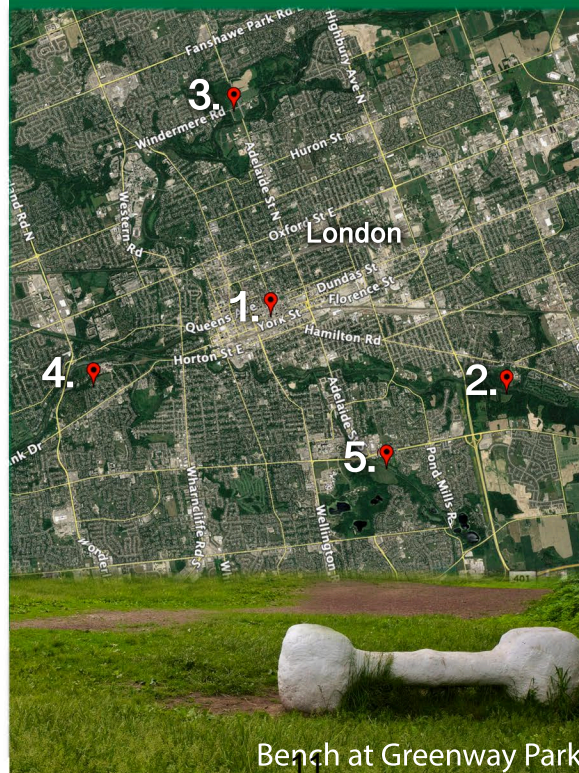
Ticks & Lyme Disease

There is a possibility that your dog may encounter infected ticks in almost all wooded or brushy areas in Ontario, including London.



There are 5 off-leash dog parks in London:

1. Campbell Memorial Park
2. Pottersburg Park
3. Stoney Creek Park
4. Greenway Park
5. Caesar Park



Need More Information?

City of London
519-661-2489
www.london.ca



City Planning
Feeding of Wildlife
Regulations
Public Nuisance By-law PH-18

Coyotes In The City of London
Middlesex London Health Unit
519-663-5317
www.healthunit.com/lyme-disease

Upper Thames River
Conservation Authority
519-451-2800 ext. 281
www.thamesriver.on.ca

London Animal Care Centre
(PH-4 By-law Enforcement)
519-685-1330
www.accpets.ca

London Dog Owners' Association
www.ldoa.ca
London Humane
Society
519-451-0630



Prepared by the
Environmental and Ecological
Planning Advisory (EEPAC) and the
Animal Welfare Advisory Committee
(AWAC) of the City of London, and
with support from the London Dog
Owners' Association. ©2019

Advisory Committee Work Plan – 2019

March 2019

| Activity | Background | Responsibility | Timeline | Strategic Plan Alignment |
|--|---|---|---|---|
| Environmental Management Guidelines | This document was last updated in 2007. It has been a standing item in staff and EEPACs work plans since the last term of Council and EEPAC. There is money available from a Foundation to pay for the work and an agreement with the City has already been signed. | EEPAC will review the terms of reference and work with the consultant in cooperation with staff | As directed by staff | Building a Sustainable City |
| Protecting Environmentally Significant Areas | Communicating why it is important that dogs are controlled in and around Environmentally Significant Areas (cats indoors, dogs on leash) with the assistance of Corporate Communications; EEPAC will work with AWAC on this | P. Ferguson and Committee as a whole | To present to PEC no later than after EEPAC's May meeting | Building a Sustainable City |
| Collaboration with other Advisory Committees | An EEPAC representative is cross appointed to ACE where appropriate, EEPAC members will provide advice to its representative on this body Ongoing work with the Accessibility Advisory Committee to improve the process for accessible trails in ESAs | Chair and vice chair and Committee as a whole | As this involves staff, a timeline will be developed | Building a Sustainable City Strengthening our Community Leading in Public Service |
| Review of Environmental Impact Studies and Environmental Assessments submissions as part of Planning application and the <i>Environmental Assessment Act</i> | EEPAC is circulated and asked to review consultant submissions and provide input to City staff. In cases of significant disagreement, EEPAC advises PEC | Working Groups as required | As required, usually provide turnout in one meeting cycle | Building a Sustainable City |

| | | | | |
|--|--|---------------------------------------|---|--|
| Conservation Master Plans for Environmentally Significant Areas | Review Phase 1 Natural Heritage Inventory, participate in Phase 2 | Working Groups and Committee | Depends on timing of information from staff. Currently have received the Phase 1 Inventory for Meadowlily Woods Environmentally Significant Areas | Building a Sustainable City |
| Trail Advisory Group | EEPAC has a representative on this staff directed group. It reviews trail locations and potential new trails for compatibility with the Significant Wildlife Habitat, if any, in the area. Recent examples including Westminster Ponds/Pond Mills ESA, Medway Valley Heritage Forest ESA, Lower Dingman ESA. | Representative or alternative | As determined by staff | Building a Sustainable City Strengthening our Community |
| Wetland Relocation, Monitoring and Creation and Relocation of Wildlife | A Working Group has been established to do research on matters pertaining to wetland relocation. This has occurred in one location in the NW and is likely to be considered for the SW. There are no existing guidelines for this and how it should be included in development agreements. | R. Trudeau, C. Dyck, S. Sivakumar, C. | By the last meeting of this term of EEPAC | Building a Sustainable City |

DRAFT