

"Inspiring a Healthy Environment"

November 8, 2012

The Corporation of the City of London
Planning Division
206 Dundas Street
London, Ontario N6A 4L9

Attention: Chuck Parker

Dear Mr. Parker:

Re: File 11 NEI e b – Beaufort/Irwin/ Gunn/Saunby/ Essex Street "BIGS" Neighbourhood Plan

The Upper Thames River Conservation Authority (UTRCA) has had an opportunity to review the Beaufort/Gunn/Saunby/Essex Street Neighbourhood Secondary Plan prepared by Peter J. Smith & Company Inc. dated October 12, 2012 and offers the following comments.

As shown on the enclosed mapping and as indicated in Section 5.3 of the report appendix, there are lands in the BIGS neighbourhood which are regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of riverine flooding and erosion hazards associated with the Thames River. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

In the policies of Section 4.6 (p.40) it states that river land and park land should be developed and should include play structures, exercise stations, sports courts as well as a hard surfaced lit trail. Furthermore, it is recommended that Essex Park be developed as a wetland park with a boardwalk and seating areas. Many of these areas and projects are located within the regulated area and we therefore recommend that the necessary approvals be obtained from the UTRCA.

The UTRCA concurs with the OS zoning recommendations presented in Section 4.9.

With respect to Section 5.3 Flood Plains we wish to clarify that the lands located south of the rail tracks are within a potential Special Policy Area (SPA) known as the West London SPA. The City of London and the UTRCA have adopted a set of *interim* policies to deal with proposed land use changes and development in potential SPAs. The intent of these policies is to maintain the status quo of the land uses in these neighbourhoods so that the final outcome of the SPA review is not compromised. At the present time, the West London SPA has not been approved by the Province. However, once approved, it is anticipated that the West London area would be formally recognized as an established neighbourhood where the standard two zone flood plain concept cannot be reasonably applied. This recognition would allow for the implementation of area specific policies that would help minimize flood impact and

permit the upgrading or redevelopment of properties that would otherwise not be allowed under Provincial flood plain policy.

DRINKING WATER SOURCE PROTECTION

The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the study area is located within a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

The *Clean Water Act* (CWA), 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government's commitment to implement the recommendations of the Walkerton Inquiry as well as protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario's 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region. Drinking Water Source Protection represents the first barrier for protecting drinking water including surface and ground water from becoming contaminated or overused thereby ensuring a sufficient, clean, safe supply now and for the future.

Assessment Reports:

The Thames-Sydenham Source Protection Region has prepared *Assessment Reports* that:

- identify vulnerable areas associated with drinking water systems;
- assess the level of vulnerability in these areas; and
- identify activities within those vulnerable areas which pose threats to the drinking water systems, and assesses the risk due to those threats.

The Assessment Report for the Upper Thames watershed delineates three types of vulnerable areas: Well Head Protection Areas, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. The subject lands are in an area that has Highly Vulnerable Aquifers. A portion of the lands are also in a Significant Groundwater Recharge Area. Mapping which shows these areas is available at:

Significant Groundwater Recharge Areas

http://www.sourcewaterprotection.on.ca/downloads/assessment_reports/UTRCA/Appendices/A1-Maps/Map4-2-2%20SGRA%20Vulnerability.pdf

Highly Vulnerable Aquifers:

http://www.sourcewaterprotection.on.ca/downloads/assessment_reports/UTRCA/Appendices/A1-Maps/Map4-3-2_Highly%20Vulnerable%20Aquifers.pdf

Source Protection Plans:

Using the information in the *Assessment Report*, a *Source Protection Plan* is being developed for the Upper Thames watershed. It is anticipated that this *Plan* will consist of a range of policies that together, will reduce the risks posed by the identified water quality and quantity threats in the vulnerable areas. These policies will include a range of voluntary and regulated approaches to manage or prohibit activities which pose a threat to drinking water. Activities that can lead to; low, medium and significant threats have been identified in Appendix 10 of the *Upper Thames River Source Protection Area Assessment Report*, dated August 12, 2011 which is available at:

http://www.sourcewaterprotection.on.ca/downloads/assessment_reports/UTRCA/Appendices/A10-

Threats%20and%20Risk%20Assessment.pdf

AREA OF VULNERABILITY	VULNERABILITY SCORE	THREATS & CIRCUMSTANCES
Significant Groundwater Recharge Area (SGRA)	6	Moderate & Low Threats
Highly Vulnerable Aquifers (HVA)	6	Moderate & Low Threats

NOTE: At this time, certain activities on this property may be considered *Moderate or Low* threats to drinking water.

Given that the *Source Protection Plan* is being developed, the UTRCA cannot speculate what the *Plan* might dictate for these areas. Under the CWA, the Source Protection Committee has the authority to include policies in the *Source Protection Plan* that may prohibit or restrict activities identified as posing a *significant threat* to drinking water. Proponents planning to undertake changes in these areas need to be aware of this possibility.

Provincial Policy Statement (PPS, 2005):

Section 2.2.1 requires that:

“Planning authorities shall protect, improve or restore the quality and quantity of water by: d) implementing necessary restrictions on development and site alteration to:

- 1. protect all municipal drinking water supplies and designated vulnerable areas; and*
- 2. protect, improve or restore vulnerable surface and ground water features, and their hydrological functions”*

Section 2.2.2 requires that:

“Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored”.

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development.

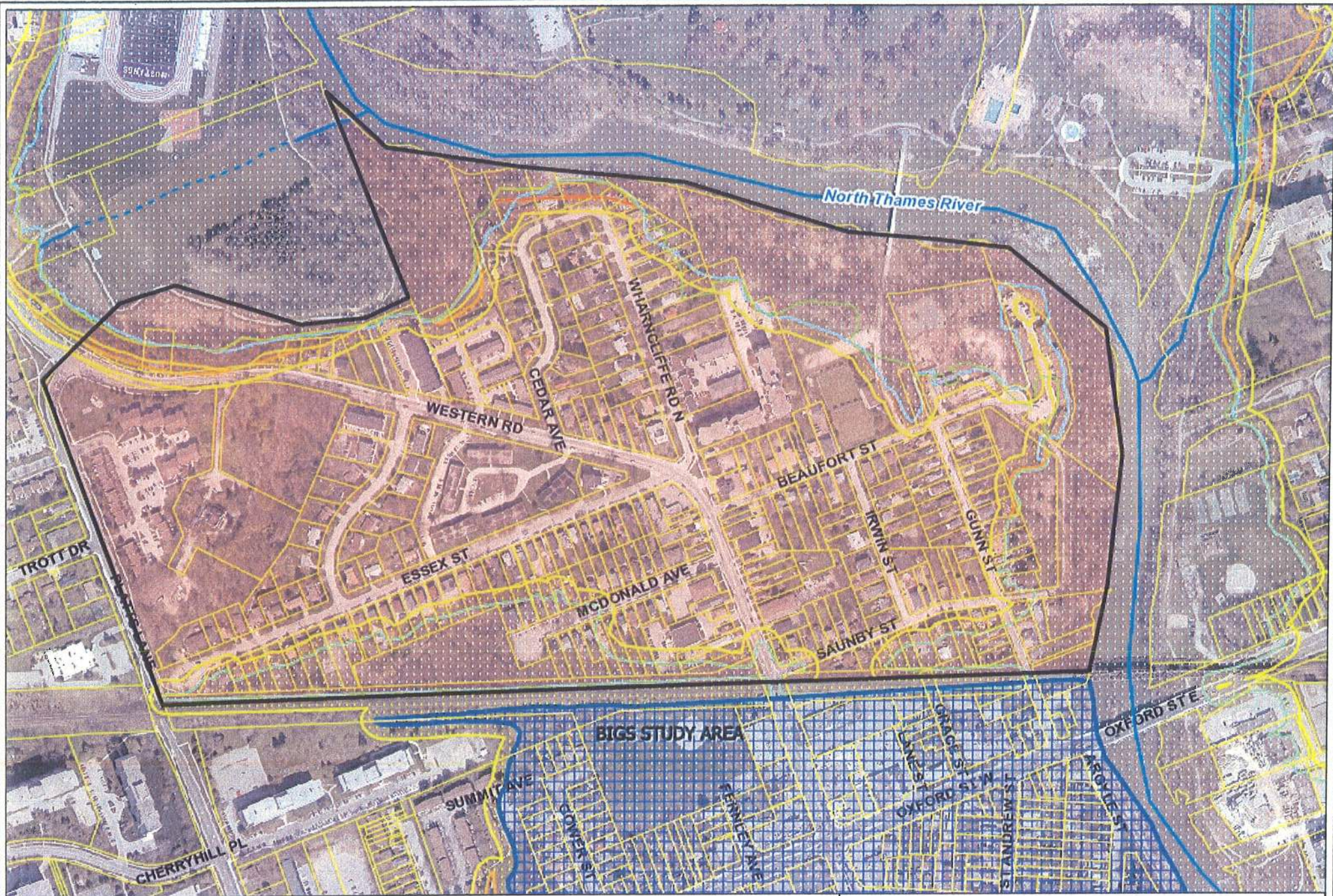
Thank you for the opportunity to comment on the neighbourhood plan. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)



Regulation Limit

Regulation under s.28 of the *Conservation Authorities Act*.
Development, interference with wetlands, and alterations to shorelines and watercourses. O.Reg 157/06, 97/04.

Legend

- Road Labels (1:64K)
- Assessment Parcel
- Watercourse
 - Open
 - Tiled
- Special Policy Area
- Evaluated Wetland (MNR)
- Unevaluated Wetland (UTRCA)
- London Hazard
 - FLD250
 - Remnant Valley
 - Stable Slope
 - Toe Erosion - Stable Slope
 - Top of Slope
- Flooding Hazard
- Erosion Hazard
- Wetland Interference
- Regulation Limit

The Regulation Limit depicted on this map schedule is a representation of O.Reg 157/06 under O.Reg 97/04. The Regulation Limit is a conservative estimation of the hazard lands within the UTRCA watershed. Depending on the specific characteristics of the hazard land and the land use proposed, the Regulation Limit may be subject to change.

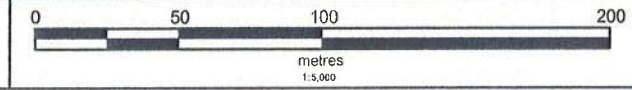
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This map is not a substitute for professional advice. Please contact UTRCA staff for any changes, updates and amendments to the information provided.

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Notes:
Beaufort/Irwin/Gunn/Saunby/Essex (BIGS) Neighbour Area



By email to: cparker@london.ca

November 7, 2012

City of London
Planning Division
P.O.Box 5035
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N6A 4L9

Attention: Mr. Chuck Parker

Re: Beaufort/Irwin/Gunn/Saunby/Essex ("BIGS") Neighborhood Area Study

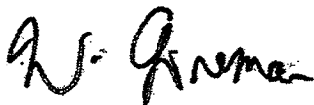
DFS Investments Inc. is the owner of 358 Hollywood Crescent and 366 Hollywood Crescent in London, Ontario, which are located within the BIGS neighborhood study area.

DFS Investments Inc. supports intensification in the BIGS study area in order to make better use of existing infrastructure.

After review of the BIGS draft Neighborhood Plan, DFS Investments Inc. wishes to commend the efforts of the City of London Planning Staff for the work done in the BIGS neighborhood study area.

As well, DFS Investments Inc. wishes to support the proposed BIGS Neighborhood Plan and the proposed rezoning of Hollywood Crescent from R1-10(4) to some R5 variation to allow for stacked townhouse development.

Yours truly,
DFS Investments Inc.



Warren Fireman