

Appendix "D" - Comments from Developers of Flood-Impacted Lands

Mud Creek EA - Draft Circulation Comments Received		Process to Address Coments		
Reference No.	Description of Issue	Mud Creek EA Process	Development Approvals Process	UTRCA Floodplain Regulation
<i>BlueStone Properties</i>				
LDS-1	Relevant to the Class EA process ... would it be possible to formally have the EA consulting Team review the relevant HEC-RAS model that represents the existing water course alignment to then apply this twinning concept to both the existing Proudfoot Lane and Oxford Street culvert crossings? We suspect the results may be helpful in addressing the primary EA objective of reducing the frequency of flooding within the Oxford Street transit corridor without the need to reference multiple future condition models.	X		
<i>Edmar Land Ltd</i>				
E-1	<p>We note that the draft EA included reference to "future development lands" within the Mud Creek watershed and illustrates these parcels within Map 6-2. Notwithstanding the long stated objective of Edmar Land Ltd. to develop our lands (a pledge dating to our father's early conversations within the City), numerous and well documented discussions with various members of City of London planning staff and consulting personnel, records of various public meetings regarding the watershed, and numerous discussion in this regard with the UTRCA, the Edmar Lands at 416 Oxford Street are curiously not included as future development lands. Our parcels contains 9.6 acres, 3.9 acres of which were above the previously designated flood plain, and presently zoned (CR) Consumer Recreational assume these lands could be rezoned to multi-family, medium density residential use, consistent with the Sam Katz lands to the north. Unfortunately, as in well documented, little has been achieved in the intervening ten-year period, and our efforts have been suspected pending resolution of those matters presently before the City.</p> <p>We respectfully request that our lands be designated as developable lands within the Environmental Assessment and that it is made clear the Edmar parcel should be protected within the proposed storm water management system, and will not be consigned the role of default storm water storage for other development lands within the study area.</p>	X	X	X

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E-2	Given that it was held out in several instance that mitigations should be available to those stakeholders whose lands have been diminished, we also request that those same comments be included in the EA, and there be mention of mitigations sanctioned by the City, such as "cut and fill" - subject, of course, to consultation, application and mediation with the City and the UTRCA. We believe from our discussion with the UTRCA that consideration is being given to a possible two-zone concept allowing for development within the flood fringe subject to individual review of specific proposals. However, we wish to see this clearly enunciated within the EA document confirming the intent of the City to provide meaningful consideration to those stakeholders whose lands, and equity, have been diminished by this process. We would remind the City that this was a recommendation of the earlier Delcan study, initially accepted as the recommended solution by the City of London. While ultimately not adopted, this approach provided an equitable solution for an inequitable modelling outcome, an outcome not unlike the present scenario.	X		X
E-3	Further to recent suggestion, we would fully support modifications to the alternatives within the EA that might allow for additional flood control within the upstream Sam Katz Development draft plan of Subdivision. We would also support any works that might provide for greater conveyance of floodwaters toward the improved CN culvert. If the twinning of Oxford culvert, and/or the Proudfood Lane culvert might accomplish this objective by way of increased flow capacity we can only conclude that these solutions must be actively considered, and we would enthusiastically support.		X	X
E-4	As a general observation, it is our sense that the Environmental Assessment will not be fully complete without consideration of the proposed Beaverbrook extension, and the internal roads proposed. In addition, the scope should likely also include the proposed widening of Oxford Street as envisioned within the Transportation Master Plan - the impact of these two substantive impositions upon the modelling will be significant. It causes concern as to the ultimate value of the EA, given the scale of change these roadworks represent.		X	
E-5	Finally, we request that the City make clear their vision for access to and from our property. Keeping in mind that Edmar Land Ltd. is a party to the draft approved plan of subdivision for the lands to the north (Sam Katz Developments Ltd. - File No. 39T-99502). Providing access is a condition according to Clause 7(d) which needs to be met before the draft plan can be implemented. Edmar Lands Ltd. never signed a formal release of this condition of the draft plan.		X	

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<i>Sam Katz Developments (ESAM Lands)</i>				
M-1	Provide adequate engineered solutions for flood mitigation on private lands, especially for the draft approved ESAM lands, to control the currently uncontrolled flooding on these lands and allow development to proceed (in accordance with the objectives of the draft Mud Creek EA)		X	X
M-2	Clearly state the status of the draft plan approved ESAM Lands at 323 Oxford Street West and the relevance of the draft Mud Creek EA in clearing the conditions of draft plan approval		X	
M-3	Provide a description of the EA's impact on the City's Official Plan review process to clearly represent the planning implications of the findings and proposed recommendations of the draft Mud Creek EA	X	X	
M-4	Expand the criteria for evaluation provided in table 5-1 of the draft Mud Creek EA to reflect a more comprehensive evaluation as outlined on pages 5 and 6 of this letter.	X		
M-5	Provide a consistent and clear distinction between designated land uses and existing conditions throughout the draft Mud Creek EA, providing separate figures and discussions for both. Insert a direct excerpt of Schedule A of the City of London Official Plan (2006) and Transportation Master Plan (2013)		X	
M-6	Incorporate the Beaverbrook extension and the Oxford Street West widening into the baseline information and modeling to adequately reflect and incorporate the City's planning objectives, as presented in the City's Official Plan (2006) and Transportation Master Plan (2013)	X - will show graphically on baseplans	X	
M-7	Review all graphics and text in draft Mud Creek EA to ensure the clear and accurate representation of facts and events, eliminating the potential for misinterpretation. Specific references are cited throughout this letter for your consideration in your review.	X		
M-8	Present a balanced depiction of the public and stakeholder engagement process, describing the competing interests of various groups without placing undue emphasis on the opinions of one group over those of another. Clarify the context of this feedback where comments are made regarding specific areas within the subwatershed.	X		