

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas P. Eng.,
Managing Director, Development and Compliance Services &
Chief Building Official
Subject: Upper Thames River Conservation Authority Dingman Creek
Subwatershed Screening Area Mapping - Update
Meeting on: March 18, 2019

Recommendation

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official the following report **BE RECEIVED** for information.

Executive Summary

Purpose and the Effect of Recommended Action

In a parallel project to the Dingman Creek Environmental Assessment managed by the City, the Upper Thames River Conservation Authority (UTRCA) has engaged in a separate project to update the Regulatory Hazard Lands and flood model for the Dingman Creek subwatershed.

This report provides an update related to the Screening Area for the Dingman Creek Subwatershed identified by UTRCA and presented to Council in November 2018.

Following the November 27, 2018 UTRCA Board meeting, and confirmation of the proposed screening area approach, this report also identifies implications for the City's Growth Management Implementation Strategy (GMIS) and the impacts to planned development within the Screening Area.

Previous Reports Pertinent to this Matter

Planning and Environment Committee, November 12, 2018: "Upper Thames River Conservation Authority Dingman Creek Subwatershed Screening Area Mapping."

Civic Works Committee, October 6, 2015: "Dingman Creek Subwatershed: Stormwater Servicing Strategy Schedule C Municipal Class Environmental Assessment."

Civic Works Committee, February 3, 2013: "Contract Award T13-89 Dingman Creek Stormwater Management Erosion Control Wetland (ES2682)."

Municipal Council, November 20, 2012: "A by-law to amend the Official Plan for the City of London, 1989 relating to lands located in the southwest quadrant of the City, generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road, and the Urban Growth Boundary."

Analysis

1.0 Context

1.1 Dingman Creek Screening Area

The November 2018 PEC report presented a Screening Area map for the Dingman Creek subwatershed UTRCA provided this map to the City of London as a preliminary update to the Conservation Authority's Regulatory Hazard Lands for the area.

Dingman Creek Subwatershed Screening Area

The Dingman Screening Area represents an area where further review and refinement will continue as options for engineered flood mitigation and/or policy solutions are assessed through Phase 2 of the Dingman EA. Following completion of the advisory services (discussed in Section 2.2.1 of this report) and Phase 2 of the EA study and/or implementation of viable mitigation works, there may be changes to the UTRCA's Regulatory Floodplain limits or adoption of planning policies, which can be incorporated through future amendments to The London Plan and the 1989 Official Plan.

1.2 UTRCA Board Meeting

The UTRCA presented the Screening Area to its Board of Directors on November 27, 2018.

A subsequent Board of Director's report was submitted on February 14th, 2019 which outlined the actions taken since the November meeting. The UTRCA Board report is attached as Appendix E.

Generally, the report highlights the public comment received from local developers, outlines how a screening area is applied under the Planning Act and Conservation Act, and discusses the next steps for implementation agreed on by London Development Institute (LDI), the City and UTRCA.

2.0 Status Update

There are two distinct projects that are currently underway in the Dingman Creek Sub-Watershed. The first, managed by the City, is the Dingman EA which will identify the stormwater servicing strategy for the sub-watershed. The second project, managed by the UTRCA, is the update of the floodplain modelling in the Dingman Creek Sub-Watershed. Although they are linked, they are separate projects with their own scope of work and outcomes.

2.1 Application of Screening Area on Development Applications

Appendix A contains a map reflecting the screening area previously shown in the November 12 2018 report. This area reflects a combination of existing erosion and wetland hazard information (which are part of current Regulation Limit mapping) together with the draft results of the UTRCA's updated flood modelling/mapping exercise.

The City has incorporated this UTRCA screening area into its internal digital mapping system for use by City Planning (CP), Environmental and Engineering Services (EES), Development and Compliance Services (DCS). Using this mapping, the City has been undertaking preliminary assessment of planning, development and building permit applications in order to highlight that consultation and submission requirements should be directed to the UTRCA when in the Screening Area.

Development Services (DS) staff have made some minor tweaks to the subdivision and site plan process to account for the additional reviews for screening area applications. As part of the consultation stage, DS is advising applicants to consult with the UTRCA before proceeding to a complete submission. Ideally, the applicant will have undertaken the necessary technical reviews and applied mitigation measures acceptable to the UTRCA as part of their development application.

The UTRCA approval will ensure that the lands have appropriate access, minimize risk to public health and safety and not create new or aggravate existing hazards.

2.2 Dingman Creek EA

The Screening Area triggered the phasing of the Dingman Creek Subwatershed: Stormwater Servicing Municipal Class Environmental Assessment (Dingman EA). Phase 1, currently underway, will recommend municipal infrastructure for new development within tributaries outside of the area of influence of the updated Dingman Creek hazard lands. The Phase 1 lands map presented in November 2018 has been refined to capture

Dingman Creek Subwatershed Screening Area

the development lands for which stormwater management controls will be recommended (See Appendix B for refined Phase 1 mapping). A public meeting for Phase 1 is targeted by September 2019 with the Notice of Completion to be recommended for posting in fall 2019.

The City regularly updates information related to the Dingman Creek EA:

<https://getinvolved.london.ca/DingmanCreek>

2.2.1 Peer review of UTRCA Floodplain Modelling

In parallel with Phase 1 of the Dingman EA, the City retained a consultant to conduct a peer review, or advisory services, related to the UTRCA's floodplain modelling. The advisory services, will evaluate best practices for floodplain modelling and overarching assumptions made by Ontario Conservation Authorities and floodplain modelling practices conducted in Canada. The review is scoped to assess the draft hydrologic and hydraulic modelling conducted by the UTRCA for the entire Dingman Creek subwatershed and is the first step to confirming the updated Regulatory Floodplain without considering mitigation measures. The outcome of the review will include strengths and weaknesses of the current models, a review of how to consider climate change, and recommend possible improvements to best represent the floodplain within the subwatershed. AECOM has been contracted by the City of London to conduct advisory services.

The kick off meeting for the advisory services was held on January 29, 2019. This meeting included technical representatives from the City, UTRCA, AECOM, the London Development Institute, as well as a technical representative from the landowners involved in the White Oak-Dingman Secondary Plan. The advisory services assignment is scheduled for completion by the end of June 2019.

Once the advisory review is complete, Phase 2 of the Dingman EA will be initiated to evaluate servicing for the remaining lands in the subwatershed (within the Urban Growth Boundary) and will also consider potential mitigation measures to reduce the impact of the updated Regulatory Floodplain. A recommendation for consultant award for Phase 2 of the Dingman EA will be presented to the Civic Works Committee late in 2019 with a targeted completion date by 2021.

2.3 Public and Key Stakeholder Engagement

The City held the Dingman Creek EA External Stakeholder Meeting on December 5, 2018. This group includes members of City Council, City staff, City's EA consultant (Aquafor Beech), UTRCA, EEPAC, TFAC, LDI, Development Community, and LHBA. The meeting presented the information from the PEC report submitted in November 2018, with a focus on the updated phasing strategy of the Dingman EA.

On December 17, 2018, the City and UTRCA also held a meeting with members of LDI, large non-LDI member developers, the local Engineering Consultant chapter, and a handful of agents representing various development proponents. This presentation summarized the November 2018 PEC report and included new information related to the Growth Management Implementation Strategy (GMIS) timing of works. The presentation is included in the UTRCA Board of Director's report in Appendix E.

2.4 Implementation Group

A Dingman Creek Implementation Group has been established including members of CP, DS, Development Finance and EES along with UTRCA staff from the Water and Information Management Division and the Environmental Planning and Regulations Division. The primary objective of this group is to ensure the successful implementation of a revised Regulatory Floodplain within the Dingman Creek subwatershed. This includes looking for opportunities to implement planning policies and manage current development applications that have been submitted within the screening area. This

M. Feldberg
Dingman Creek Subwatershed Screening Area

group is meeting regularly to ensure that continuing progress is being made and to ensure that barriers are removed wherever possible.

The focus is on improved opportunities for communications as well as assessment of the impacts of technical findings. The findings and recommendations of this group will be presented to the UTRCA Board of Directors and Council at key points in the process.

2.5 UTRCA Background Communications

In an effort to improve the understanding and background related to decision making, the UTRCA has provided links to resource documents that can assist land owners and development proponents in understanding the impacts of the screening area on their properties.

UTRCA Strategic Plan:

The Strategic Plan provides background on the UTRCA's mandate and rationale for the updated floodplain mapping.

<http://thamesriver.on.ca/wp-content/uploads//Targets/EnvironmentalTargets-June2016.pdf>

Frequently Asked Questions:

To supplement ongoing communications with all stakeholders, the UTRCA has posted answers to frequently asked questions on its webpage at the following link:

<http://thamesriver.on.ca/planning-permits-maps/flood-erosion-hazard-mapping/>

3.0 Key Issues and Considerations

3.1 GMIS Review

To assess potential implications for development, Staff have reviewed the Screening Area in relation to designated residential lands and the timing of City-led infrastructure in the Southwest GMIS Growth Area.

Based on GMIS timing, the lands identified on Appendix C are anticipated to have external water, wastewater and stormwater services in place by 2026 and be able to develop for residential purposes. The lands identified on Appendix C are colour-coded based on application status, with green representing lands with active applications and brown denoting developable lands with no applications.

Table 1 identifies the estimated unit yields for lands that are to be provided with external servicing to 2026 as shown on Appendix C.

Table 1: Southwest GMIS Growth Area: Estimated Units by Dwelling Type for lands to be provided with External Servicing by 2026

	Active Applications	No Application	Total
LDR (Singles/Semis)	519	2368	2887
MDR (Row/Towns)	767	3762	4529
HDR (Apartments)	320	1717	2037

As shown in Table 1, the lands identified on Appendix C have the ability to provide approximately 2,900 low-density units, 4,500 medium-density units and 2,000 high-density units.

As noted earlier, the UTRCA screening area does not mean development is prohibited. Rather, a screening area provides a means for the City to identify potential natural hazards for development applications that require further review. Within a screening

Dingman Creek Subwatershed Screening Area

area, the City requests applicants to obtain confirmation and approval from the UTRCA before any City approval of a planning, development or building application. The Southwest GMIS Growth Area is already subject to an existing screening area to ‘flag’ such sites.

For the lands to be serviced to 2026, Appendix D identifies the existing regulatory area together with the screening area based on the draft results of the UTRCA’s updated flood modelling/mapping exercise. On Appendix D, lands identified within the regulatory area are shown in pink. Additional lands identified by the screening area are shown in light blue.

Table 2 identifies the estimated unit yields by dwelling type for the additional lands shown in light blue that are further captured within the screening area.

Table 2: Southwest GMIS Growth Area: Estimated Units by Dwelling Type for Lands to 2026 that are Further Captured by the Updated Screening Area

	Active Applications	No Application	Total
LDR (Singles/Semis)	9	170	179
MDR (Row/Towns)	11	238	249
HDR (Apartments)	0	29	29

For residential lands that are to be provided with external servicing to 2026, there will be a minimal impact to development based on the revised screening area. Furthermore as these lands are mostly captured through Phase 1 of the Dingman EA, recommended stormwater management controls for these lands will refine the extents of the screening area and allow development to proceed in accordance with the GMIS over the next seven years.

3.2 Process for Screening Planning and Development Applications

For each individual development application, both the City the UTRCA will assess based on the site specific location. Many of the technical reports required can be used to satisfy Screening Area reviews, Section 28 process and the City’s requirements under the Planning Act, Ontario Building Code and the various design standards. For the Conservation Authority, a precautionary approach is taken to decision making on development applications and is assessed on a case by case basis. The UTRCA examines the broader impacts of the development in the watershed and must assess the cumulative and incremental impact as much as the application under review.

Generally, the UTRCA will assess each application to determine if:

- Safe and/or dry access for proposed development can be provided;
- Appropriate flood-proofing measures have been taken into account;
- When in close proximity to watercourses and channels, what is the status of conveyance capacity function from a maintenance and operations perspective; and,
- Are changes in flood storage characteristics required.

For applications within the Screening Area, consultation with the UTRCA is strongly encouraged ahead of making an application to the City for development. The scope of review, technical details related to floodproofing, along with general expectations for the site can be established early so that proponents can make business decisions related to their proposal.

3.3 Approach to Planning Studies Currently Underway

The screening area approach will also be applied to any Secondary Plan, Master Plan, Municipal Class Environmental Assessments, or other planning study that are currently under review.

3.3.1 White Oak-Dingman Secondary Plan

An update related to the status of the White Oak-Dingman Secondary Plan is being provided as a separate report to PEC.

3.3.2 Dingman Drive EA

On February 12, 2019, Council awarded AECOM Canada Ltd. the environmental assessment for Dingman Drive from east of Wellington Road to Highway 401, Exeter Road/Wellington Road intersection and Dingman Drive/White Oak Road intersection and design of localized minor roadworks at the Exeter Road/Wellington Road intersection.

The Dingman Drive widening is being considered as a priority project in the 2019 Transportation Development Charges Background Study (DCBS) due to the application London Gateway development located at the southwest corner of Wellington Road and Highway 401. This development is proposed to add a large amount of new retail and is anticipated to be completed in phases in the near term.

Due to the anticipated large traffic volume generated by the development, improvements are required to widen Dingman Drive from 150 m east of Wellington Road to just east of Highway 401 overpass from two to four through lanes. It is anticipated that this project will be implemented in 2021. The development will also have a direct impact on the intersections of Wellington Road & Exeter Road and the intersection of Dingman Drive and White Oak Road.

The Dingman Drive EA will continue in parallel with the Dingman stormwater EA but will need to be coordinated closely with the outputs of the stormwater EA. Following Phase 1 of the Dingman Creek Stormwater EA, there will be an opportunity to assess the potential for flood mitigation measures along Dingman Drive. These measure may include, but not limited to, raising the elevation of Dingman Drive to reduce the frequency of flooding or to provide dry access to new or existing development as well as possibly improve conveyance through increasing culvert sizes.

4.0 Next Steps

Over the course of the next few months, the following activities are anticipated to complete / commence:

1. Complete peer review of UTRCA modelling by summer 2019
2. Complete Phase 1 of Dingman Creek EA by Fall 2019
3. Engage consultant for Phase 2 of Dingman EA in Fall 2019

Further work on establishing the parameters of application review will continue. Through the continued work of the Dingman Implementation Team, guidance on making applications will be provided. DS staff will examine the process for site plan and subdivision review to determine where / when the identification of a Screening Area application can be highlighted. As previously discussed, establishing the expectations related to a development early in the process allows proponents to make business decisions and sets realistic expectations.

Future PEC / CWC reports will examine the outcomes of the steps highlighted above and seek guidance and/or approval from Council.

5.0 Conclusion

The City will continue to work and assist the UTRCA in implementing its floodplain regulation mandate. The City will continue to evaluate stormwater servicing solutions within the Dingman EA for lands identified as Phase 1. A subsequent Phase 2 of the Dingman EA will be presented at the Civic Works Committee to identify potential options to mitigate the increased hazard limits for the balance of the lands within the City boundary.

Separate reports will be brought forward to Council as required regarding planning and development applications and implications on any studies or master plans that are underway.

The updated screening area will have a minimal impact on lands to be provided with GMIS external servicing to 2026.

Acknowledgements:

This report was put together by members of the Dingman Implementation Team including UTRCA staff Stephanie Pratt, Christine Creighton, Mark Shifflett, Mark Snowsell and Tracy Annett. From the City, Maged Elmadhoon and Travis Macbeth added and provided advice on content.

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Submitted by:	Shawna Chambers, P.Eng. Division Manager, Stormwater Engineering
Submitted by:	Matt Feldberg, MPA, CET Manager, Development Services (Subdivisions)
Reviewed by:	Paul Yeoman, RPP, PLE Director, Development Services
Recommended by:	George Kotsifas, P.Eng. Managing Director, Development and Compliance Services & Chief Building Official

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services

M. Feldberg
Dingman Creek Subwatershed Screening Area

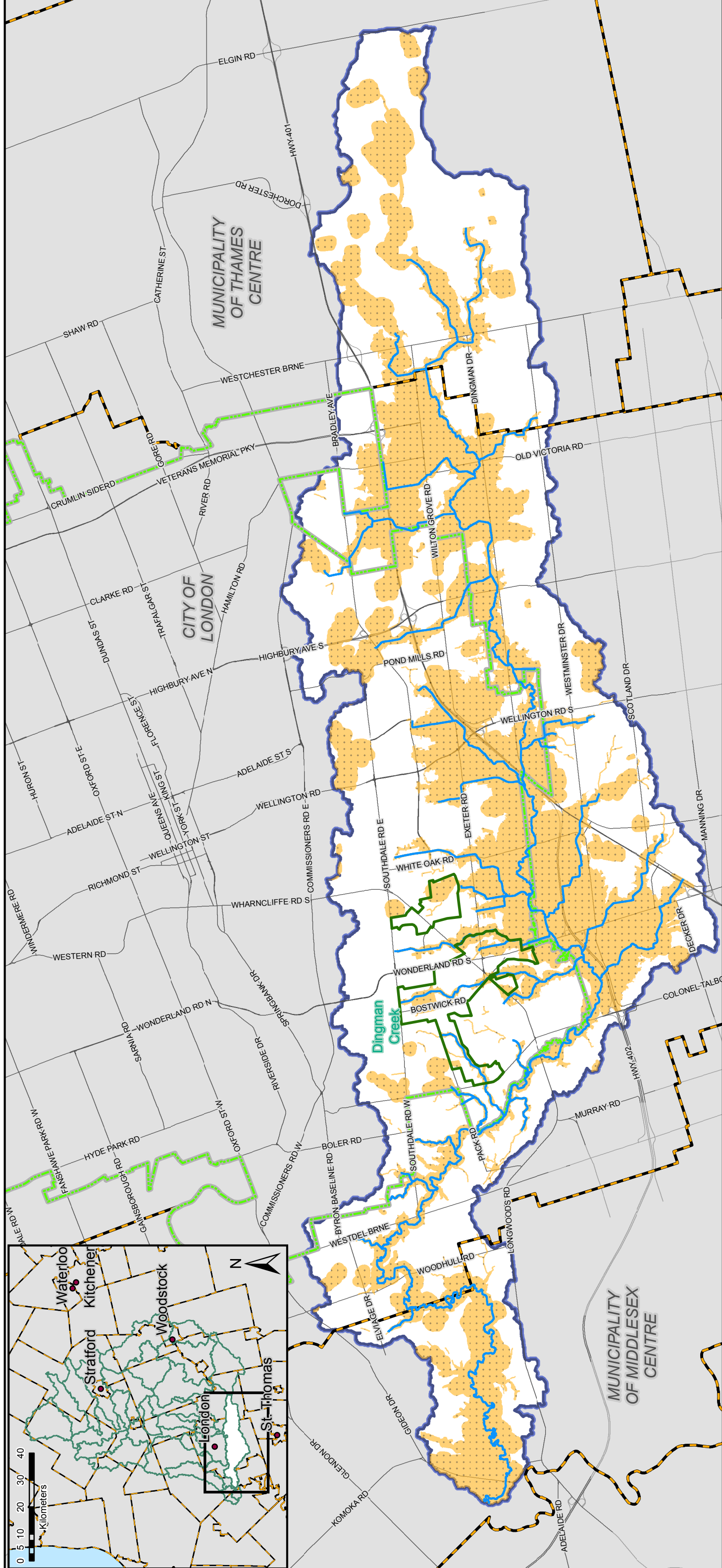
March 11, 2019
KE\SC

Appendix A – Dingman Subwatershed Screening Area Mapping
Appendix B – Location Map: Dingman Creek EA Proposed Phase 1 Catchment Area
Appendix C – Southwest GMIS Area with UTRCA Screening Area
Appendix D – Southwest GMIS Area - Application Status
Appendix E – February 14, 2019 UTRCA Board of Director's Report

CC: John Fleming, Managing Director, City Planning and City Planner
Kelly Scherr, Managing Director, Environmental and Engineering Services & City Engineer
Scott Mathers, Director, Water and Wastewater
Peter Kokkoros, Deputy Chief Building Official

Y:\Shared\STORMWATER\Capital Budget\Dingman Creek Subwatershed EA (ES3201_2&ES-SWM-NLP7_8)\Committee Reports\2019-03-18 PEC Report_Dingman UTRCA Update\2019-Mar-18 PEC-UTRCA Draft Floodplain Update.docx

Appendix A – Dingman Subwatershed Screening Area Mapping



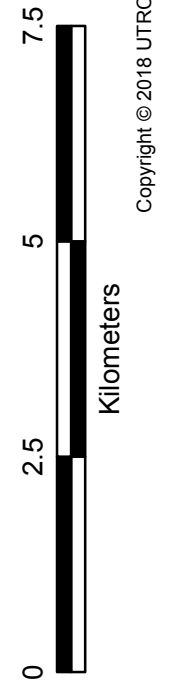
DINGMAN SUBWATERSHED SCREENING AREA

NATURAL HAZARDS (FLOODING, EROSION, WETLANDS)

UPPER THAMES RIVER
CONSERVATION AUTHORITY

- Legend**
- River
 - Roads
 - Dingman Subwatershed
 - Municipalities
 - Screening Area
 - Dingman Creek EA
 - Proposed Phase 1 Area
 - Urban Growth Boundary

Map Created by UTRCA
October 31, 2018



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This map is not a substitute for professional advice. Please contact UTRCA staff for any changes, updates and amendments to the information provided.

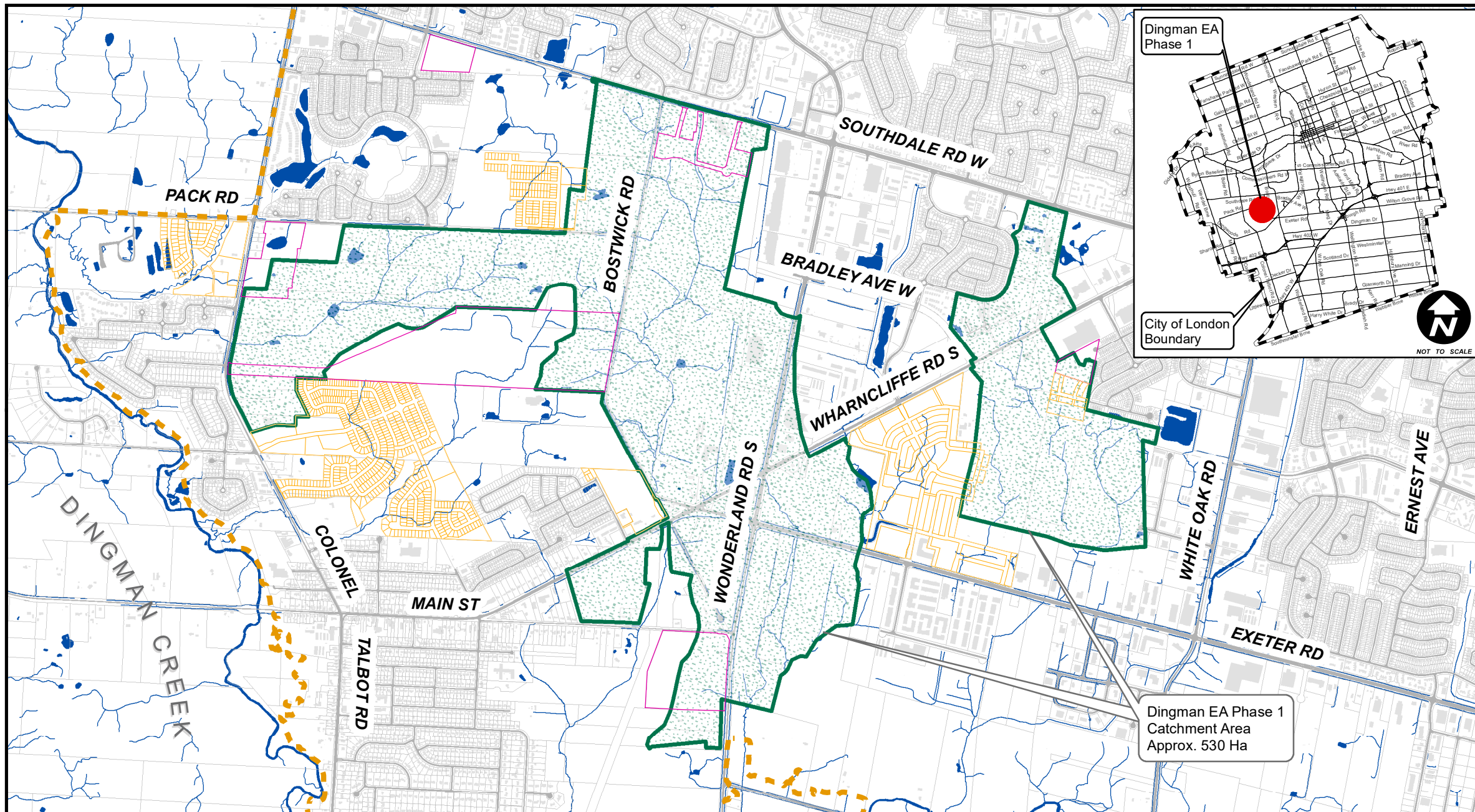
This document is not a Plan of Survey.

Data Sources:
2018 Watercourse, Oct. 2018 Section 28 Screening Area
Copyright © UTRCA, 2018

2016 Urban Growth Boundary Copyright © City of London, 2016
2018 Roads, 2013 Municipal Boundary
Copyright © Queen's Printer for Ontario, 2018, 2018.

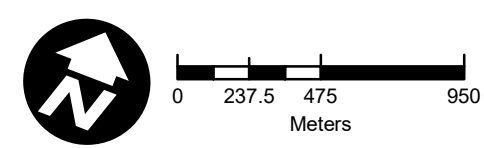
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**Appendix B – Location Map: Dingman Creek EA Proposed Phase 1
Catchment Area**



Dingman EA Phase 1
Catchment Area
Approx. 530 Ha

APPENDIX 'B' - LOCATION MAP - DINGMAN CREEK, MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT - PROPOSED PHASE 1 CATCHMENT AREA

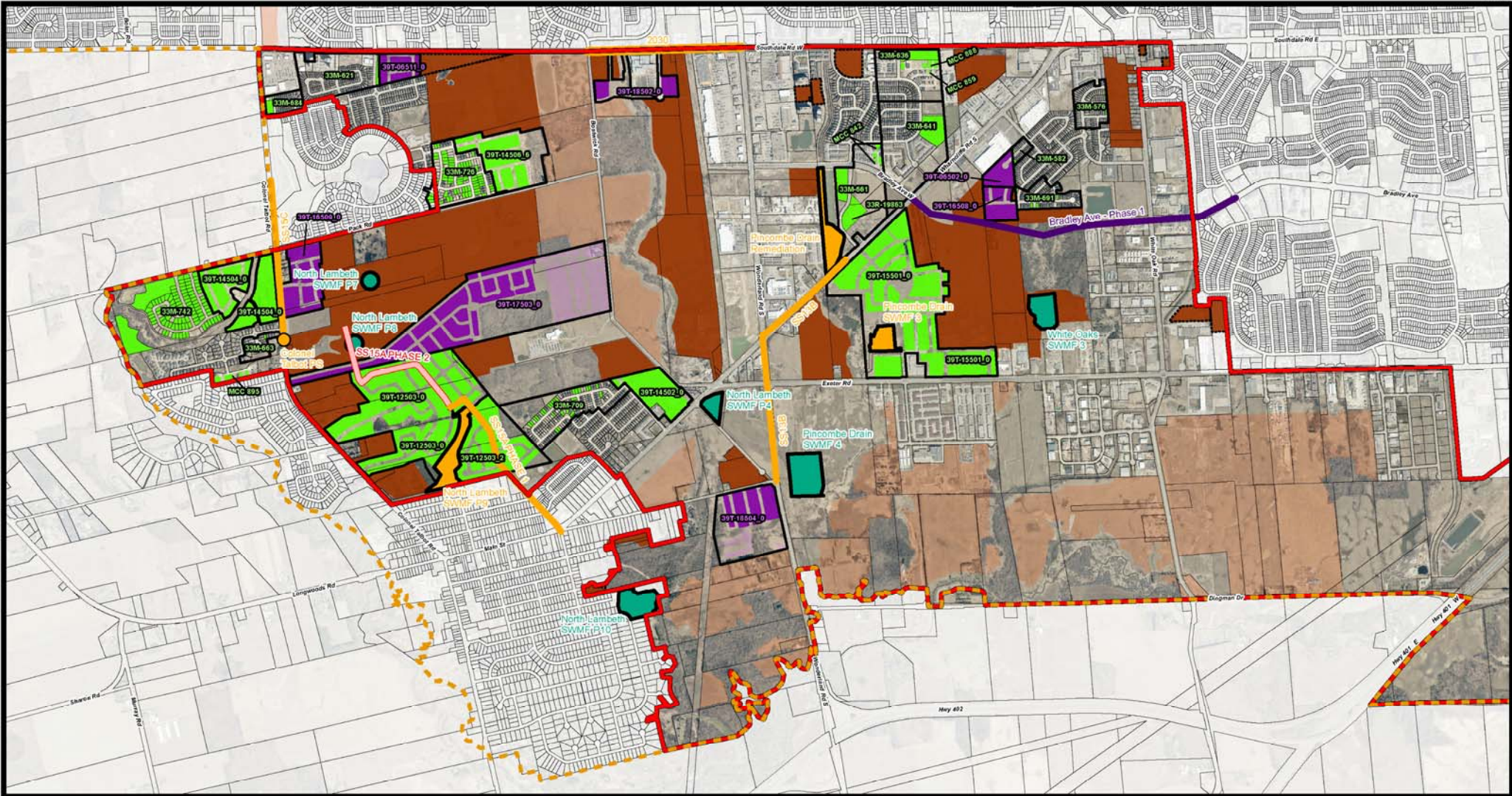


- Legend:**
- Dingman Creek, EA Proposed Phase 1 Catchment Area
 - Draft Plan (DP) Approved
 - DP Under Review
 - Land Parcel
 - Road
 - Urban Growth Boundary
 - Railroad
 - Water Body

Map Produced by
Stormwater Engineering
300 Dufferin Avenue,
PO Box 5035
London, Ontario
N6A 4L9
www.London.ca



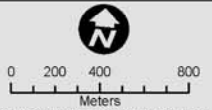
Appendix C – Southwest GMIS Area with UTRCA Screening Area



SOUTHWEST GMIS AREA

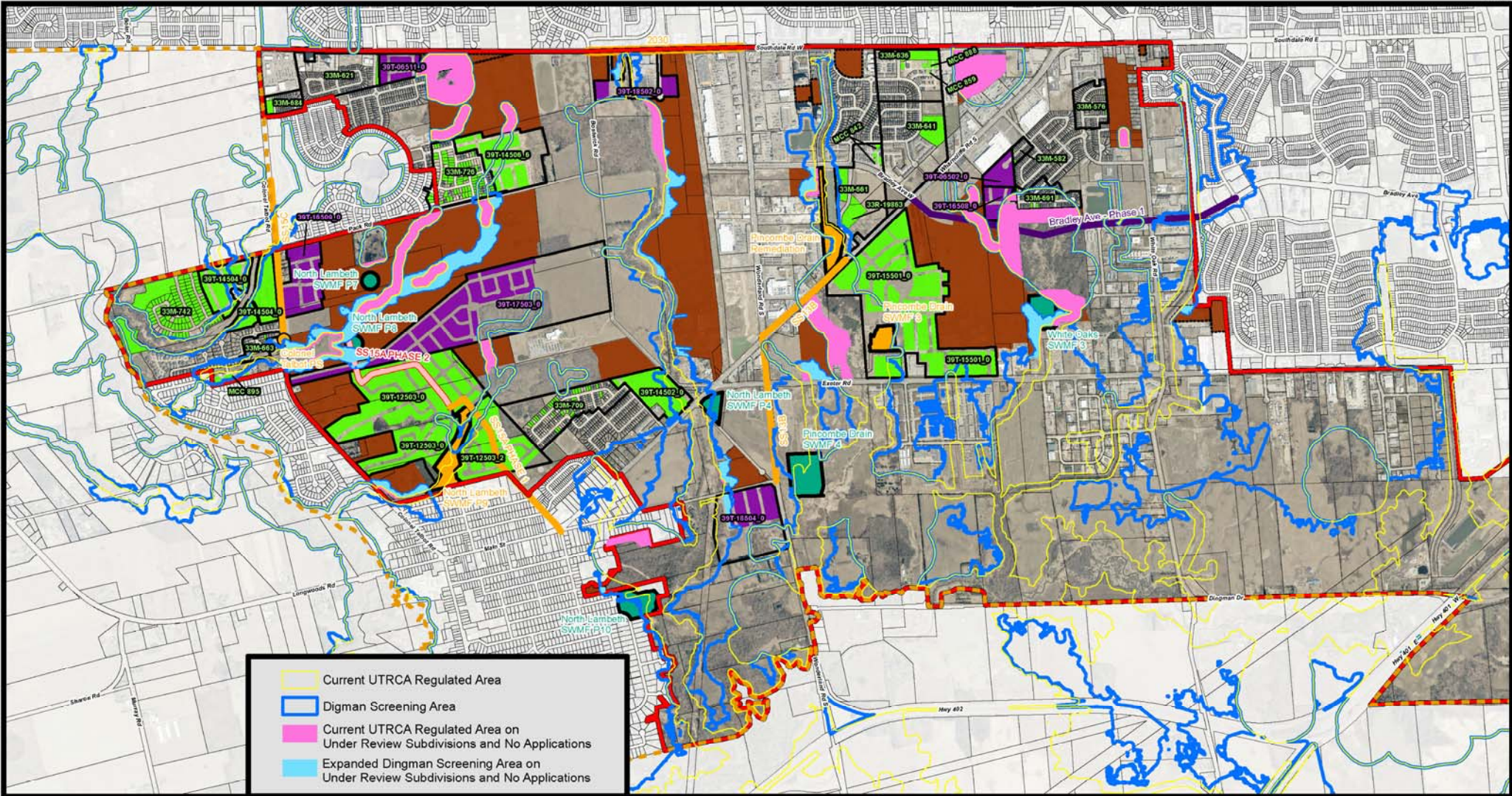
APRIL 2018 AERIAL PHOTO

- GMIS Area
- Registered Subdivision/Condo Plans
- Draft Approved Subdivision/Condo Plans
- Under Review Subdivision/Condo Plans
- Potential Development
- Developable Areas With No Applications
- Assessment Land Parcels
- Urban Growth Boundary
- Sanitary
- Transportation
- SWM Facilities
- Approved Construction Pending



PREPARED BY: Development Services (CITY OF LANSING)
 CREATION DATE: November 26, 2018
 LOCATION: North Litchfield/Planning/Projects/DA/BU/2_GMIS
 GMS Area: Inland, Summary, Plans, Mapping
 Project: 2020/Southwest_GMIS_Area_11x17_2018_MIS_UTRCA_Screening_Area.mxd

Appendix D – Southwest GMIS Area Application Status



SOUTHWEST GMIS AREA

APRIL 2018 AERIAL PHOTO

GMIS Area	Potential Development	Sanitary
Registered Subdivision/Condo Plans	Developable Areas With No Applications	Transportation
Draft Approved Subdivision/Condo Plans	Assessment Land Parcels	SWM Facilities
Under Review Subdivision/Condo Plans	Urban Growth Boundary	Approved Construction Pending

PREPARED BY: Development Services (CITY OF LEAMINGTON)
 CREATION DATE: November 26, 2018
 LOCATION: North 11th Street / Planning Projects / DAB/02_GMIS
 GMIS Area / Sewer / Summary / Sheets / Legend
 Project: 2020/Southwest_GMIS_Area_11x17_2018_M01_UTRCA_Screening_Area.mxd

To: UTRCA Board of Directors
From: Tracy Annett & Chris Tasker
Date: February 14, 2019
Subject: Dingman Delegation Report to Board

Agenda #: 5 (a)
Filename: C:\Users\annett\Documents\GroupWise\7253-1.doc

BACKGROUND

On November 27th, 2018 two delegations were heard at the Board of Directors Meeting;

- Mr. Herman Turkstra, Lawyer representing Bluestone Properties, Tradewinds Properties and Exeter Dingman Investments; and
- Mr. Bill Vietch representing the London Development Institute and Ms. Lois Langdon spoke on behalf of the London Home Builders' Association

As a result of the delegations made at the November 27, 2018 Board of Directors Meeting clarification from staff were requested regarding if a policy was needed to apply screening areas. In addition, this report outlines the steps taken to inform landowners, stakeholders and their consultants of the updates to flood plain modelling within the Dingman Creek Study EA.

SCREENING AREAS

The UTRCA is involved in the review of development applications through the Planning Act and Conservation Authorities Act. This review is important to satisfy our roles under the Planning Act and the Conservation Authorities Act:

1) Planning Act:

- a. Delegated responsibility to review municipal policy documents and applications under the Planning Act to ensure that they are consistent with the natural hazards policies contained in Section 3.1 Provincial Policy Statement. It should be noted that Section 3.1.3 of the PPS states that "Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards";
- b. CAs are also considered public commenting bodies pursuant to Section 1 of the Planning Act. As such, CAs must be notified of municipal policy documents and applications as prescribed; and
- c. Ensure that the applicant and municipal planning authority are aware of the Section 28 regulations and requirements under the *CA Act*, and, assist in the coordination of applications under the *Planning Act* and the *CA Act*

- 2) **Conservation Authorities Act:** Legislated responsibility for the "Development, Interference with Wetlands, Alterations to Shorelines and Watercourses" regulation.

The use of Screening protocols are described in the Ministry of Natural Resources and Forestry *Policies and Procedures for Conservation Authority Plan Review and Permitting Activities, MNR (May, 2010)*. It states: 3.3 CAs are considered public commenting bodies pursuant to Section 1 of the Planning Act and regulations made under the Planning Act. As such, **CAs must be notified of municipal policy documents and applications as prescribed. To streamline this process, CAs may have screening protocols with municipalities, normally through service agreements, which identifies those applications that CAs should review.**

Link to document

https://conservationontario.ca/fileadmin/pdf/conservation_authorities_section_planning_regulations/Policies_and_Procedures_for_CA_Plan_Review_and_Permitting_Activities.pdf

The purpose of the Screening Area mapping is for the Municipality to identify which properties require CA staff review of applications made pursuant to the Planning Act, in order to streamline the review process. Screening Area mapping can include areas affected by CA Act Regulations and areas where we have either delegated or public commenting roles under the Planning Act. To emphasize, these areas for screening are not only for our Regulatory responsibility.

Section 9.1.2 of the UTRCA's Environmental Planning Policy manual outlines the approach for Pre-screening protocol maps and states that: *The pre-screening protocol is map based. The maps will reflect the most current location information available for natural hazard, natural heritage and natural resource areas. Adjacent lands, allowances and areas of interference are included on the maps to ensure that the area of potential interest is reflected.* Page 99/110 of the pdf <http://thamesriver.on.ca/wp-content/uploads/PlanningRegulations/UTRCA-EnvironmentalPlanningPolicyManual-2006.pdf>

Examples of Conservation Authorities throughout the province that produce screening maps for each of their watershed Municipalities include; Halton Region CA, Cataraqui Region CA, Toronto Region CA, Mississippi Valley CA are a few.

Staff feel that a specific policy to reflect Screening Areas as an approach to identifying properties where CA's are to be circulated for comments is not required. Direction for utilizing this approach is provided in current UTRCA policies and in the Policy and Procedures set out by the Province for the CA's review of *Planning Act* Applications. The current Screening maps for the Dingman Creek Subwatershed were developed with the City of London to ensure CA staff are reviewing development proposals in areas where hazard modelling and mapping are being updated.

PUBLIC ENGAGEMENT

The delegation requests from LDI and LHBA both suggested that the screening area mapping be withdrawn and that there be no requirement for the City of London to refer applications to the UTRCA for applications outside of the current Regulation Limits with any development. Further, LDI felt that the impacts of climate change are not a regulatory responsibility and had concern that these buffers did not reflect the current regulation. While Herman Turkstra requested that the Board not approve the 'new lines' without talking to stakeholders. It was clarified that the report before the Board was an information item, not for approval. Through the presentations made by the delegations it was evident that additional engagement was necessary to understand the goals of the Dingman EA and the update to the flood plain mapping project.

As a result, the UTRCA and the City of London have engaged in further meetings and presentations to clarify the Flood Modelling Updates being undertaken through the Dingman EA process, and describe the purpose of the Screening Area. This additional engagement includes;

- Meeting with Dingman EA Stakeholders December 6th
- Meeting with Dingman Industry Representatives December 17th (the presentation to the Development Industry is attached).
- Monthly Dingman Implementation Team meetings have occurred with City Staff; December 10th, January 9th, and February 14th
- Peer Review Kick off Meeting Jan 29, 2019 – City of London, AECOM, UTRCA and LDI and a consultant representing Tradewinds/Bluestone Properties
- Updated website including FAQ's and project information is currently being finalized
- City staff have arranged a meeting proposed on February 19th with Tradewinds/ Bluestone Properties and their consultant, UTRCA staff have been asked to attend; and
- An updated EA Report is currently being drafted to be shared at City of London's Planning & Environment Committee on March 18, 2019.

Feedback received after the Dingman Industry Session was positive and Industry representatives shared with the City that they were impressed by the amount of information received.

Key messages shared with the Development Industry representatives during these meetings are summarised in the attached presentation (Delegation Landowners and/or their consultants, LDI and LHBA were in attendance).

Until the flood plain updates for the Dingman Subwatershed have been completed, the areas within the screening area may be subject to Conservation Authority Regulations. The delegations focused on the “change to Regulation” and that the screening map was beyond the Regulatory jurisdiction of the Conservation Authority. To clarify, the Regulation has NOT changed. Ongoing modelling suggests that previous hazard mapping does not accurately represent the flood hazards defined in Ontario Regulation 157/06. The Dingman Subwatershed Screening Area map is an interim tool intended to assist the UTRCA, City of London and proponents to assess proposed development. Land outside the screening area can proceed as usual through the development process. Within the screening area, further analysis and discussion is required to determine the impact of the hazard on development proposals. New development may be restricted in some areas identified within the Screening Area while the floodplain mapping is being verified and updated. These requirements are consistent with the Transition Policies as approved by the Board of Directors in August 2018 stated that:

When the available information is deemed insufficient to make decisions regarding hazard lands, the CA shall require the applicant to collect information, undertake calculations/modeling, produce mapping etc. to allow an informed decision to be made regarding the hazard lands.

CONCLUSION

Ontario Regulation 157/06 indicates that if there is a conflict between the description of areas and the areas as shown on the maps, the description of areas prevails. As the UTRCA continues the significant task of completing updates to hazard models and mapping staff continue to rely on the best available information, whether prepared through these updates or provided by the applicant, in their review of development proposals. The use of screening maps are a tool, supported by MNRF Policies and Procedures and UTRCA policies, intended to assist the UTRCA, City of London and proponents to assess proposed development through these updates. Staff will rely on the direction provided in the Transition Policies approved by the Board of Directors in August 2018, while public consultation and engagement continues through the EA process and subsequent updates to regulatory mapping. Subsequent reports will be provided to the Board as Target #3 work progresses.

PREPARED BY:

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Environmental Planning and Regulations

Chris Tasker, P.Eng., Manager
Water and Information Management

Attachments:
December 17th, 2018 Presentation to the Development Industry Meeting



DINGMAN EA

DEVELOPMENT INDUSTRY MEETING

December 17, 2018

City of London & Upper Thames River Conservation Authority

OUTLINE

- Background into Conservation Authority Regulations
- Role in Development Applications
- Dingman Background
- Floodplain update and modelling
- Screening Area approach
- Growth Management Implementation Strategy (GMIS)
- Next steps



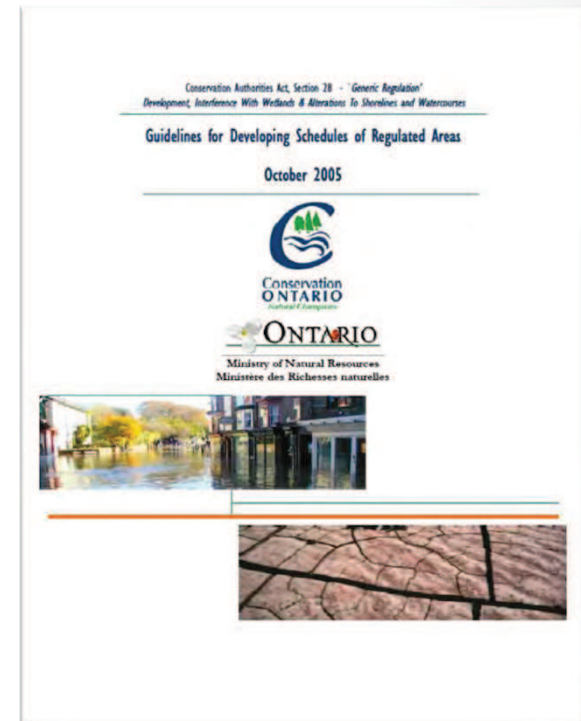
REGULATION LIMITS

- Conservation Authorities Act, implemented through Regulation: Ontario Regulation 157/06 *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*
- The Act and Regulation provide direction for CA's to identify hazard areas The area of land where the Regulation applies are:
 - Watercourses
 - Valleys, steep slopes and areas subject to erosion (meander belts)
 - Floodplains
 - Wetlands
 - Areas surrounding wetlands

It is important to note that the text of Ontario Regulation 157/06 describes the areas regulated, features and hazards do not have to be shown on the mapping to be regulated. The Regulation has not changed. In the event that there is a conflict between the text of the Regulation and the mapping, the text prevails

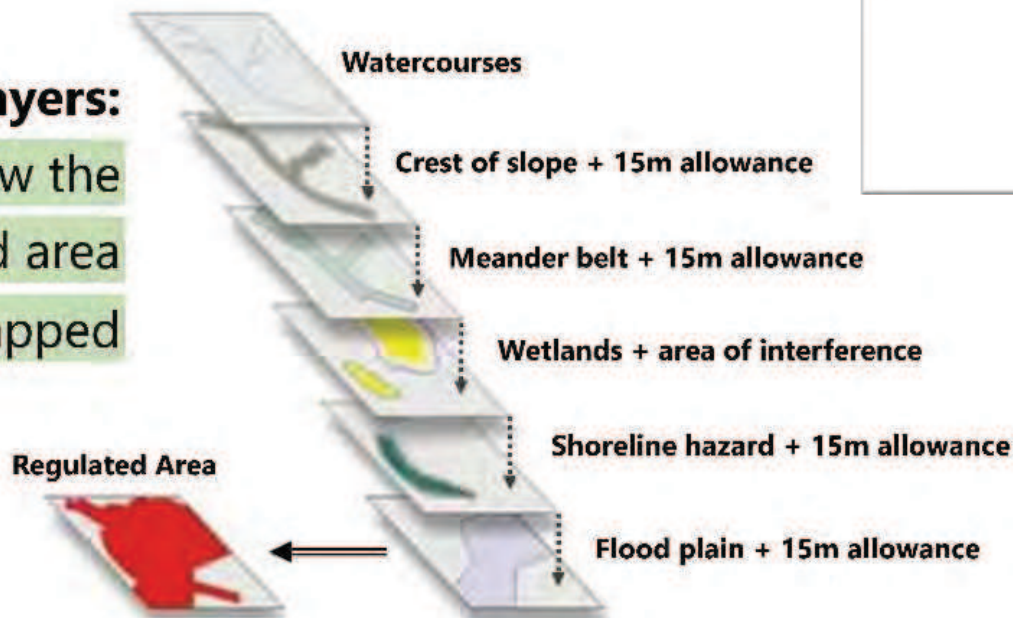
REGULATION TEXT

- Mapping process established by the Province (MNRF) and Conservation Ontario in 2005



GIS Data Layers:

How the regulated area is mapped



DEVELOPMENT REVIEW

- Conservation Authorities (CA's) have a delegated responsibility to review municipal policy documents and applications under the Planning Act to ensure that they are consistent with the natural hazards policies contained in section 3.1 of the Provincial Policy Statement.
- CA's are also public commenting bodies pursuant to Section 1 of the Planning Act and regulations made under the Planning Act. As such CA's must be notified of municipal policy documents and applications as prescribed. To streamline this process, CA's may have screening protocols with municipalities.



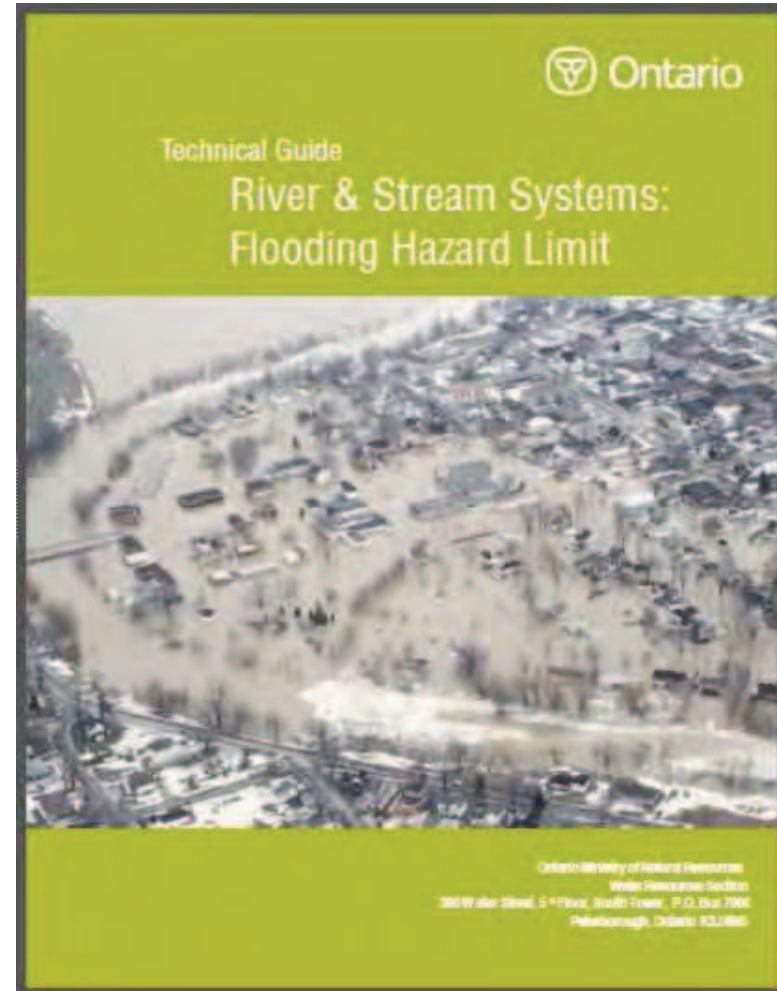
DINGMAN EA BACKGROUND

- Initiated the Dingman Creek Subwatershed: Stormwater Servicing Municipal Class Environmental Assessment October 2015
- UTRCA was appointed to carry out the modelling for the Floodplain update
- The EA initiatives are intended to inform the review of future development applications within the subwatershed



FLOODPLAIN UPDATE

- Methods to identify Hazards are provided through technical guidance provided by the Province, 2002



FLOOD MODELLING

- Updated to reflect new technical information to more accurately identify floodplain hazard areas.
- Became apparent that previous floodplain mapping was no longer accurate
- While we are at the beginning of the public engagement process - needed to ensure these potential areas of change were identified – not wait until the end of the process
- Modelling/Mapping update efforts will be peer reviewed



SCREENING AREA MAP

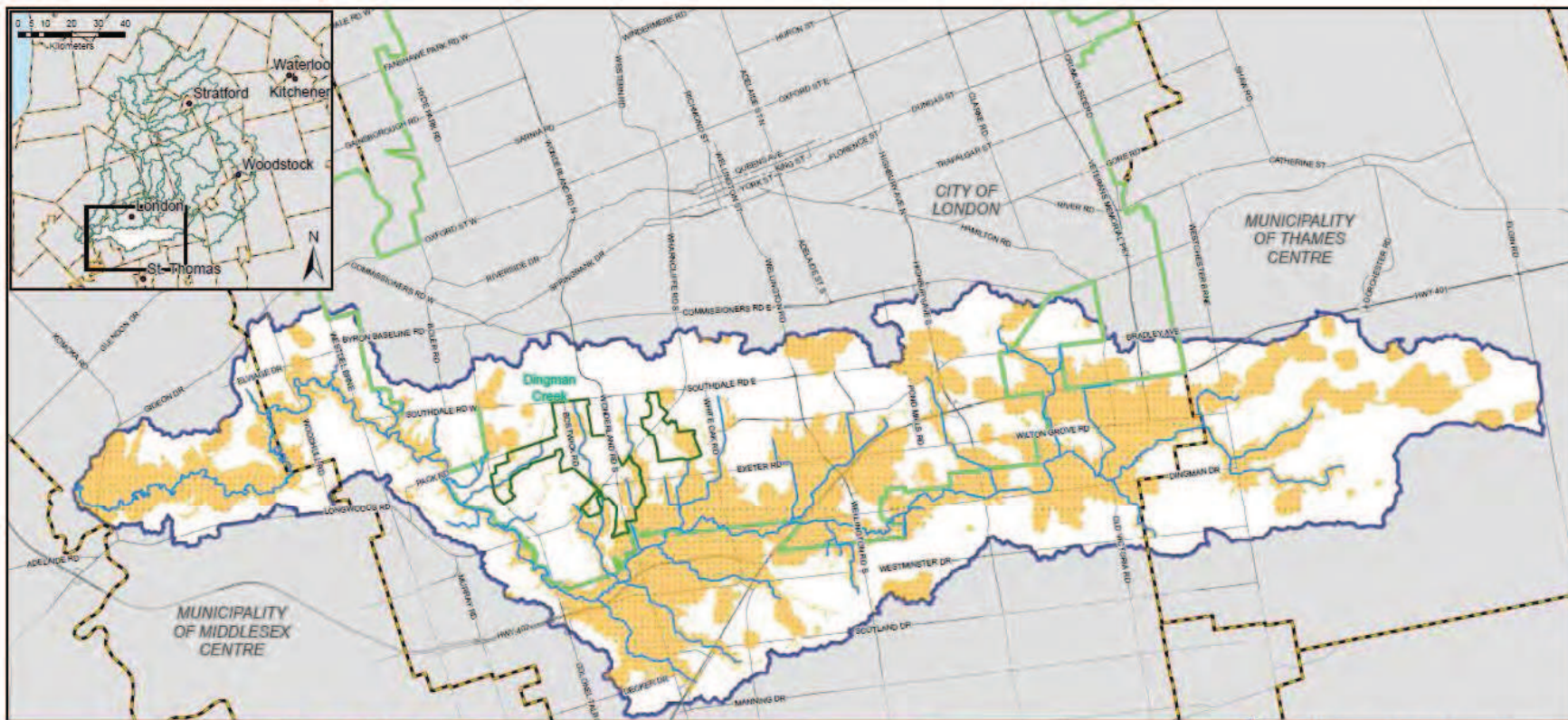
- Interim tool to aid City staff in appropriately engaging UTRCA early in planning process for proposed development in these areas
- Screening Map is intended to capture all Natural Hazards as identified in the PPS, 2015, including 3.1.3, impacts of climate change.

For Information Reports

- Planning & Environment Committee Nov 12, 2018
- UTRCA Board of Directors Nov 27, 2018



SCREENING AREA



DINGMAN SUBWATERSHED SCREENING AREA
NATURAL HAZARDS (FLOODING, EROSION, WETLANDS)

UPPER THAMES RIVER
CONSERVATION AUTHORITY

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This map is not a substitute for professional advice. Please contact UTRCA staff for any changes, updates and amendments to the information provided.

This document is not a Plan of Survey.

Data Sources:
 2018 Watercourse, Oct. 2018 Section 28 Screening Area
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2016 Urban Growth Boundary Copyright © City of London, 2016

2018 Roads, 2013 Municipal Boundary
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Legend

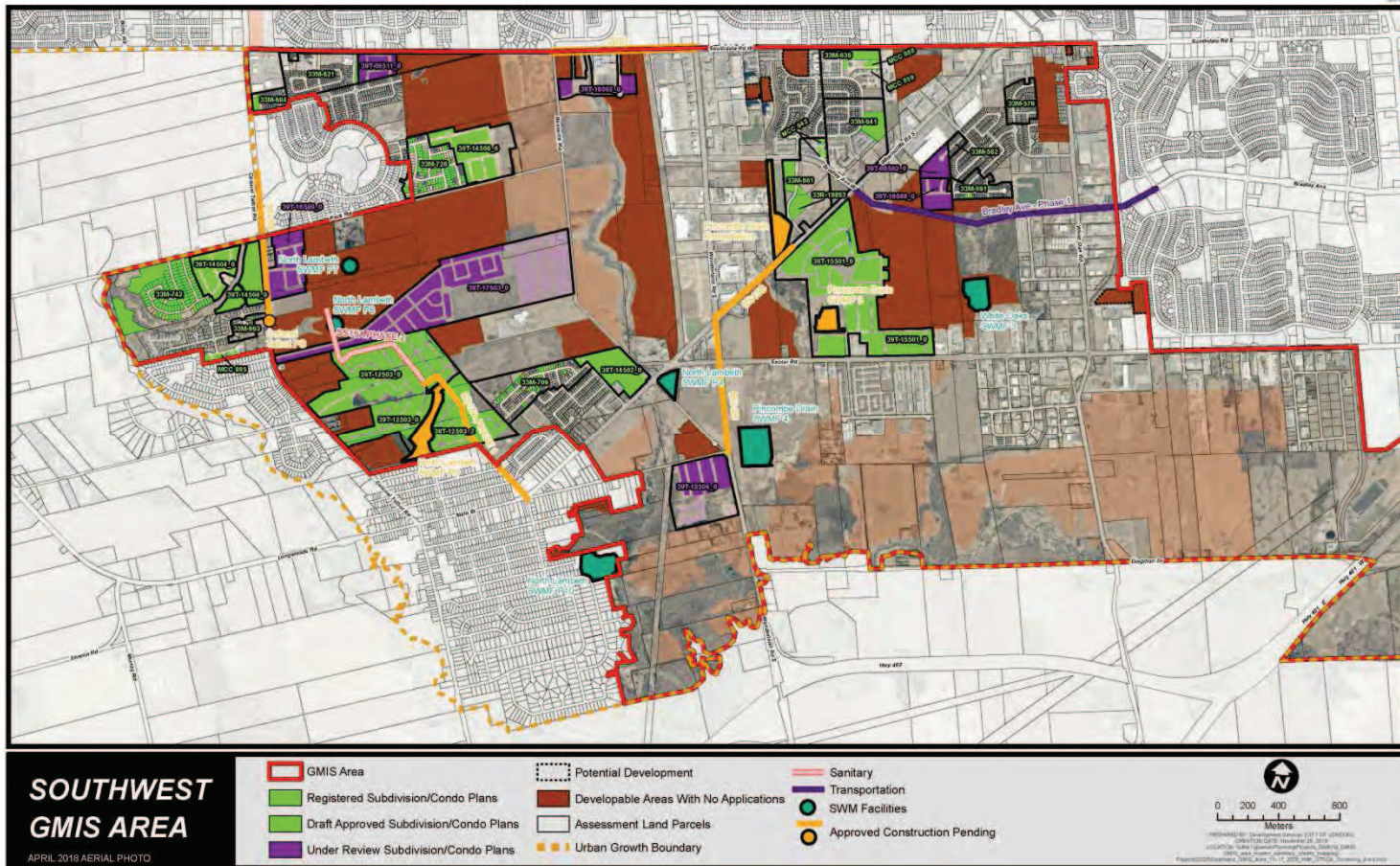
- River
- Roads
- Municipalities
- Dingman Subwatershed
- Urban Growth Boundary
- Screening Area
- Dingman Creek EA
- Proposed Phase 1 Area

Map Created by UTRCA
 October 31, 2018

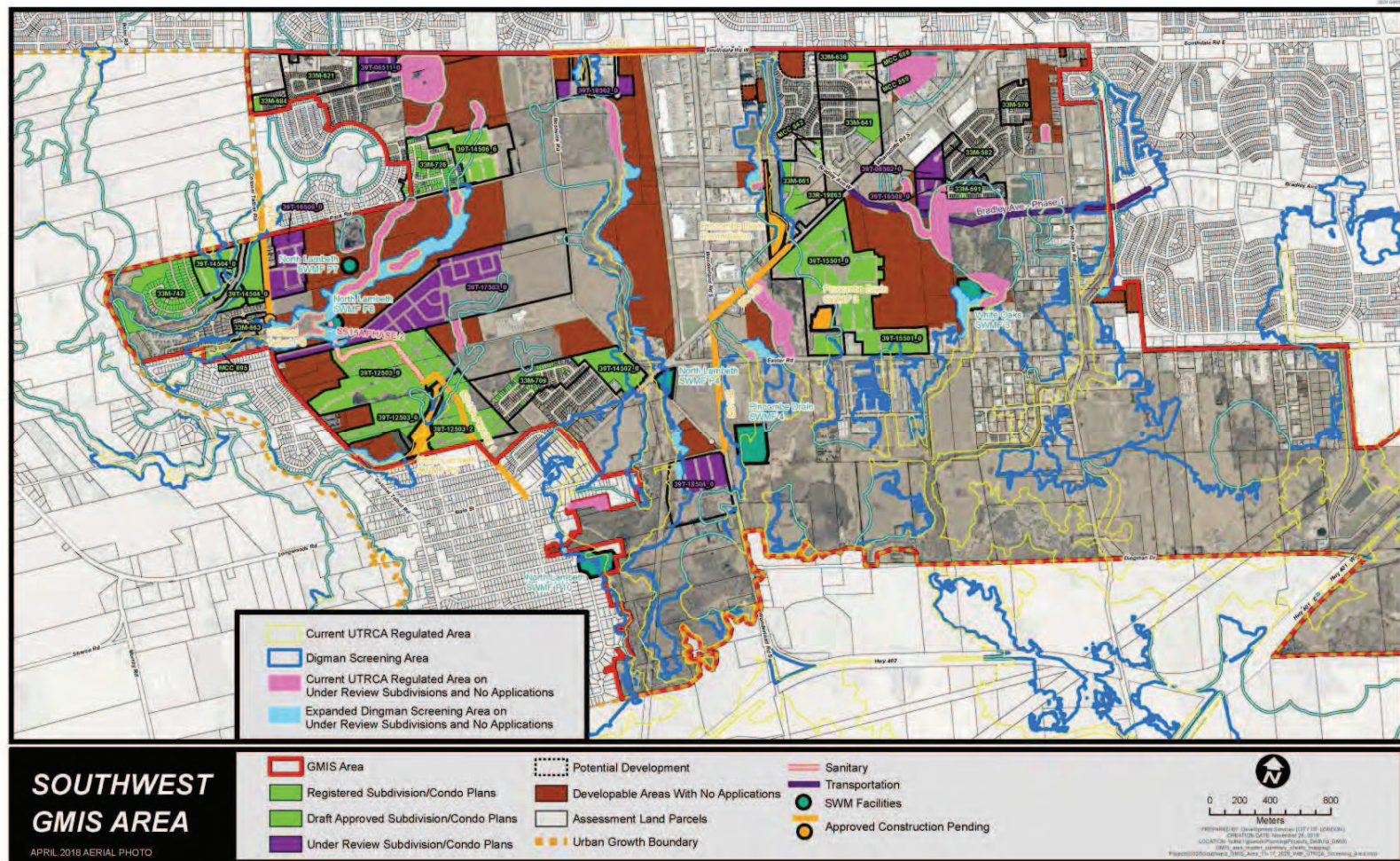


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Southwest Growth Area 7-Year (2019-2026) Servicing Plan



Screening Area



REVIEW PROCESS

- Registered & Draft Approved and Under Review Plans of Subdivisions / Condominiums within the Southwest Growth Area;
 - Where the 'Principle of Development' has been established under the Planning Act, the Authority will work with the proponent and the municipality to pursue a resolution where possible
 - The UTRCA review will ensure that the lands have appropriate access, minimize risk to public health and safety, and not create new or aggravate existing hazards
 - Under Review Plans also need to consider with other natural heritage considerations



Dingman Creek at Colonel Talbot looking south January 10, 2008

MITIGATION

Build Resilient watersheds to prevent flooding. Flood Mitigation can include both structural measures and policy approaches. Examples may include:

- Structural Approaches:
 - Watercourse channelization
 - Infrastructure improvement (e.g. roads, culverts, bridges)
 - Low Impact Development
- Policy Approaches
 - Two Zone Floodway Flood Fringe
 - Requirements for flood proofing



CONSULTATION & ENGAGEMENT

- December 5th, Dingman Creek EA Stakeholders meeting
- December 17th, Landholders Meeting
- December 19th GMIS Meeting at the City
- Planning & Environment Committee early February
- Feb 25th onward, will follow the EA schedule



SUMMARY OF NEXT STEPS

- Further review and refinement of the hazard areas will continue
- Webpage dedicated to Floodplain updates and include answers to Frequently Asked Questions
- Peer review of the modelling results will be undertaken
- UTRCA and City Implementation Team
- Public consultation and engagement through the EA process
- EA will consider options for flood mitigation and/or policy approaches on impacted lands



Highbury Ave. at Dingman Creek, February 2018 looking northwest

QUESTIONS

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