

Agenda Including Addeds

Environmental and Ecological Planning Advisory Committee

The 4th Meeting of the Environmental and Ecological Planning Advisory Committee

March 17, 2022, 5:00 PM

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

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Environmental and Ecological Planning Advisory Committee

Report

The 3rd Meeting of the Environmental and Ecological Planning Advisory Committee
February 17, 2022

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

Attendance PRESENT: S. Levin (Chair), I. Arturo, L. Banks, A. Bilson Darko, S. Esan, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, B. Krichker, K. Moser, B. Samuels, S. Sivakumar and I. Whiteside and H. Lysynski (Committee Clerk)

ABSENT: A. Boyer, J. Khan, I. Mohamed, R. Trudeau and M. Wallace

ALSO PRESENT: S. Butnari, K. Edwards, M. Fabro, J. MacKay, M. McKillop, P. Lupton and B. Page

The meeting was called to order at 5:02 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Adelaide Wastewater Treatment Plant Climate Change Resiliency Class Environmental Assessment

That the Adelaide Wastewater Treatment Plant Working Group comments BE FORWARDED to the Civic Administration for consideration; it being noted that the Environmental and Ecological Planning Advisory Committee heard a verbal presentation from M. McKillop, Environmental Services Engineer and P. De Carvalho, Restoration Specialist and S. Braun, Water Resource Engineer, Matrix Solutions Inc., with respect to the Adelaide Wastewater Treatment Plant Climate Change Resiliency Class Environmental Assessment.

2.2 Greenway Wastewater Treatment Plant Climate Change Resiliency Class Environmental Assessment

That the Greenway Wastewater Treatment Plant Working Group comments BE FORWARDED to the Civic Administration for consideration; it being noted that the Environmental and Ecological Planning Advisory Committee heard a verbal presentation from M. McKillop, Environmental Services Engineer and P. De Carvalho, Restoration Specialist and S. Braun, Water Resource Engineer, Matrix Solutions Inc., with respect to the Greenway Wastewater Treatment Plant Climate Change Resiliency Class Environmental Assessment.

2.3 Huron Watermain Environmental Impact Study

That a Working Group BE ESTABLISHED consisting of S. Levin (lead), L. Grieves, K. Moser and B. Samuels, with respect to the Huron Watermain Environmental Impact Study; it being noted that the Environmental and

Ecological Planning Advisory Committee (EEPAC) received the attached presentation from D. Eusebi, Stantec, with respect to this matter.

2.4 Draft Climate Emergency Action Plan

That a Working Group BE ESTABLISHED consisting of I. Arturo, S. Heuchan and B. Samuels, relating to the draft Climate Emergency Action Plan; it being noted that the Environmental and Ecological Planning Advisory Committee heard a presentation from M. Fabro, Manager, Climate Change Planning, with respect to this matter.

3. Consent

3.1 2nd Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 2nd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on January 20, 2022, was received.

3.2 Municipal Council Resolution - 1st Report of the Environmental and Ecological Planning Advisory Committee

That, it BE NOTED that the Municipal Council resolution, at its meeting held on January 25, 2022, with respect to the 1st Report of the Environmental and Ecological Planning Advisory Committee, was received.

4. Sub-Committees and Working Groups

4.1 Working Group comments - Oxford Street West and Gideon Drive Intersection Improvements Environmental Assessment

That the Working Group report relating to the Oxford Street West/ Gideon Drive Intersection Improvements Environmental Assessment BE REFERRED to the Civic Administration for consideration; it being noted that additional comments may be provided to the Civic Administration by the Working Group.

4.2 Working Group comments - Windermere Road Improvements Municipal Class Environmental Assessment - Environmental Impact Study

That the Working Group report relating to the Windermere Road Improvements Municipal Class Environmental Assessment - Environmental Impact Study BE REFERRED to the Civic Administration for consideration.

5. Items for Discussion

None.

6. Adjournment

The meeting adjourned at 7:10 PM.



London
CANADA

P.O. Box 5035
300 Dufferin Avenue
London, ON
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February 16, 2022

A. Riley
Senior Planner, Planning Implementation

I hereby certify that the Municipal Council, at its meeting held on February 15, 2022 resolved:

That, the following actions be taken with respect to the 2nd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on January 20, 2022:

- a) the Working Group report relating to the property located at 4519 Colonel Talbot Road BE REFERRED to the Civic Administration for consideration; and,
- b) clauses 1.1, 2.1 and 2.2, inclusive, 3.1, 4.2 and 5.1 to 5.5, inclusive, BE RECEIVED for information. (2.1/3/PEC)

M. Schulthess
City Clerk
/pm

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

**Proposed Residential Land Development
234 Exeter Road & 1160 Wharncliffe Road, South, London, ON**

Official Plan Amendment and Rezoning Planning Act Applications' review comments for the submitted Preliminary Stormwater Management (SWM) Strategy-September 17, 2021, Geotechnical Investigation & Preliminary Hydrogeological Assessment for 234 Exeter Road-December 10, 2020, Hydrogeological Assessment Report-August 4, 2021, and Scoped EIS-October 2021

Received by EEPAC in February 2022. Reviewers: Sandy Levin and Berta B. Krichker

Submitted to EEPAC meeting of March 17, 2022

Overview - EEPAC Review Comments for the proposed Official Plan Amendment and Rezoning Planning Act Applications to Minimize and Mitigate Potential Environmental/Ecological Adverse Impacts and Specifically related to Water Resources Management Protection of Existing Conditions that Associated with Proposed Residential Land Development at 234 Exeter & 1160 Wharncliffe Road, for 234 Exeter & 1160 Wharncliffe Road properties as follows:

1. Ensure that the proposed design of relocation/realignment of a portion of the existing Dingman Creek drain-(White Oak Drain)/tributary, which crosses through the site, will include all applicable existing external sub-catchment areas that needs to be drained under the existing conditions; will try to replicate the existing fluvial morphological conditions to preserve and maintain the existing water quality and volumes supply; will make a maximum effort to preserve and minimize potential adverse impacts of the proposed development on the existing environmental/ecological features, functions; and will maintain the existing baseline conditions, which were identified in the above noted studies for the subject lands. EIS shall include all required references for the proposed changes and justifications that will be implemented.
2. The proposed Rezoning Application for the subject properties should include the special provisions, which will request that the proposed detailed design of a portion of the drain/tributary relocation/realignment, including the detailed fluvial morphological design and confirmation of the proposed size of meandering belt, buffer sizes and technical/scientific justifications, as well as the detailed design of storm/drainage utilities and SWM services to deal with the water quality, quantity control and erosion protection control that will be in compliance with the Dingman Creek

Subwatershed requirements, MECP, UTRCA and City's standards and requirements for this system.

3. The buffer/setbacks need to be identified and be sufficient. The technical justifications need to be provided to support the proposed setback recommendations for this development and the proposed buffers/setbacks need to be identified between the proposed development and a new portion of the tributary/drain, Flood, Erosion Hazard lines (UTRCA requested an Erosion Hazard Assessment of the drain portion which crosses through the site) and be consistent with EIS proposed recommendations.
4. Monitor the water quality drainage/stormwater (surface) discharges from the subject site to the Dingman Creek tributary under the baseline-pre, post and during construction conditions.
5. Provide required erosion control mitigation measures for the proposed post-construction storm/drainage flow discharges, eliminate the existing erosion and slope stability deficiencies and to minimize and mitigate any potential adverse impacts on both eroded and vulnerable Dingman Creek tributary banks along the subject properties.
6. Provide more detailed evaluations/calculations on the pre and post-development water balance assessment and support detailed information on the proposed SWM water quality, quantity and additional considered infiltration LID system (s), as well as the potentially substantial dewatering during the construction activity, due to the identified shallow groundwater locations and correlation with the surface water, as well as directions of the groundwater gradient in relation to the existing drain location.

Item #1-Proposed Relocation/Realignment of a portion of the existing Dingman Creek Tributary-White Oak Drain

The proposed development plans includes an open block along easterly limits of the site for a realignment/relocation of a portion of the drain which crosses through the site. However, the presented preliminary Stormwater Management (SWM) Strategy and Hydrogeological Assessment Report has not identify any external subcatchment areas that are discharging to this tributary and if there are external subcatchment areas, they should be included in the evaluation of this portion of the drain relocation/realignment and be a part of the water resources system evaluations for this tributary.

The proposed drain corridor will be bordered with an additional open space block, the existing wooded area, marshland area. **EEPAC notes additional data collection is needed to support shallow groundwater interaction**

with the surface water, as well as the baseline conditions to maintain and protect the existing wooded, marshland areas and additional open area.

Therefore, the proposed land development planning needs to include all design components that will address and incorporate all required measures to protect the existing ecological, water resources and environmental conditions and health of the subject and surrounded lands.

Item # 2-Rezoning Application' Special provisions for the subject properties

EEPAC recommends that the proposed Rezoning Application for the subject properties should include the special provisions, which will request that the proposed detailed design of a portion of the drain/tributary relocation/realignment, including the fluvial morphological design and confirmation of the proposed size of meandering belt, buffer sizes and justifications, as well as the detailed design of storm/drainage utilities and SWM services to address the water quality, quantity control and erosion protection control, as well as possible substantial dewatering process and water discharges that will be in compliance with the Dingman Creek Subwatershed requirements, MECP, UTRCA and City's standards and requirements for this system. **EEPAC asks to review the requested design.**

Item # 3-Buffers Setbacks from Relocated drain, Wooded and Marshland Areas

Based on the presented information in the Hydrogeological report and supported information in Geotechnical report, it established a strong correlation and connections between the shallow groundwater and existing surface/drainage water. The report suggests that the surface water contributed from runoff together with a shallow groundwater contributions in a south portion of these lands provide a base flow, which support existing major water resources functions and the existing environmental/ecological features. Also, the Hydrogeological report identified that in deeper groundwater wells there exists a strong vertical gradient that suggests that the deeper groundwater may also under some weather periods contribute to the baseline conditions for these features and the base flow in this portion of the tributary/drain.

EEPAC recommends the proposed buffers/setbacks will be identified and be sufficient. The technical justifications need to be provided to support the setback recommendations for this development and the proposed buffers/setback need to be identified between the proposed development the new

portion of the tributary/drain Flood, Erosion Hazard lines and to address the UTRCA requested an Erosion Hazard Assessment of the drain portion which crosses through the site) and be consistent with EIS recommendations.

The recommended buffers/setback requirements shall be consistent with the City's London Plan Policies and requirements, completed and accepted by the City Council Subwatershed and Municipal Class EA studies for the subject area, MOECP and UTRCA Acts, Regulations and requirements. In accordance with the OWRA definitions, storm drainage and SWM systems, including the SWM Facilities, are considered to be a sewer system.

Item #4-Monitor the pre (baseline), post and during construction water quality conditions for drainage/stormwater (surface) discharges

The Water Quality Monitoring Program (WQMP) for drainage/stormwater (surface) discharges during the construction activities will be implemented for the subject site. However, once again neither the water quality parameters and methodology/monitoring protocol, nor duration for this WQMP were identified.

EEPAC recommends that prior to development approval, WQMPs be undertaken for the subject site for existing and proposed drainage/stormwater (surface) discharges from the subject site into the Dingman Creek system under the (baseline)-pre, post and during construction conditions that will include, but will not be limited to, the water quality parameters and methodology/monitoring protocol and WQMPs durations for all identified conditions. These WQMPs will be required to comply with MECP's Provincial Water Quality Objectives (PWQO) under OWRA, the City's Environmental Management Guidelines (EMG), By-Laws, policies to ensure that existing ecological/environmental conditions, including, but not limited to base flow, banks slope stability and erosion, water quality, as well as fishery, aquatic habitat will not be adversely impacted by the proposed site plan development.

Item #5-Implement maintenance and mitigation measures and design requirements to improve the existing Dingman Creek tributary banks erosion and slope stability deficiencies and provide requirements for the storm flows discharges (s)

The preliminary SWM strategy identifies the preliminary design requirements of water quality and water quantity, but does not identify the required erosion storage requirements that are needed to mitigate potential erosive adverse impacts of the increased post-construction flows and velocities and

to address, mitigate and improve existing erosion and slope stability deficiencies of the Dingman Creek tributary.

The UTRCA requested an Erosion Hazard Assessment of the drain portion which crosses through the site.

EEPAC recommends that the applicable maintenance, mitigation measures and design requirements will be incorporated in this site plan with approval requirements to include:

a) address, mitigate and eliminate the existing erosion and slope stability deficiencies on both banks of the Dingman Creek tributary at the subject site;

b) effective erosion control mitigation measures for the proposed post-construction storm/drainage flow discharges, eliminate the existing erosion and slope stability deficiencies and to minimize and mitigate any potential adverse impacts on both eroded and vulnerable Dingman Creek tributary banks along the subject properties.

Item #6-Provide more detailed evaluations/calculations on the pre and post-development water balance assessment and support detailed information on the proposed SWM water quality, quantity system.

The provided Water Balance included in the Hydrogeological Report EEPAC reviewed provides a preliminary calculations for the subject site and due to the identified shallow groundwater conditions and limited infiltration capacities, the final SWM report will need to incorporate a more detail information in the recommended selection of SWM measures and facilities.

EEPAC recommends that detailed design of the storm/drainage include more detailed evaluations/calculations on the pre and post-development water balance assessment to meet 80% of the pre-development water balance conditions. The required water balance calculations be developed in a final SWM report and be submitted for further review by EEPAC.

EEPAC notes on page 32 of the EIS that onsite controls are proposed for the medium density blocks.

EEPAC recommends minimizing onsite controls as we are unaware of private lands being able to manage on site SWM in particular, the use of salt for winter maintenance.

Item #6 – Natural Heritage Issues

- Lands to the East of this site:

The proposed road thru the Significant Woodland to the east of the subject site as shown on Map 4 of the EIS is unacceptable and should not be permitted as it is contrary to the Official Plan sections 1395-1398. As noted on pages 2, 16 and 17 of the EIS:

"The lands to the immediate east are also identified as 'Unevaluated Veg Patch', with a 'Potential Upland Corridor' and 'Unevaluated Corridor' in the Southwest Area Plan (2019a). The London Plan (2019b) identifies that area as 'Woodlands' with 'Valleylands', 'Unevaluated Wetlands', and a 'Potential Naturalization Area'."

It is also noted on page 2 of the EIS that:

"The natural feature to the east is identified as an unevaluated vegetation patch and is being considered for designation as an Environmentally Significant Area as indicated during the scoping meeting with agency staff (MacKay pers. comm. 2018)."

And it is further noted on page 21 of the EIS:

*"NRSI biologists documented approximately 9 Western Chorus Frogs (*Pseudacris triseriata*) calling from wetlands within the property to the east on April 26, 2018. This species is considered threatened federally (COSEWIC 2020), but is not considered at risk provincially (MNRF 2020a). As noted in Section 1.2, species which are considered threatened federally but are not listed provincially are considered a Species of Conservation Concern which is protected as SWH under the Provincial Policy Statement (OMMAH 2020)."*

As noted on page 30 of the EIS, issues of buffering of this part of the Natural Heritage System are in flux as the property to the east is going through the development process. Based on the information provided, this issue must be decided first, as it will have an impact on the design of the development on this site and the adjacent site.

EEPAC recommends that approvals be subject to the determination of the extent of the Natural Heritage System and its buffers as well as the completion of the complete corridor.

- **Species at Risk and Significant Wildlife Habitat:**

The EIS, page 3, notes that two tree inventories have been conducted in 2018 and 2020 (well after these lands were unfortunately subject to a clear cut) and will be considered at detail design.

This part of the EIS notes that a formal grading plan has not yet been developed, therefore a retention analysis, tree protection measures and recommended compensation are not included.

EEPAC recommends that a retention analysis, tree protection measures, and required compensation be conditions of development approval and/or prior to the construction of the complete corridor.

Page 8 of the EIS notes:

"Regulated SAR were identified as having the potential to occur within the study area based on the habitats present. Field surveys determined that two cavity trees are present in the hedgerow which may constitute habitat for roosting SAR bats. The removal of these trees would require that bat acoustic surveys be conducted in June of any given year, prior to removal."

EEPAC recommends that bat acoustic surveys prior to cavity tree removal be required as part of the conditions of development and/or the construction of the complete corridor. As this portion of the applicant's lands appear to be slated for development later but are perhaps part of the complete corridor, it is important that this condition not be lost.

The EIS (p. 8 and 21) also notes SAR grassland birds (Eastern Meadowlark and Bobolink) were documented off property. The EIS notes on page 21, that habitat was graded and removed off site in 2018.

EEPAC would appreciate knowing from staff how does such habitat get removed without a permit and without consequences? The following is from the Ontario government's ESA site <https://www.ontario.ca/page/species-risk> under the government response to the recovery strategy for these species:

"The Bobolink and Eastern Meadowlark are both listed as threatened species under the ESA, which protects both the animals and their habitat. The ESA prohibits harm or harassment of the species and damage or destruction of their habitat without authorization. Such authorization would require that conditions established by the Ministry be met."

EEPAC reiterates its previous many comments on the overall loss of SAR grassland habitat in the southwest part of the City due to development and deliberate changes to cropping of lands. This piecemeal loss of habitat is "death by a thousand cuts."

EEPAC again recommends that the City develop a strategy for identifying and retaining SAR grassland habitat through land acquisition and assembly without more delay.

Page 17 of the EIS notes the presence of terrestrial crayfish in the southern MAM eco site.

As this is therefore Significant Wildlife Habitat, **EEPAC recommends** that this ecosite should either be protected in the creation of the complete corridor and/or development, or a plan for relocation and monitoring must be required as part of the complete corridor creation and/or future development.

- **Invasive Species Removal and Management**

EEPAC recommends that the Environmental Management Plan for this development and for the creation of the complete corridor include an invasive species removal and management plan. The responsibility for these be determined prior to the creation of the corridor.

- **Complete Corridor**

EEPAC notes that the Significant Woodland identified in the NW corner of the site as well as the wetlands are to be removed in the construction of the complete corridor (EIS page 32). It is unclear at this time what the required compensation will be required, where it will occur and when. It is assumed that the project will be undertaken by the city as part of an EA. EEPAC looks forward to reviewing the work.

EEPAC notes on page 34 that two significant species (Carolina Rose and Rock Elm) are to be relocated during the construction of the complete corridor. It is important for trees such as the Rock Elm that proper tree care before and after transplantation makes the most difference. When transplanting a tree, its survival rate increases or decreases in proportion with how well it's taken care of. When a tree is moved, it naturally goes into shock and needs intensive care to ensure it emerges from this transplant shock unscathed. Sufficient advance watering, which could be a few days or as long as a month or more before the move, proper root pruning in advance (sometimes up to one year in advance, depending on tree size and job

parameters), and proper rootball sizing will help to ensure a smooth adaptation to the tree's new environment. Paying attention to soil types in both the original location and the new location, and making any changes necessary to replicate the tree's familiar environment, can aid survival as well. Irrigation after the move is essential once the tree is planted in its final location, and the addition of a drainage system and site tubes to monitor the subsurface water is also recommended. Lastly, moving the tree at the right time of year for the species and location—usually early spring or fall—is also important, particularly in an urban environment. In cities, trees are usually susceptible to more heat and traffic, so extra measures focused on proper care can ensure trees best adapt to their new homes.

EEPAC recommends that the SWM unit be informed of this concern and it be noted by the consultants retained to do the detailed design of the complete corridor.

EEPAC concurs with the recommendation on page 36 of the EIS that educational signage be posted within the complete corridor to educate residents on the corridor and natural heritage. This signage must be installed when construction of the corridor is complete. As suggested by the EIS, sign topics may include: complete corridor design and purpose, along with wetlands and best management practices for residents.

EEPAC recommends the city review the signage placed in the Medway Valley Heritage Forest ESA from Sunningdale Road south for ideas for content and photos.

- **Environmental Management and Monitoring Plan (EIS page 37 and Section 8 of the Hydrogeological Assessment (LDS 2021).)**

It is unclear at this time who will be responsible for the EMP and the Monitoring Plan. It is assumed that the City will construct the complete corridor. However, the natural heritage features in a subdivision do not usually come into city ownership until late in the build out of the subdivision.

EEPAC recommends that the responsibilities for the development of the EMP, Compensation Plan (page 40 of the EIS), and the development and follow through of the Monitoring Plan be clearly laid out well in advance of construction of the corridor (perhaps as part of the EA process) and well in advance of development of the subdivision.

EEPAC notes that page 40 of the EIS recommends only two years of monitoring for native species plantings in the complete corridor and buffer areas (where applicable) at the end of two years following the planting to

determine success. It is silent on the monitoring of the relocation of crayfish from the SE MAM ecosite.

EEPAC recommends based on the experience of 905 Sarnia Road, a three year monitoring program should be the minimum period for wetland re-creations.

EEPAC recommends that the standard three year monitoring period for plantings and the clock start after construction of the corridor is considered complete by the City and UTRCA.

For plantings on lands outside city owned lands, **EEPAC recommends** that the three year monitoring period start when the subdivision is 70% complete as defined by the number of units built and occupied.

Huron Watermain EIS - EEPAC Comments

EIS received at EEPAC's February 2022 meeting

Sandy Levin, Katrina Moser, Brendon Samuels

March 2022

1. Unless plans can account for potential effects of stormwater surge, EEPAC believes it is important that this work should only be completed during a period when no heavy storms are forecasted.
2. Timing of construction work, especially tree removal and noise, should consider the impact on any breeding bird activity.
3. Post-construction monitoring will apparently include mussels - is there anything else included in post-construction monitoring such as turtle basking and/or nesting which may be recommended by the UTRCA species at risk biologist?
4. EEPAC recommends that water quality and temperature are carefully monitored prior to construction to ensure that the work is done at the best time to protect the mussels. See comment 11.
5. How will you know that the project has been successful at improving habitat? There are no measurable indicators included in the EIS either for terrestrial or aquatic habitats.
6. What about mitigating the spread of invasive plants in Baldwin flats in the cleared area? e.g. revegetation. It is noted on page 40 that the planting plan will be done at detail design. EEPAC recommends that the restoration be consistent with floodplain vegetation or dry mixed meadow as appropriate, and that invasive species be removed in and around the site. Monitoring for three years to ensure the herbaceous and tree plantings are successful and that invasive species are controlled. Reports must also be copied to a City ecologist.
7. When are trees being removed? EEPAC recommends this be done soon, before the Regional Nesting Period begins around April 3. This will minimize the need for a nesting bird sweep (EIS p. 44)
8. Put up signage before starting tree removal with an explanation of what work is going to take place and why it is important not to traverse the site. This signage should be in addition to any "TVP closed" signage.
9. Has there been consultation with Western? EEPAC recommend the City consult with Mike Lunau of Facilities Management regarding the monitoring and invasive species management plan post construction.
10. Dewatering - it is unclear as to how negative impacts on the riparian vegetation and bank will be avoided during dewatering. What will the impact be of dewatering on vegetation or erosion of sediment beside the riverbank? EIS P. 47 says restoration to pre-construction or new naturalized shoreline. It is unclear who decides which and when. EEPAC recommends that the species at risk biologist at the UTRCA and a terrestrial ecologist be consulted at detail design (p. 40) when the planting plan is prepared.
11. Mussel relocation: What specifically was assessed to determine the suitability of the relocation site? EEPAC points out that relocation is to be done after water temperatures reach at least 16 degrees (p. 51 EIS) which may not occur before the project starts. EEPAC recommends that once relocated, the mussels remain in the new location due to changes to the channel as a result

- of the project. The EIS indicates the habitat improvements will likely benefit fish species (p. 40 and 45). It is unclear whether the restored habitat will also be beneficial for mussels.
12. Monitoring reptile and amphibian exclusion fencing - who does that?
 13. How are you going to inform the workers about SAR? How will workers know whether wildlife are SAR or not? EEPAC recommends having an ecologist on site daily.
 14. P. 51 EIS - "Training and continual awareness" – what does this mean in practice? Will there be posters in a construction trailer? Will a biologist be on site at all times? It appears not as page 50 indicates any sightings of SAR species should be reported to the Ministry and UTRCA. EEPAC recommends the City retain a trained biologist not employed by the contractor to be on site at all times to undertake the following tasks mentioned in the EIS:
 - Regular monitoring of ESC measures (p. 45)
 - Ensure all exposed soils are stabilized or covered when rain is expected (p. 47)
 - Monitor turbidity (p. 48) and discharges from the dewatering pit (p. 40)
 - Monitor reptile and amphibian exclusion measures (p. 49)
 - Record daily monitoring (p. 50)
 - Training and "continual awareness" of SAR species (p. 50/1)
 - Monitor for turtle nests (p. 50)
 - Reporting any SAR species sightings (p. 50)
 - Ensuring all geotext and other construction materials are removed after project completion (p.40) as such removal does not always take place
 15. EEPAC would appreciate the opportunity to review a clear timeline for the project. It seems to us that there needs to be tight coordination between the communications, site preparation and construction pieces in order to facilitate the project being completed quickly, efficiently, with minimal negative impacts and minimal interruptions to pedestrian and cyclist use of the area.
 16. Impact on potential bat maternity trees. It is unclear if the trees identified as potential bat maternity roosting trees will be removed. The table on page 49 does not provide any information nor does the EIS anywhere else. If they are to be removed, it is likely going to have to be before April 3. Such trees can not be replaced by new trees. If these two trees are to be removed, it must be noted and a nesting bat survey done before removal.
 17. It is unclear to EEPAC why the tree replacement ratio is expected to be only 2:1 (p. 55). As a City project, the City should go beyond the minimum and plant more trees.
 18. There is no detail on the ESC plan (p. 45-6). Most of this section of the EIS is standard material. Who makes the decision, and when, for enhanced ESC measures? Measures to be used must be subject to approval of the City AND the UTRCA, including the SAR biologist.
 19. SAR exclusion measures (p. 49) must also be approved by the SAR biologist.
 20. Dust control MUST be done with water (p. 47). It should not be optional. Likewise, all exposed soils must either be stabilized or covered when rain is expected (p. 47).
 21. P. 50 states: "If a nesting Spiny Softshell is observed or if a turtle nest is identified in the Project Area either during construction or operation of the Project, a 5 m buffer should be applied to the nest site, or 30 m to a nesting female, and maintained until the MECF provides additional direction. Turtle nests should not be touched as it can damage eggs."

It is unclear if this is sufficient distance. Has this been reviewed by the SAR biologist at UTRCA? It also reinforces our recommendation that a skilled biologist be on site at all times because it is

unclear how the workers will be able to identify a nesting turtle or nest unless the “continual awareness” is by someone always on site.

EDITORIAL COMMENTS

22. The EIS mentions a known coyote den to be monitored. It is unclear if this was done. And if this monitoring had occurred, what will be done to mitigate impacts to the coyotes? How will the coyote den be protected?
23. P. 38 incorrectly notes Queensnake as a Threatened species. It is correctly identified in all other parts of the EIS as Endangered.
24. It is unclear to EEPAC how this work would fall under Section 8 of the ESA protecting human life.
(p. 54)

Hi Heather,

I'm writing to request an addition to the next EEPAC meeting agenda.

Sandy and I recently met with UTRCA and discussed the issue of pet goldfish being dumped in natural areas. Goldfish now represent a major invasive species problem in London, yet it seems literacy about the issue remains poor. UTRCA agreed that it would be beneficial to develop more public education materials about dumping goldfish, beyond the existing signs posted in several ESAs.

I would like to form an EEPAC working group that will create a pamphlet and/or poster that could be circulated to pet stores in London that sell goldfish, intended to provide information to customers who purchase fish at point-of-sale (e.g., about invasive species/dumping, about the fact that some pet fish such as goldfish grow to be very large and potentially live for a long time, and about what to do with fish they don't want instead of dumping).

Please let me know if you have any questions about this.

Thanks,

Brendon



NOTICE OF PLANNING APPLICATION

REVISED Draft Plan of Vacant Land Condominium, Official Plan and Zoning By-law Amendments

7098-7118 Kilbourne Road



File: 39CD-19518/OZ-9161

Applicant: Bluestone Properties Inc.

What is Proposed?

Draft Plan of Vacant Land Condominium, Official Plan and Zoning amendments to allow:

- Development of **ten (10)** single detached dwelling units
- Portion of the property to remain Open Space/floodplain



LEARN MORE & PROVIDE INPUT

Please provide any comments by **April 1, 2022**

Sean Meksula

smeksula@london.ca

519-661-CITY (2489) ext. 5349

Development Services, City of London, 300 Dufferin Avenue, 6th Floor,

London ON PO BOX 5035 N6A 4L9

File: 39CD-19518/OZ-9161

london.ca/planapps

You may also discuss any concerns you have with your Ward Councillor:

Anna Hopkins

ahopkins@london.ca

519-661-CITY (2489) ext. 4009

If you are a landlord, please post a copy of this notice where your tenants can see it. We want to make sure they have a chance to take part.

Application Details

Requested Draft Plan of Vacant Land Condominium

Consideration of a Draft Plan of Vacant Land Condominium consisting of ten (10) residential single detached units and a common element for a private access driveway and services to be registered as one condominium corporation.

Requested Amendment to the Current Official Plan

To add a Specific Area Policy to Chapter 10 to permit a minimum density of (6.4) units per hectare on the site; and to amend Section 20.5.7 (Lambeth Neighbourhood) of the Official Plan (Southwest Area Secondary Plan), to add a special policy to permit a minimum density of eight (6.4) units per hectare on the site (whereas a minimum density of 15 units per hectare is required).

Requested Amendment to The London Plan (New Official Plan)

To amend the Southwest Area Secondary Plan, Section 20.5.7 (Lambeth Neighbourhood) to add a special policy to permit a minimum density of (6.4) units per hectare on the site (whereas a minimum density of 15 units per hectare is required).

Requested Zoning By-law Amendment

To change the zoning from a Residential R1 (R1-8) Zone, an Environmental Review (ER) Zone, a Holding Open Space (h-2*OS4) Zone and an Open Space (OS5) Zone to a Residential R6 Special Provision (R6-1()) Zone and an Open Space (OS5) Zone. Changes to the currently permitted land uses and development regulations are summarized below. The complete Zoning By-law is available at london.ca/planapps.

Requested Zoning

Zone(s): Residential R6 (R6-1) Zone to permit cluster housing in the form of single detached dwellings, with a maximum lot coverage of 30%, a maximum height of 10.5 metres, a minimum lot frontage of 22m, and a 1.2m rear yard depth for Units 7 and 8; and an Open Space (OS5) Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails, multi-use pathways, and managed woodlots;

The City may also consider the use of holding provisions for design and servicing, and/or additional special provisions in zoning related to urban design, setbacks and coverage.

An Environmental Impact Study has been prepared to assist in the evaluation of this application. A revised Environmental Impact Study (EIS) report, prepared by MTE, dated November 19, 2021, was submitted with the application. The Hydrogeological Report has been revised to relate to the EIS. The EIS report is available for public review during regular business hours at the City of London, Development Services, 6th Floor, City Hall.

This property is also the subject of an application for Site Plan (SPA19-107).

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. These lands are currently designated as "Low Density Residential" which allows single detached, semi-detached, duplex dwellings and cluster housing at a maximum density of 30 units per hectare as the main permitted uses, and "Open Space" which permits public open space uses including district, city-wide, and regional parks, and private open space uses such as cemeteries and private golf courses. The lands are within the Southwest Area Secondary Plan, within the Lambeth Residential Neighbourhood, which includes special policies and direction for development, including urban design considerations, pedestrian connections, minimum densities, and incorporating varied housing types.

The subject lands are in the "Neighbourhoods" Place Type in The London Plan, permitting a range of housing including single detached, townhouses and low rise apartments, and "Green Space", permitting a range of open space, parks and conservation uses.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied for a Draft Plan of Vacant Land Condominium and to change the Official Plan designation and zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the *Planning Act*. The ways you can participate in the City's planning

review and decision making process are summarized below. For more detailed information about the public process, go to the [Participating in the Planning Process](#) page at [london.ca](#).

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice;
- Viewing the application-specific page at [london.ca/planapps](#); or
- Please note that this application is being circulated during the State of Emergency issued by the Province of Ontario. Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Development Services staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

This request represents residential intensification as defined in the policies of the Official Plan. Under these policies, Development Services staff and the Planning and Environment Committee will also consider detailed site plan matters such as fencing, landscaping, lighting, driveway locations, building scale and design, and the location of the proposed building on the site. We would like to hear your comments on these matters.

Attend a Future Public Participation Meeting

The Planning and Environment Committee will consider the requested Draft Plan of Vacant Land Condominium and zoning changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the Planning Act. You will also be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](#) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting. The Council Decision will inform the decision of the Director, Planning & Development, who is the Approval Authority for Draft Plans of Vacant Land Condominium.

What Are Your Legal Rights?

Notification of Council and Approval Authority's Decision

If you wish to be notified of the Approval Authority's decision in respect of the proposed draft plan of vacant land condominium, you must make a written request to the Director, Planning & Development, City of London, 300 Dufferin Ave., P.O. Box 5035, London ON N6A 4L9, or at developmentsservices@london.ca. You will also be notified if you provide written comments, or make a written request to the City of London for conditions of draft approval to be included in the Decision.

If you wish to be notified of the decision of the City of London on the proposed zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

Right to Appeal to the Local Planning Appeal Tribunal

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of vacant land condominium before the approval authority gives or refuses to give approval to the draft plan of vacant land condominium, the person or public body is not entitled to appeal the decision of the Director, Planning & Development to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of vacant land condominium before the approval authority gives or refuses to give approval to the draft plan of vacant land condominium, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

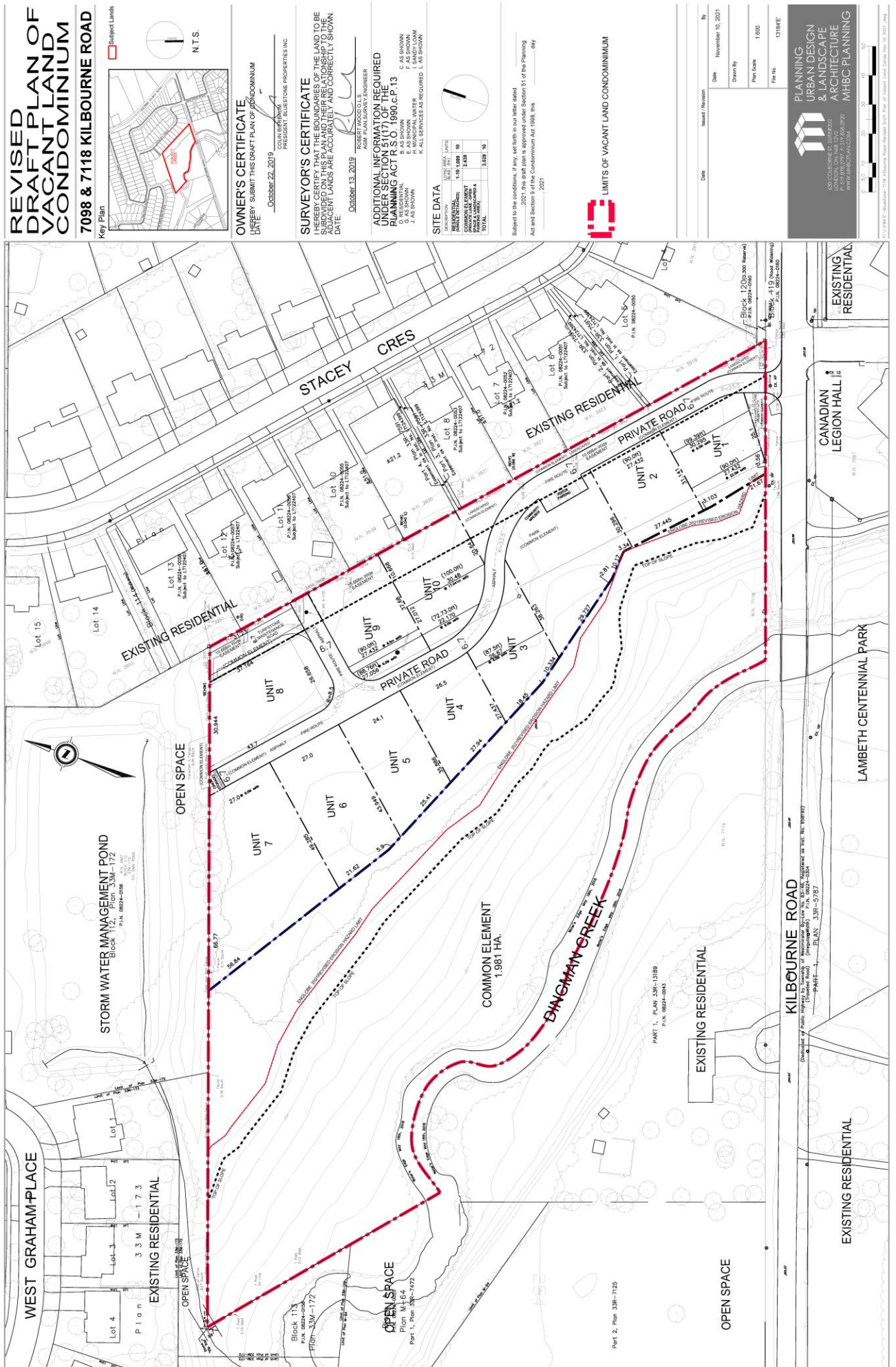
Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

Accessibility

Alternative accessible formats or communication supports are available upon request. Please contact developmentsservices@london.ca for more information.

Requested Draft Plan of Vacant Land Condominium



The above image represents the applicant's proposal as submitted and may change.

Table 3-16: Summary of Existing Condition Flows along Dingman Creek and Tributaries Located within Future Development Focus Area

Flow Location (Model Junction ID)	100-Year Flow (m ³ /s)	250-Year Flow (m ³ /s)
WO1.	4.2	5.1
WO2.	4.6	5.6
WO3	14.3	16.7
WO4.	4.5	5.0
WO5	32.7	38.3
WO6.	35.7	41.8
J.M9	35.8	41.2
M9	93.2	113.6
PCA2	21.0	25.2
PCA3	21.3	25.1
PCA4	2.4	2.8
PCA5	21.7	26.4
J.M10	22.9	28.1
M10	87.9	100.0
NL1	19.2	23.2
NL2.	2.7	3.2
NL3	23.8	30.9
NL4.	25.3	30.9
J.M11	26.0	32.1
M11	98.7	115.1
NL2-1	3.1	3.7
J.M15	3.7	4.5
M15	104.4	120.3
T1	1.8	2.0
T2	3.3	3.8
T3	5.1	6.0
T4	5.3	6.4
J.M16	8.0	9.2
M16	105.7	123.8

3.2.4 Water Quality

Water quality, including the pollutant levels found in surface runoff, can impact both human and ecological well-being. The modification of natural environments to agricultural and urban land uses can impact the landscape, vegetation, and ecological functions within a subwatershed, which in turn can contribute to increases in the levels of pollutants in the

7098 & 7118 Kilbourne Road, London, ON – EIS by MTE

Received by EEPAC after notice of revised application posted March 2, 2022

reviewed by EEPAC member S. Levin and submitted to EEPAC meeting of March 17, 2022

BACKGROUND

Appreciate response to concerns raised by EEPAC in its review of the original EIS and other documents. The reduced footprint is a better outcome.

The Dingman EA was not referenced. This site is included and noted in the document (see Appendix I).

Figure 12 Naturalization and Mitigation d not have what is represented in the Key Plan. Figure 13 is illegible. Requested better copies.

EEPAC's review of the numbered RECOMMENDATIONS of the EIS (starting on page 23 of the document). EEPAC's recommendations below will be capital letters and in **bold**

Recommendation 2: A hydrogeologist should provide monitoring of the seepage areas on the valleyland slope post-construction to ensure there is no negative disruption to groundwater flow.

EEPAC agrees but unstated is what happens if there is a negative disruption? Possible mitigation or remediation should be established in the development agreement rather than later after it happening. EEPAC notes that despite its response to the original EIS, basements are still being considered for the development. Won't this mean dewatering?

EEPAC is not sure how the basements will be created without dewatering.

- A. EEPAC recommends no basements.**
- B. If basements are to be constructed**
 - dewatering must direct water away from the ESA.**
 - A requirement for immediate mitigation and any remediation be included in conditions of development is the hydrogeological monitoring concludes there has been a disruption of the groundwater flow.**

Recommendation 3: Annual inspection of the water quality measures including inlet filter bags, floatable traps, sumps, filter socks and the Etobicoke infiltration system is needed to ensure long term maintenance. This requirement will need to become part of the Condominium agreement.

AGREED – however, even if part of the Condo agreement, what is the prospect of ensuring this work is done and reported?

- C. EEPAC recommends that the Condominium agreement indicate that the inspection is done by the city or a contractor retained by the City and that the Condo be billed for the work. This**

will ensure it is done to the satisfaction of the city and there are no negative impacts to water quality.

Recommendation 4 on page 24 relates to page 23 of the EIS and indicates a naturalization plan will be developed at detail design.

“To further improve the community, naturalization of the area that is currently mowed lawn into forest floor and shrub habitat will be completed to provide new successional habitat and improve the overall quality of the ESA [Figure 12].”

D. EEPAC recommends:

- **The naturalization plans referred to in Recs 4 and 5 be to the satisfaction of a city Ecologist.**

E. EEPAC also recommends that any agreements related to the naturalization plan include:

- i. **Clear requirements of who is responsible for the implementation**
- ii. **Clear information on who is responsible for monitoring**
- iii. **A clear timeline for the length of monitoring including a clear start date and length of time for monitoring**
- iv. **Specific requirements for sign off by the city as to the success of the plan.**
- v. **Specific requirements for any “do overs” if the original plan is not successful at any point during the length of monitoring.**

The last paragraph of page 23 also includes reference to protecting trees on lots within the 10 m dripline through a Condominium Declaration specific to natural heritage protection. EEPAC notes that a Condominium Declaration is like the constitution of a condo. It is a thick document that is based on the Act and that each owner receives upon buying a unit in a condo. For resale condos, it comes with the status certificate. Given this:

- F. EEPAC recommends that trees on those lots covered by the proposed Condominium Declaration are marked in some way. One way to do so is with the “wildlife tree” sign the city has used in some of its ESAs.**

The signage for the ESA section of the property is also necessary due to the concern that the Declaration included in EIS recommendation #7 may not be the first place someone looks for what to do in and around their home.

Recommendation 6 re monument and signage

The sign is appreciated.

- G. EEPAC recommends that the proposed sign say something about why one should not enter into it. The reason shown on the draft sign included in the EIS is not specific enough.**
- H. EEPAC Also recommends that an explanatory signage about the Lower Dingman ESA be placed in a similar location. It should also have a reference (URL or QR code to the following UTRCA information: <https://thamesriver.on.ca/parks-recreation-natural-areas/londons-esas/>**

Recommendation 8 re information package

Agreed.

- I. EEPAC recommends the information package be developed with input from the City, EEPAC and UTRCA. A base document is the city's Living with Natural Areas brochure (Appendix 2)**

Recommendations 9 and 10 re Tree Preservation

Although EEPAC did not receive the plan, we agree that the recommendations be included in the conditions of development.

In Recommendation 12 we note that any proposed removal of bat maternity cavity trees must be reported to the Ministry before proceeding. Any bat boxes installed should be to the satisfaction of a city Ecologist given the mixed results of success with some types of bat boxes.

Recommendation 13 – agreed

Recommendation 14 re inspection of stormwater discharge during construction

This is often an issue with construction impacts. It is unclear who are the conscientious contractors.

- J. EEPAC recommends that Development Services retain an inspector (and bill the proponent) during construction as run off down the steep slopes could be detrimental to the ESA. EEPAC points out if construction takes place where snow is on the ground, melting snow can also result in sediment discharges.**

Recommendations 15 to 21 are standard recommendations that are usually reflected in conditions of development. The trick is in the monitoring during construction.

- K. EEPAC recommends the inspector retained by Development Services as part of the previous EEPAC recommendation can monitor the implementation of these recommendations during actual construction.**

It appears from page 26 the monitoring plan will be fleshed out in greater detail at detail design and will include remediation measures if there are construction impacts.

- L. EEPAC recommends that it be made clear at detail design that decisions on remediation measures, if required, are at the sole discretion of the City and will be carried out at the earliest possible time. If discussions of responsibility are needed, they should take place after remediation.**

- M. EEPAC continues to support 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 (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 on the condo's Open Space lands.

- The proposed Natural Heritage Condominium Declaration 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 (with support from EEPAC if desired) and the UTRCA on a Management and Stewardship plan within 6 months of the first condo board meeting.

Page 26 and 27 discuss long term monitoring but seem to suggest that long term is only two years after the 8th unit is built. This is certainly too short a period given the unique nature of this development (ESA in private ownership with only signage to delineate the boundary and a retained butternut tree).

- N. EEPAC recommends that a City Ecologist and/or UTRCA staff member be part of the first and each annual meeting of the Condo Corporation to speak to the membership about the ESA, the development and report on success of protecting the ESA thru the aforementioned Management and Stewardship Plan. This should also include advice as to winter maintenance including low salt options. The Ecologist and UTRCA member should be invited to the first meeting of the Condo Board to review the natural heritage matters with it. Ideally, the condo will be great stewards of the ESA if it takes a pride in what has been proposed here. This recommendation is consistent with the recommendations in the Net Effects Table included in the EIS.**

ADDITIONAL RECOMMENDATIONS BY EEPAC

- O. Given the location adjacent to an ESA, EEPAC recommends the development conform to the Canadian Standards Association (CSA) A460:19, *Bird-friendly building design*.**
- P. 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 did not receive a revised stormwater plan)**

RETAINABLE BUTTERNUT TREE

- Q. As noted in the MECP response in appendix H, the general habitat protection for butternut is 50 m not 25 m. The 50 m distance includes unit 7's backyard as shown on Figure 11. It should also be noted that Margot Ursic wrote the recovery strategy document for Butternut in 2013. She should be consulted on this matter.**

BADGER INVESTIGATION 2018 – EIS Appendix L

- R. EEPAC recommends repeating the badger investigation before development begins. Badgers are solitary (live alone) for most of the year. Adult males and females only get together to mate in late summer. The relevant section of Appendix L is reproduced here (highlighting by EEPAC):**

Fox burrow cluster

*The cluster of burrows is currently inhabited by larger mammals, (possibly still the family of foxes), based on traffic paths and evidence of recent feeding (turkey foot) and general disturbance. **Only one in the cluster appears to have been historically created by a badger, based on the amount and crescent-shaped distribution of the spoil.** The additional burrows would have been added onto the original from the subsequent inhabitants, as badgers typically do not dig an exit. No other burrows showed any evidence of badger use or creation.*

MISSING FROM THE EIS

There is no discussion of how snow removal from the private road will be addresses. The previous EIS mentioned winter maintenance. It is unclear from Figure 11 where snow will be stored. Is the intent to push it off property into the Open Space to the north? It would be better than letting it and sand and salt get into the groundwater thru the Etobicoke system.

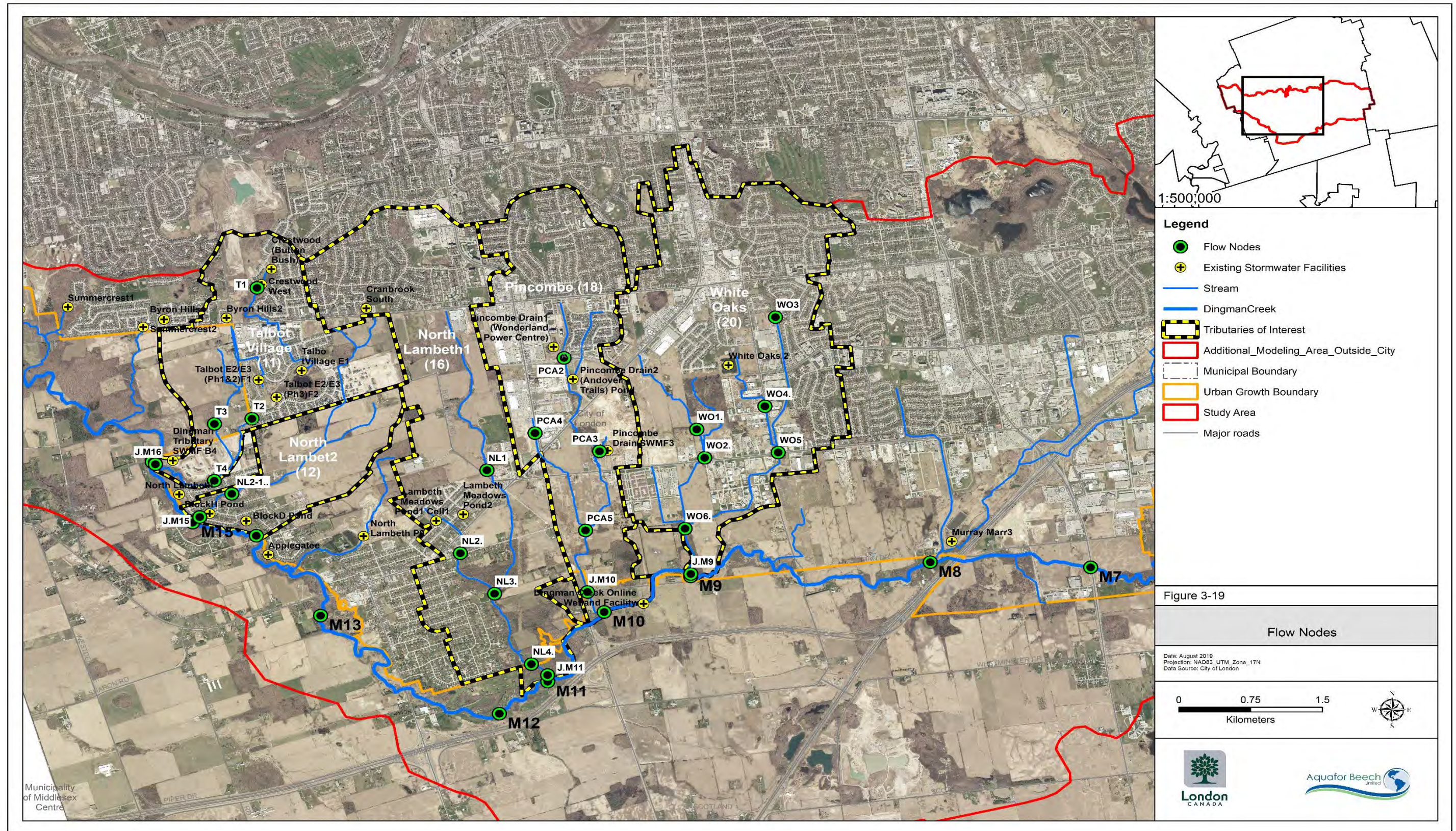


Figure 3-19: Flow Nodes

Stepping out in ESAs

Since you live adjacent to an ESA you probably visit it often. The very features that make our ESAs precious are also those that could be easily damaged. By following the guidelines below, you can enjoy these natural areas without harming them, and leave them in a healthy state for all to benefit from.

Use only the official access points and trails. When people and dogs leave the marked trails, wildlife and plants are trampled and disturbed. Most ESAs are mapped, have signed entrances to a marked trail system, and trails marked with yellow blazes.

No Bikes except on the asphalt or crushed gravel paths in Kilally Meadows and Medway Valley.
Carry in/Carry out your trash. Do not leave anything in an ESA. Help out by picking up any litter that you find, and dispose of it properly.

Leashes Please! Natural areas are not dog parks. All pets must be on leash (maximum 2 meters/ 6 feet). Remember to stoop and scoop!

Do not disturb wildlife or plants. It is illegal. Respect all plants and wildlife. Leave natural areas as you found them and do not feed the deer.

What can I take from an ESA?

Nothing! Bring a camera and take photographs.



Photo: Javeria Zafar

Leave all wildlife, plants, seeds, flowers, soil, substrate, and deadfall in place. Every part of the ecosystem has an important and vital role to play in keeping ESAs healthy.

What is an invasive alien species?

Alien alert! Invasive alien species are non-native species – plants, animals, fungi, etc. – that evolved in another part of the world (e.g., Europe or Asia) and were transported to Ontario by humans. Invasive alien species can easily outcompete native species and lead to a decline in native biodiversity and reduced ecosystem functionality wherever they occur. Globally and locally, invasive alien species are one of the primary causes of habitat degradation and biodiversity loss today.



Photo: Biodiversity Gardening

More Information

Ontario Invasive Plant Council
http://www.ontarioinvasiveplants.ca/index.php/other_sites

Plant Selection for Environmentally Significant Areas
www.reforestlondon.ca/resources-healthy-city

City of London Information:
Environmental and Parks Planning
(519) 661-4980
Environmentally Significant Areas
Yard Waste Collection Information
www.london.ca

Reforest London
www.reforestlondon.ca

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



UPPER THAMES RIVER
CONSERVATION AUTHORITY



32 London
CANADA

Brochure prepared and revised by EEPAC. (2014)

Living With Natural Areas

A Guide for
Living Next to
Environmentally
Significant Areas

What is an ESA?

An **Environmentally Significant Area (ESA)** is a natural area that receives the highest level of protection within the City of London. ESAs contain rare and endangered species, unique landforms, and habitats that are prized for their quality and high biodiversity. ESAs contain wetlands, freshwater ponds and streams, meadows, forests, valley lands, and other relatively undisturbed wildlife habitat.

Why are ESAs important?

ESAs are essential to the health and well-being of all Londoners because they provide ecosystem services, the most important being habitat for our native biodiversity. Our native biodiversity – indigenous plants, animals, fungi, and other organisms – enables our ecosystem to function properly. A fully functional ecosystem filters our freshwater, provides oxygen for us to breathe, cleans our air, provides decomposition for fertile soil, and provides a beautiful, natural environment in which to de-stress from our busy lives.

Is there a problem?

Yes! Even though our ESAs are protected from development, they are suffering from invasive alien species (see inset), encroachment, and misuse by the demands of our ever-growing human population.

Is there a solution?

Yes! It is the responsibility of each and every Londoner to help keep our ESAs healthy and in a natural state.



Alien Tree Species Example

Norway Maple
(*Acer platanoides*)

Why this information is important to you!

You are one of the very fortunate members of the community who lives adjacent to an ESA; you have a special role to play. You are aware of the high value of your property, a way to keep that value is to minimize your impact on the ESA. You can help to maintain our ESAs in a healthy, natural condition that preserves the spectacular view from your home, and sustains the value of your home.

What you do around your home - impacts the environment.

Some of your actions may have a greater negative impact on the ESA. As such, it is important how you treat your yard and the area next to it.

Does it matter what I grow on my property?

Be careful when growing plants that are not native to Ontario (see INSET). Animals, wind, and water transport seeds, the mobile stage of a plant, from one place to another. Nature doesn't recognize property boundaries, and seeds can spread from gardens into ESAs.

Alien plants degrade natural habitats by reducing plant biodiversity, which in turn reduces animal biodiversity.



Native Planting brochures
www.reforestlondon.ca

Can I dump my yard waste or pond waste in the ESA?

No! *Do not dump any yard or pond waste into the ESA – it is illegal.* And, you may be inadvertently transporting alien plants or animals into the ESA. Seeds and other plant parts in your waste can germinate or regenerate once inside the ESA. Pond waste may contain alien animals (e.g. goldfish or exotic snails) or plants that can wreak havoc on our native ecosystem. **Compost your waste on your property, or take advantage of the city's regular, curb side pickup of yard waste materials.**

Encroachment

Your lot ends at the property line. **Any activity extending onto public land is illegal.** Examples of encroachment include mowing, gardening, or installing structures such as sheds or fences in an ESA. Rear fences should not have a gate. Enter the ESA at designated access points, and use the official trails – don't make new ones. The cumulative impact of homeowners encroaching into the edges of ESAs effectively reduces their size, and threatens their integrity and value.

Your pets, did you know?

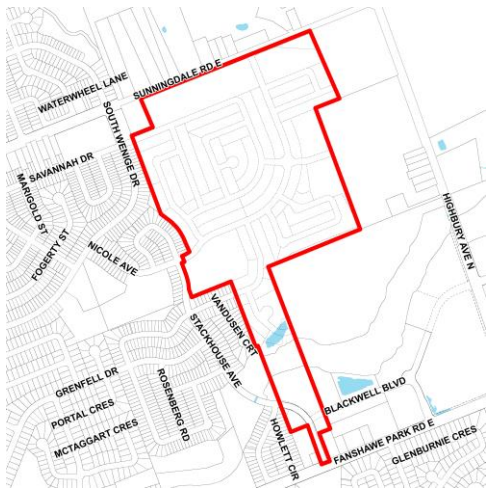
Cats and dogs can greatly disturb the wildlife and natural habitats so keep them from running loose in ESAs. Dogs and cats can hunt down and kill a variety of small animals, and cats kill thousands of birds each year. Our furry pets also disperse seeds of invasive alien plants. Seeds are transported in their fur, and in mud collected on their feet.

Don't release Aquarium stock or other household pets into ESAs. Aquarium plants and animals that you buy at pet stores are alien species in Ontario. Goldfish in particular have already been illegally released into our ESAs and are causing widespread damage. *It is illegal to release any live plants or animals into an ESA.*

NOTICE OF PLANNING APPLICATION

Revised Draft Plan of Subdivision Notice of Official Plan and Zoning By-law Amendment Application

1140 Fanshawe Park Road East



File: 39T-07502/OZ-9473

Applicant: Drewlo Holdings Inc.

What is Proposed?

Revised Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment to allow:

- Low-density residential uses (18 Blocks)
- Medium-density residential uses (6 Blocks)
- Two (2) proposed school blocks
- Open spaces (3 Blocks), including 1 Block for the compensation and relocation of existing Provincially Significant Wetland feature (1 Block)

LEARN MORE & PROVIDE INPUT

Please provide any comments by **March 25, 2022**

Melanie Vivian

mvivian@london.ca

519-661-CITY (2489) ext. 7547

Planning & Development, City of London, 300 Dufferin Avenue, 6th Floor,
London ON PO BOX 5035 N6A 4L9

File: 39T-07502/OZ-9473

london.ca/planapps

You may also discuss any concerns you have with your Ward Councillor:

Councillor Maureen Cassidy

mccassidy@london.ca

519-661-CITY (2489) ext. 4005

**If you are a landlord, please post a copy of this notice where your tenants can see it.
We want to make sure they have a chance to take part.**

Application Details

Requested Draft Plan of Subdivision

Consideration of a Revised Draft Plan of Subdivision consisting of 18 low density residential blocks, six (6) medium-density residential blocks, two (2) school blocks, and three (3) open space blocks, including one (1) open space block for the compensation and relocation of an existing Provincially Significant Wetland. The Revised Draft Plan of Subdivision proposes seven (7) access points at Sunningdale Road East, Savannah Drive, Nicole Avenue, Devos Drive, Blackwell Boulevard, Stackhouse Avenue and Fanshawe Park Road East as well as five (5) internal streets.

Requested Amendment to the 1989 Official Plan

Possible amendment to the Official Plan to redesignate a portion of lands currently designated Low Density Residential along Sunningdale Road East to a Multi-Family Medium Density Residential designation. Possible amendment to the Official Plan to redesignate the wetland compensation area from Low Density Residential to Open Space. The proposed amendment will seek to bring the policies more inline with the permissions of The London Plan.

Requested Amendment to The London Plan

Possible amendment to The London Plan to redesignate a portion of lands from the Open Space Place Type to the Neighbourhoods Place Type surrounding the identified Provincially Significant Wetland and to redesignate a portion of lands from the Neighbourhoods Place Type to the Open Space Place Type.

Requested Zoning By-law Amendment

To change the zoning from a Holding Urban Reserve (h-2*UR3) Zone, Urban Reserve (UR3) Zone and Open Space (OS5) Zone to a Bonus Residential R8 Special Provision (B-_*R8-4(_)) Zone, Residential R5 (R5-7) Zone, Residential R1 Special Provision (R1-3(_)) Zone, Residential R1 (R1-2) Zone, Residential R1 (R1-3) Zone, Neighbourhood Facility (NF) Zone and an Open Space (OS5) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

Both Official Plans and the Zoning By-law is available at london.ca.

Requested Zoning (Please refer to attached map)

Zone(s):

Residential R8 Special Provision (R8-4(_)) Zone – to permit apartment buildings; handicapped person’s apartment buildings; lodging house class 2; stacked townhousing; senior citizen apartment buildings; emergency care establishments; and/or continuum-of-care facilities. (Part Block 19, Block 20, Blocks 22-24)

Bonus Zone: Provide affordable housing for increased height and density

Residential R5 (R5-7) Zone – to permit cluster townhouse dwellings and/or cluster stacked townhouse dwellings (Blocks 21, 25 and 26)

Residential R1 Special Provision (R1-3(_)) Zone – to permit single detached dwellings with a possible reduced setbacks to a gas pipeline (Block 1)

Residential R1 (R1-2) Zone – to permit single detached dwellings (Blocks 2-7, 9-16 and Block 31)

Residential R1 (R1-3) Zone – to permit single detached dwellings (Block 8, 17, 18, 32 and 33)

Neighbourhood Facility (NF) Zone – to permit Places of Worship; elementary schools; and/or day care centres (Blocks 25-26)

Open Space (OS5) Zone - to permit conservation lands; conservation works; passive recreation uses which include hiking trails and multi-use pathways; and/or managed woodlots. The OS5 Zone will provide for future parkland/open space corridors. (Blocks 28, 29 and Part Block 19)

The City may also consider additional special provisions, different zone variations and the use of holding provisions.

An Environmental Impact Study has been prepared to assist in the evaluation of this application. A copy of the study is available on the City’s website.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London’s long-range planning document. These lands are currently designated as Multi-Family, Medium Density Residential Low Density Residential and Open Space in the 1989 Official Plan, which permit:

Multi-Family, Medium Density Residential – multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. These areas may also be developed for single-detached, semi-detached and duplex dwellings.

Low Density Residential – single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted.

Open Space – public open space uses including district, city-wide, and regional parks; and private open space uses such as cemeteries and private golf courses are permitted in the Open Space designation. Agriculture; woodlot management; horticulture; conservation; essential public utilities and municipal services; and recreational and community facilities may also be permitted.

The subject lands are in the Neighbourhoods Place Type and the Green Space Place Type in The London Plan, permitting:

Neighbourhoods Place Type – uses ranging from single detached dwellings to low-rise apartment buildings depending on the street classification.

Green Space Place Type – uses in these areas are dependent upon the natural heritage features and areas contained on the subject lands, the hazards that are present, and the presence of natural resources which are to be protected. Uses can also include district, city-wide and regional parks; private green space uses such as cemeteries and private golf courses; agriculture, woodlot management, horticulture and urban gardens, conservation, essential public utilities and municipal services, storm water management, and recreational and community facilities.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied for a Draft Plan of Subdivision and to change the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

Attend a Future Public Participation Meeting

The Planning and Environment Committee will consider the requested Draft Plan of Subdivision and zoning changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the Planning Act. You will also be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the Neighbourgood website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting. The Council Decision will inform the decision of the Director, Planning & Development, who is the Approval Authority for Draft Plans of Subdivision.

What Are Your Legal Rights?

Notification of Council and Approval Authority's Decision

If you wish to be notified of the Approval Authority's decision in respect of the proposed draft plan of subdivision, you must make a written request to the Director, Planning & Development, City of London, 300 Dufferin Ave., P.O. Box 5035, London ON N6A 4L9, or at developmentsservices@london.ca. You will also be notified if you provide written comments, or make a written request to the City of London for conditions of draft approval to be included in the Decision.

If you wish to be notified of the decision of the City of London on the proposed zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

Right to Appeal to the Ontario Land Tribunal

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of the Director, Planning & Development to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

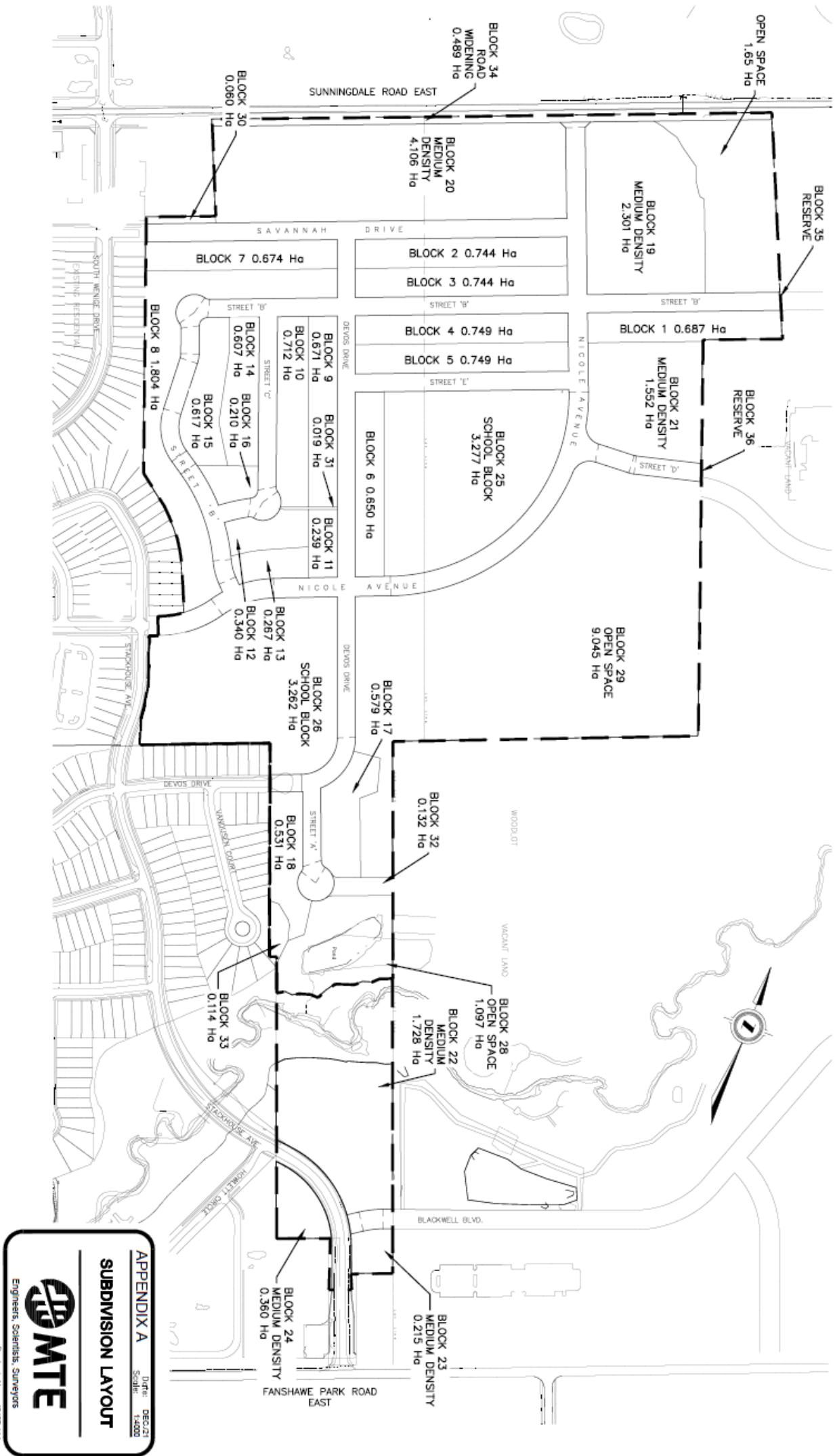
Notice of Collection of Personal Information


Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

Accessibility

Alternative accessible formats or communication supports are available upon request. Please contact developmentsservices@london.ca for more information.

Requested Draft Plan of Subdivision



APPENDIX A
SUBDIVISION LAYOUT
 Date: 08/21/2021
 Scale: 1:4000

 Engineers, Scientists, Surveyors
 Project No.: 4213-114

[Proposed Draft Plan of Subdivision layout

The above image represents the applicant's proposal as submitted and may change.



NOTICE OF PLANNING REVIEW

Zoning By-Law Amendment

City-Wide – Definition of “Parks”, “Community Centres” and Other Municipally Owned Land Uses and Facilities

File: Z-9469

Applicant: City of London

What is Proposed?

- The purpose and effect of this possible zoning by-law amendment is to change the existing definitions in Zoning By-law Z-1, that apply to municipally-owned parks and community facilities, to permit activities currently permitted by the Parks and Recreation By-law (PR-2). The intent is to rely more on the Parks and Recreation By-law, and its permit and approval processes, than the Zoning By-law to determine what activities occur in City parks and facilities and, as a result, be more efficient.

LEARN MORE & PROVIDE INPUT

Please provide any comments by **April 4, 2022**

W.J. Charles Parker, Senior Planner

Long Range Planning and Research

cparker@london.ca

519-661-CITY (2489) ext. 4648

Planning & Development, City of London

300 Dufferin Avenue, 6th Floor,

London ON PO Box 5035 N6A 4L9

File: Z-9469

london.ca/planapps

You may also discuss any concerns you have with your Ward Councillor:

**If you are a landlord, please post a copy of this notice where your tenants can see it.
We want to make sure they have a chance to take part.**

Review Details

Possible Zoning By-law Amendments

The purpose and effect of this possible zoning by-law amendment is to change the existing definitions in Zoning By-law Z-1 that apply to municipally-owned parks and community facilities to permit activities currently permitted by the Parks and Recreation By-law (PR-2). The intent is to rely more on the Parks and Recreation By-law, and its permit and approval processes, than the Zoning By-law to determine what activities occur in City parks and facilities, and as a result, be more efficient and encourage more citizen social activity and tourism.

The Zoning By-law is available at london.ca.

Current Zoning Definitions

The following existing Zoning By-law definitions are relevant to this planning review;

"PARK" means an area of land, consisting primarily of landscaped open space, used primarily for active or passive recreational purposes or as a conservation area, with or without related recreational buildings, structures or facilities including, but not necessarily restricted to, a recreational playground, a golf course, a driving range, a ski hill, a play area, a bandstand, a skating rink, a horticultural greenhouse, a zoological garden, an historical establishment, a bowling green, a tennis or badminton court, a playfield, a running track, a swimming pool, a spray pad, a wading pool, a boating pond or lake, a watercourse, a refreshment booth, a picnic area, or an auditorium or place of assembly.

a) **"PRIVATE PARK"** means a park, other than a public park, regardless of whether or not such park is maintained or operated for gain or profit, but does not include an amusement park.

b) **"PUBLIC PARK"** means a park owned or controlled by a public authority.

"COMMUNITY CENTRE" means any tract of land and the buildings and facilities thereon used for recreational, leisure, or institutional community activities and may include a Social Service Establishment, and the control of which is vested in the municipality, a non-profit organization, a local board or agent thereof and shall not include a use for commercial purposes.

"GOLF COURSE" means a public or private area operated for the purpose of playing golf and includes a Par 3 golf course, and may include a restaurant, the sale of golf equipment and an assembly hall, but does not include recreational golf courses, driving ranges, miniature courses or similar uses operated for commercial purposes.

"PUBLIC USE", when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public. Public agencies comprise:

- a) the Government of Canada, the Government of Ontario, or a municipal corporation;
- b) any ministry, department, commission, authority, board or agency established by the Government of Canada or the Government of Ontario; or
- c) any public utility. (Z.-1-051390)

Planning Policies

Any change to the Zoning By-law must conform to the policies of the London Plan (Official Plan), London's long-range planning document. These lands are typically identified as Green Space or Neighbourhood Place Types across the City. The relevant policies are included under the City Building Policies (Parks and Recreation) and Place Type Policies (Green Space) in the London Plan.

How Can You Participate in the Planning Process?

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[Click here to enter text.](#)

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Accessibility

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