# **11TH REPORT OF THE**

# ENVIRONMENTAL AND ECOLOGICAL PLANNING ADVISORY COMMITTEE

Meeting held on October 20, 2011, commencing at 5:06 p.m.

PRESENT: D. Sheppard (Chair), D. Cooper, A. Desai, R. Gupta, M. MacDougall, B. Maddeford, J. Miller, S. Polhill, S. Sanford, G. Sass and S. Turner and B. Mercier (Secretary).

ALSO PRESENT: B. Bergsma, J. Bruin, C. Creighton, A. Macpherson and H. McNeely.

# YOUR COMMITTEE RECOMMENDS:

2012 Budget Development for Advisory Committees

1. (4) That the 2012 Budget allocation for the Environmental and Ecological Planning Advisory Committee (EEPAC) **BE INCREASED** by \$1,000.00 for a total allocation of \$2,005, to assist interested members to attend the 2012 Canadian Urban Forest Conference to be hosted by the City of London; it being noted that the requested increase will be for one year only and that the proposed registration fee for the Conference, will be approximately \$500.00 per person; it being further noted that the EEPAC reviewed and received a communication, dated August 11, 2011, from B. Westlake-Power, Manager of Legislative Services, with respect to the 2012 Budget development for Advisory Committees.

Riverbend South Area Plan - Appendix 4

- 2. (9) That the following actions be taken with respect to the review of planning applications, including, but not exclusive, to those relating to the Riverbend South Area Plan:
- the practice of conditions of an application being fulfilled by a future application BE DISCONTINUED; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) indicated that this practice previously required a future natural corridor at Warbler Woods, which may now be bisected by a roadway;
- (b) the EEPAC's previous comments with respect to the Boundary Delineation Guideline #8, BE RE-ITERATED; it being noted that the previous comments request that Guideline #8 be revised to ensure the ecological conditions already identified in the guideline lead to actual protection of coniferous planting areas instead of 'suggested' protection; it being further noted that in the experience of the EEPAC, many areas which are only 'suggested' for protection are almost exclusively proposed for destruction;
- (c) the following **BE CONSIDERED** with respect to the planning process:
  - a name should be assigned to any unnamed streams and creeks;
  - the re-naming of any waterway that may be called a drain but is officially no longer a drain under the *Drainage Act*; and,
  - (iii) a name should be assigned to Tributary C, reflective of its location and its downstream relationships; and,
- (d) the <u>attached</u> revised comments prepared by B. Maddeford, A. Desai, D. Sheppard and S. Turner, with respect to this matter and asked that it **BE FORWARDED** to staff for their review and consideration.

New EEPAC Term Orientation

3. (14) That the Civic Administration and the Upper Thames River Conservation Authority (UTRCA) **BE REQUESTED** to provide orientation information to the newly appointed advisory committee, according to the proposed revised <u>attached</u> schedule.

#### II YOUR COMMITTEE REPORTS:

Kains Woods ESA Pathway

4. (5) That the Environmental and Ecological Planning Advisory Committee (EEPAC) heard a verbal update from A. Macpherson, Manager, Parks Planning and Design, with respect to the Kains Woods ESA Pathway.

City of London – City-Wide – Park Hierarchy Classification System

5. (6) That the Environmental and Ecological Planning Advisory Committee (EEPAC) reviewed and received a Notice, dated September 14, 2011, from B. Page, Planner, with respect to an application submitted by the City of London relating to a change to the city's park hierarchy classification system by introducing a new form of park, an "Urban Park". The EEPAC indicated its support for the re-classification of the Environmental Sensitive Areas (ESAs) to a separate classification of park.

Johnstone's Family – Subject Lands Status Report

6. (10) That the Environmental and Ecological Planning Advisory Committee (EEPAC) asked that the <u>attached</u> comments prepared by E. Carroll and G. Sass, with respect to the Johnstone's Family, Subject Lands Status Report, be forwarded to Staff for their review and consideration.

Scoped EIS for 2054 Adelaide Street North, Comfort Lands

7. (11) That the Environmental and Ecological Planning Advisory Committee (EEPAC) asked that the <u>attached</u> comments prepared by M. MacDougall, J. Miller and D. Sheppard, with respect to the scoped EIS for 2054 Adelaide Street North, Comfort Lands, be forwarded to Staff for their review and consideration.

Advisory Committee Review 8. (12) That the Environmental and Ecological Planning Advisory Committee (EEPAC) asked that the revised <u>attached</u> comments be forwarded to the City Clerk for consideration with the Advisory Committee review currently being undertaken.

Advisory Committee Appointments

9. (13) That the Environmental and Ecological Planning Advisory Committee (EEPAC) heard a verbal update from its Committee Secretary, on behalf of the City Clerk, with respect to the advisory committee appointments; it being noted that the EEPAC was advised that the current advisory committees are to be extended to early 2012. The EEPAC indicated that recruiting for new applications in December 2011 may be unwise.

EEPAC Outgoing Member Survey 2011

10. (15) That the Environmental and Ecological Planning Advisory Committee (EEPAC) asked that the <u>attached</u> "EEPAC Outgoing Member Survey 2011" prepared by R. Gupta and D. Sheppard, be forwarded to the City Clerk for consideration with the Advisory Committee Review currently being undertaken.

Stanton Drain Remediation and Hyde Park SWM Facility 4 - Scoped Environmental Impact Study 11. (16) That the Environmental and Ecological Planning Advisory Committee (EEPAC) asked that the revised <u>attached</u> comments prepared by S. Sanford, G. Sass and D. Sheppard, with respect to the Stanton Drain Remediation and Hyde Park SWM Facility 4, Scoped Environmental Impact Study, be forwarded to Staff for their review and consideration.

ESA Draft Encroachment Procedure

12. (17, 20) That the Environmental and Ecological Planning Advisory Committee (EEPAC) asked that the <u>attached</u> comments prepared by M. MacDougall, M. Maddeford and D. Sheppard, with respect to the Environmentally Significant Areas (ESA's), Draft Encroachment Procedures, be forwarded to Staff for their review and consideration.

EEPAC Deferred Matters List

13. (18) That the Environmental and Ecological Planning Advisory Committee (EEPAC) reviewed and received its Deferred Matters List, as at October 20, 2011; it being noted that the EEPAC asked that the EEPAC Deferred Matters List be referred to the new EEPAC, for its information.

Upcoming Conferences

14. (19) That the Environmental and Ecological Planning Advisory Committee (EEPAC) reviewed and received a variety of updates on upcoming conferences; it being noted that the EEPAC approved the expenditure for any member who wishes to attend any of the conferences noted on the EEPAC agenda, on a first-come basis. The EEPAC asked that Members notify the Committee Secretary of their intent to register for any of the conferences, to ensure sufficient funds remain available in its 2011 Budget.

EIS Completeness Checklist and Tables

15. (21) That the Environmental and Ecological Planning Advisory Committee (EEPAC) asked that the revised <u>attached</u> EIS completeness checklist and tables, proposed by the EEPAC, be forwarded to Staff for their consideration.

#### EEPAC - 3 -

Environmentally Significant Areas – 2012 Projects

- 16. That the Environmental and Ecological Planning Advisory Committee (EEPAC) heard the <u>attached</u> presentation, dated October 21, 2011, from A. Macpherson, Manager, Parks Planning and Design, B. Bergsma, Ecologist Planner and J. Bruin, Parks Project Coordinator, with respect to the 2012 projects for Environmentally Significant Areas.
- 17. That the Environmental and Ecological Planning Advisory Committee (EEPAC) received and noted the following:

9th and 10th Reports of the EEPAC

(a) (1) the 9th and 10th Reports of the Environmental and Ecological Planning Advisory Committee from its meetings held on August 18 and September 15, 2011, respectively;

9th Report of the ACE

(b) (2) the 9th Report of the Advisory Committee on the Environment from its meeting held on October 5, 2011;

Construction Projects in ESA's

(c) (3) a Municipal Council resolution adopted at its meeting held on July 25, 2011 with respect to construction projects in Environmentally Sensitive Areas (ESAs);

Sunningdale Golf and Country Club – Golf Hole Relocations

(d) (7) a communication from D. Stanlake, Director of Development Planning, with respect to an information meeting to be held on November 3, 2011 relating to the Sunningdale Golf and Country Club, golf hole relocations; it being noted that B. Bergsma, Ecologist Planner, will be attending the above-noted meeting and will provide the EEPAC with an update at its next meeting;

Sunningdale Court

(e) (8, 22) a communication from Stantec Consulting Ltd., with respect to the Environmental Impact Study for Sunningdale Court and the issues summary checklist report, as well as a communication, dated October 18, 2011, from B. Bergsma, Ecologist Planner, with respect to a site meeting scheduled to walk and stake the limit of the ESA on the proposed Sunningdale Court property; and,

Veterans Memorial Parkway South Extension – Notice of Study Commencement

(f) (23) a communication from D. MacRae, Transportation Design Engineer, with respect to the Veterans Memorial Parkway South extension, notice of study commencement.

Next Meeting

18. That the Environmental and Ecological Planning Advisory Committee (EEPAC) will hold its next meeting on November 17, 2011.

The meeting adjourned at 9:31 p.m.

# Review of: Riverbend South Area Plan Appendix 4

Natural Heritage and Environmental Impact Study Prepared by AECOM; dated March 4, 2010

Reviewers: B. Maddeford, A, Desai, D. Sheppard, S. Turner; October 20, 2011

# Natural Corridor / On-site Connectivity

It is really nothing short of ridiculous to propose a natural corridor between the woodland and the ESA and at the same time sever the corridor with an asphalt roadway. The need and requirement for the corridor has been well established in previous planning documents. An alternative road alignment is easily foreseeable which would allow a fully functioning ecological corridor. Connectivity of our remaining natural spaces is crucial for their long term health and sustainability.

- 1) No roadway should be allowed in the corridor. An alternate road alignment should be required.
- 2) Recommendation to BNEC If conditions contained in previous planning applications are meant to be fulfilled by a future application but that future promise can not be fully or properly enforced, then the City should cease the practice of offering current concessions for future promises. It seems the previously required and future promised natural corridor at Warbler Woods may now be bisected by a roadwork.

## **Landscape Connectivity**

The EIS does not consider the need nor the opportunity to connect on-site features to offsite natural features. OP policy 15.1.1 requires development to maintain and improve the diversity and connectivity of natural features. Additionally, Warbler Woods lays directly within the Big Picture Corridor which further underscores the importance of this natural area and its connectivity to the larger system.

3) Ecological connectivity to the larger natural heritage system must be addressed.

#### **Multi-Use Pathway**

It is understood that Parks Planning requires a multi-use paved pathway somewhere within the subject lands. The location of the pathway should be included within the development overlay within the EIS and most importantly, it must be located fully outside of the final delineated ecological boundaries of the ESA. Failure to plan and located the pathway at this stage of development ultimately leads to pressure to locate the paved pathway within the ESA. It has been clearly established that paved multi-use pathways are not appropriate within ESAs.

4) The location of the intended paved pathway must be included in the development overlay, included in the impact assessment and must be fully outside the ESA, including outside the ecological buffer.

#### Landforms

The EIS does not include any discussion of the landforms found within the subject site. Two of the seven evaluation criterion to qualify as an ESA deal directly with landforms. There must be assurance that the landforms for which the Warbler Woods ESA was designated are fully included within the final boundary. This assurance is not provided.

5) The ESA boundary must include the landforms and the landform - natural community combinations for which the ESA was designated.

# **Ecological Description of Coniferous Areas**

On-site observation of the white pine area seems to indicate that in the open areas, natural succession is occurring and good size walnut and maple trees are established. It would be desirable for the EIS to include the ELC sheets used to classify the vegetation communities. This would provide greater detail of the vegetation found and would indicate the actual polygons characterized. The bio-diversity of the grassland species that have established in other open areas would also be easier to judge.

- 6) The ELC sheets for all vegetation communities should be included in the EIS.
- 7) The white pine area should be re-examined, based on the ELC sheets, to more fully judge its woodland features, despite its cultural origin.
- 8) Recommendation to BNEC This plantation area, while culturally originated is an important part of the functioning ecology at Warbler Woods. It is an example of where City Guidelines do not strongly enough require protection of such ecological lands. EEPAC restates its prior recommendation that Boundary Delineation Guideline #8 be revised as to ensure the ecological conditions already identified in the guideline lead to actual protection of coniferous planting areas instead of 'suggested' protection. EEPAC's experience is that any areas which are only 'suggested' for protection are almost exclusively proposed for destruction.

The already existing guideline conditions which should be strengthened from 'should' protect to 'must' protect are applicable if:

- b) minimizes edge effects to natural heritage features by providing a buffer between the feature and the surrounding land use; or
- c) strengthens internal linkages or reduces edge to area ratios by filling in bays; or
- d) connects a patch to a permanent watercourse; or
- e) it connects two or more patches; or
- f) it is below the top-of-slope in a stream corridor or ravine

There are very few ways for the City to increase the amount of ecologically productive land within the City at little or no cost. This is one of them.

Further the importance of preserving plantations is addressed the new MNR Natural Heritage Manual, based on the 2005 PPS, as follows:

Generally, plantations (excluding fruit orchards or Christmas tree plantations) are recognized as investments made with the objective of forest restoration and can be considered to be woodlands.

#### Logging and Burning

The EIS does not provide sufficient information on the location or the extent of logging and burning activities on site. It is clear from aerial photos that significant areas of vegetation have been cleared over time. Clarification should be provided as to whether logging and burning as occurred within areas designated OS or ER. Restoration of damaged OS or ER lands should be required.

9) The EIS should show the areas of logging and burning, especially if within OS or ER lands, and should state the extent of the impacts which have occurred.

#### Slope and Top of Slope

The topographical Figure 2 clearly shows that a large portion of the coniferous community is located on land sloping toward the ESA. This contradicts the EIS assertion that area is "above the top of slope of the ESA".

# Aquatic Resources / Unnamed Tributary C

Previous planning documents have clearly shown a Tributary C across the subject lands, yet this EIS claims "there are no aquatic features.. within or adjacent to the subject site." This discrepancy should be clarified.

10) The EIS should clarify the existence and status of Tributary C.

As part of the Area Planning process, the City of London should name all unnamed tributaries and as appropriate, re-name former drains to creeks or streams. Naming natural features creates a sense of place and allows the community to develop ownership and stewardship for their local natural features.

- 11) Recommendation to BNEC
  - a) As part of the planning process, Parks Planning should assign a name to any unnamed streams or creeks.
  - b) As part of the planning process, Parks Planning should officially re-name any waterway that may be called a drain but is officially no longer a drain under the Drainage Act.
  - c) Parks Planning should assign a name to Tributary C reflective of its location and its downstream relationships.

Vernal ponding areas are uncommon and ecologically important. The EIS states vernal ponding occurs in the white pine community CUP3-2. This feature and the function of critical habitat for amphibians is not reflected in the protective measures of the EIS.

12) The area of the vernal ponding and the surface water flows that sustain it should be protected.

#### Schedule B1 Features and Patch Boundaries

The EIS does not provide any full and clear depiction of the Schedule B1 natural heritage features, or other on-site features. It is not possible to confirm that assessments have been done on full area of each patch. This includes the ESA, the significant woodland, as well as woodland patch FOD5-1.

- 13) The patch boundaries being evaluated must be clearly shown in order for the evaluation to be meaningful.
- 14) Confirmation must be provided that the evaluations were done on the entire area of each patch as is required by policy, notwithstanding any illegal (or otherwise) clearing or degradation of existing woodlands.

#### **Boundary Delineation Guideline #4 - Watercourses**

With Tributary C not reflected within the EIS, it is presumed that this guideline can not have been properly applied.

15) Tributary C location should be clarified and this guideline applied.

### **Boundary Delineation Guideline #7 - Meadows**

As per guideline, meadow habitat should be included in the ESA if they:

- connect a patch to a permanent watercourse
- connect two or more patches
- are below the top of slope

The EIS does not provide a) clear patch boundaries and b) no information on the Tributary C watercourse. Additionally, the top of slope would seem to be quite different on the topographic Figure 2 than is stated in the EIS text. As such, it is presumed this guideline can not have been properly applied.

16) The application of this boundary guideline should be addressed.

## **Boundary Delineation Guideline #8 - Plantations**

The coniferous vegetation community CUP3-2 fulfills the following guideline functions:

- minimizes edge effects by acting as a buffer
- fills in bay in patch edge
- increases potential for interior forest habitat

Accordingly, the CUP3-2 should be included within the ESA boundary.

17) CUP3-2 should be included within the ESA boundary.

#### Species at Risk

Both Bobolink and Meadowlark are found within the study. These species are officially listed as Species at Risk while the EIS identifies them as only Conservation Priority species. The EIS must provide additional information on the habitat requirements of these species and ensure that adequate nesting habitat is retained within the ESA.

18) SAR Bobolink and Meadowlark habitat must be identified and retained.

# Grassland Habitat, Open Treed Areas and Conservation Priority Birds

At least eleven species of Conservation Priority birds are observed in the study area. Many of these species require grassland or open treed areas (i.e. the plantation) for habitat. However these habitats are slated for complete or almost complete removal by the development proposal. Assurance must be provided that suitable type and size of habitat is being retained for each of these species. Failure to do so will no doubt lead to their extirpation from Warbler Woods.

In addition to species listed in the EIS, four additional PIF Conservation Priority Birds have been observed by EEPAC in the plantation area, including Northern Flicker, Baltimore Oriole, Rose Breasted Grosbeak, Eastern Kingbird. This total 15 species which must be fully addressed and habitat protected.

- 19) Grassland and open habit areas must be preserved for sensitive and SAR bird species
- 20) For every conservation priority species identified, habitat requirements must be identified and protected.

#### No Warblers in Warbler Woods

Recent post development study has shown that the number of forest interior species in Warbler Woods has dropped dramatically, after the invasive housing development to the east. Not surprisingly, the EIS for that development predicted that there would be no negative effect of locating the housing within the woodland.

This experience should inform the current EIS as to the clear need for protecting as much existing on-site vegetation as possible. Vegetation communities that may currently be considered of lower diversity will naturally mature and offer high quality habitat in the future. This is by far the most effective and efficient means with which to protect and enhance the natural heritage system as required by the OP.

21) The size and shape of the Warbler Woods ESA should be maximized to comply with OP policy and to properly restore Warbler Woods from previous damage.

# Significant Habitat

The EIS does not contain an evaluation of natural heritage features for their function as Significant Habitat as per OP 15.3.1 and 15.4.7

22) Evaluations and conclusions regarding the existence of Significant Habitat must be included in the EIS.

#### **Buffers**

Given the large number of other issues in determining the size, shape and contents of the ESA and the Significant Woodlands, EEPAC currently offers no detailed comment on the currently proposed buffers beyond to say that they are inadequate to protect and enhance the Warbler Woods ESA. Also, given the strong topography of the area, revised buffers should take into account surface water flow and landform grading.

23) The Ecological Buffer Assessment Calculation found in Appendix A of the City approved Ecological Buffers Guideline should be used to determine the appropriate buffer sizes for Warbler Woods. It accounts for both topography, the nature of the natural feature as well as the proposed adjacent land uses.

Significant Woodland Patch 07041 does not seem to have any buffer allocated along is eastern boundary as per Map 4.

24) A Significant Woodland requires a buffer and it should be shown on Map 4

Most of the coniferous area drains toward the ESA. Any housing located in this area would also drain toward the ESA. The EIS acknowledges the likely negative impact of encroachment, yard waste, escaped garden vegetation and lighting on the ESA (including decreasing interior habitat) from proposed adjacent housing. Yet the proposed buffers do not accommodate or mitigate these impacts.

25) Buffer rationale should include allowance for backyard drainage and other acknowledged impacts (listed above).

/end

# **New EEPAC Term Orientation**

EEPAC is requesting that City and UTRCA staff plan to be able to deliver orientation information according to the following schedule. Presentations are optimally no more than 30 minutes due to the inevitable number of questions which extends the time requirement.

When	What	Who
Month 1	City Clerk Advisory Committee Orientation, including:	Clerk's Dept.
(April?)	- Committee mechanics (speaking and reporting to Council)	Cicia Bopt.
	- expenses / parking / bus	
	- explanation of how agenda reads/looks	* -
	- hopefully enhanced written orientation package as	
	recommended by EEPAC April 2010	
	Scope and role of EEPAC	Clerk's Dept.
	It is important for new members to understand early on what	Отогко Ворг.
	EEPAC's strengths and limitations are so that they can set	
	realistic expectation for what they want to achieve and how	
	best to focus their energy.	
	History of EEPAC (5 mins)	City Ecologist
	A brief history of EEPAC will help new members	and Transfer
	understand how the committee evolved.	
	Members Self Introduction	All EEPAC members
	Covering: academic. professional and volunteer background,	and Resource staff
	interest that led to EEPAC membership, etc.	
	Governance and Organizational Structure of the City	Clerk's Dept.
	Tools For Ecosystem Planning	City Ecologist
	(same/modified presentation from this term)	
	Environmental Management Guidelines	City Ecologist
	- hard copy supplied to each member; will be reviewed at	
	future session	
nid	EEPAC working group meeting to review and explain the	All EEPAC members,
nonth 1	Environmental Management Guidelines	City Ecologist.
Month 2	Introduction to City of London Planning Process	Planning Staff
(May?)	(based on previous presentation by J. Fleming)	
nid	EEPAC working group - tutorial on how to review an EIS	All EEPAC members,
month 2	(or other proposal / document as appropriate)	City Ecologist
Month 3	Role and Responsibilities of UTRCA, especially as it	UTRCA Staff
June?)	relates to land use planning in London	
Month 4	Introduction to Stormwater Management planning and	EESD Staff
(July?)	functioning	
Month 5	Environmental Assessment Process with specific CoL	EESD Staff.
(Aug?)	context and Secondary Plan linkage	Planning Staff

# Review of: Johnstone's Family Subject Lands Status Report

dated April 7, 2011 by BioLogic

Reviewers: E. Carroll, G. Sass; October 20, 2011

We agree with the report's final table (Table 4) listing the environmental considerations for the Subject Lands for fish habitat, wetlands, and woodlands. However, these are not just considerations. If properly applied, evaluations of significance should have resulted in ESA, significant woodland, locally significant wetland, and significant wildlife habitat designations. In addition there is evidence for indirect fish habitat. Unfortunately, the consultants try their very best to obfuscate the true nature of these lands. This SLSR cannot be accepted in current form because of error and inadequate information.

#### **Recommendation 1:**

Vegetation patch 10094 needs to be evaluated in its entirety and not separated into two parts because of the proposed Bradley St. extension. As a result, all ELC sheets and significance tests (ESA, woodland, wetlands and wildlife habitat) must be redone by the consultant.

#### Recommendation 2:

Based on information provided, Patch 10094 should be designated as ESA. It meets high criteria for Criteria 1, 5, 6, 7.

## Recommendation 3:

Vegetation patch 10093 is directly adjacent to subject lands and because of distance triggers should also be evaluated, at least at a landscape level. This was not done in SLSR and so needs to rectified.

#### **Recommendation 4:**

This SLSR should have been rejected upon receipt as most of conclusions were drawn on one season inventory for flora and fauna. Three season inventory, as per SLSR requirements, is a must in order to draw appropriate conclusions.

#### Recommendation 5:

It appears from land use designations that the City has already made up its mind with respect to the northern part of Patch 10094. This intent should not influence city staff to come up with an appropriate conclusion for Patch 10094. If patch 10094 is deemed ESA as it should be, the entire patch needs to be protected and Bradley Ave. extension rerouted another way.

/end

Review of Scoped Environmental Impact Study for 2054 Adelaide St. North, Comfort Lands, prepared by BioLogic, dated November 10, 2009

Reviewers: M. MacDougal, J. Miller, D. Sheppard

- The evaluation of the ESA Criteria is inadequate. It is very clear City policy that it is not acceptable to evaluate only a portion of a patch and draw ecological conclusions. Patch 2031 must be evaluated in its entirety and not in the fashion this EIS attempts.
- Figure 2 is not sufficient to show the Potential ESA on the subject site. A Figure with a scale of 1:50000 is required.
- No map is provided that shows the OP plan designated boundaries of Patch 2031 (in its entirety, in case that condition need be stated again). It is impossible to evaluate a patch which is not even shown.
- No appendices are included which makes the report statements impossible to verify.
- Even the limited attempt at ESA Evaluation is not supported by information missing in App G.
- The development proposal does not seem to honour the conditions under which agreement regarding the required life science inventories. Namely, that the development remain outside of natural areas. However the development proposal clearly shows encroachment into vegetation communities six, nine, two, three and ten.
- It is likely that the life science inventories on which the EIS is based are now likely too dated to be accurate without additional verification. But this is not possible to fully assess since the EIS fails to detail the studies (and their dates) upon which it is relying.
- The proposed zig zag boundary of the patch should be evened out to avoid the creation of bays and to reduce the edge effect on the woodland. Regardless of the hydrological study outcome, the pond should be at least partially included within the ESA boundary to reduce edge effect and to preserve the existing vegetation on the south side of the pond.
- There is no detailed analysis of the differing buffers required along each vegetation community. There is also no direct statement on the amount of vegetation which is proposed to be excluded from OS protection.
- From the Detailed Design recommendation 4, why is new edge habitat being created within Area 4. Is this not on the other side of the wetland and isolated from the proposed development?
- The summary (section 8.0) should indicate that the patch is a potential ESA and includes a provincially significant wetland.
- There are several references to a pipeline easement trail. This is not clearly indicated on any map.
- There are references an information package that will be prepared for residents and the condo board. This package should include information about the consequences for encroaching on the ESA, guidelines for living next to an ESA, naturalization of property, etc.
- There is mention that the ESA currently contains a lot of buckthorn. The developer should remediate this problem.

# **Advisory Committee Review**

submitted by EEPAC, October 2011

(including recommendations submitted in April 2007, January 2008, April 2010)

# **Community Engagement and Committee Exposure**

1) List all committee members on City website

2) List AC meeting schedule time and place on website (buried in the Terms of Reference is not intuitive); the goal being to 'invite' and empower the public to attend committee meetings. Website should also explain that AC meetings are open to the public and how the public is able to interact with AC meetings.

List all AC agendas and reports on City website (this is not just an engagement issue but also an issue of support and empowerment of AC volunteers – easy and organized access to Committee agendas and reports is a huge benefit to committee

members)

- 4) Create and publish online, a calendar of AC meetings so that citizens can get an easy overview of when all committees are meeting (instead of having to dig into Terms of Reference and then count out the weeks in each month to find the right date).
- 5) Advisory Committees should be listed as a venue under the SPEAK UP section of the City website.
- Create webpage for every Advisory Committee as a public window into the AC. Page would include the ToR, agendas/minutes, list of members, links example items that the AC looks after (e.g. Heritage Priority List for LACH, natural areas maps for EEPAC). See good (and simple) example in Durham Region (screen shot provided as Appendix B here).
- 7) The mandates of all AC's should include assisting the City with making its information more open and its processes more transparent. AC's are a well suited vehicle to advance the goals of community engagement within their particular realm of operations.

#### Recruitment

- 8) Advertising Actual Vacancies
  - i) The website regularly declares there are no vacancies on Advisory
    Committees when this is not the case. EEPAC can currently and almost
    always can, accept additional members. It is counterproductive for the
    website to declare no vacancies while EEPAC volunteers try to spread the
    exact opposite message.
  - ii) If it is too labour intensive to maintain and publish an accurate count of committee vacancies, then at least all the committees with at least one vacancy should be listed on the Committee Vacancies webpage.
- 9) Applying and Responding to Applicant
  - The City process of reviewing, nominating, recommending by CoW and approving by Council is not made clear to applicants. The process takes much longer than applicants would intuitively expect. This leads to a perception by the potential volunteer that their offer of service may not be valued. It is important to properly set expectations and to do our best to make the process as transparent and understandable as possible.
  - ii) A maximum timeframe should be adopted within which an application will be reviewed by the nominating committee and forwarded to the BoC for consideration.
- 10) Procedure to ensure vacancies reserved for representatives of specific organizations are filled by those organizations.

## **Recruitment Techniques**

- 11) Alternative/Additional Advertising Possibilities
  - i) Send periodic notices to all Advisory Committees to inform them of current vacancies on other committees and to invite them to refer people.
  - ii) For the few Advisory Committees that are the most difficult to recruit qualified persons or which have the most frequent vacancies, develop specific communication channels with local associations or groups whose

mandate/activities are relevant to the Advisory Committee in question. Keep these groups informed when there are committee vacancies.

Specifically for EEPAC: Develop direct communication channels with UWO science and geography faculty, including retirees.

- iv) Specifically for EEPAC: Periodically inform UTRCA of EEPAC vacancies and ask the notice to be circulated to staff for possible referrals.
- v) Add "Advisory Committee" link under new Residents webpage

vi) Add "Advisory Committee" link under new Speak Up webpage

- vii) Partner with Emerging Leaders to promote Advisory Committee opportunities
- viii) City of London could become a member of Pillar Non-Profit and can then promote Advisory Committee opportunities on the premier volunteer website in the City. (Cost of membership would be \$300).
- ix) Link on Urban League of London to "Advisory Committee" webpage
- x) Place a new, unique advertisement in the LFP, outside the usual Living in the City format.
- xi) Conduct survey of all Advisory Committee members to learn if the current City advertising and recruitment strategies have been the mechanism for their volunteerism.
- xii) Periodically inform City Hall staff of ongoing Advisory Committee vacancies. They could be well informed ambassadors for the City. Use internal newsletter or elevator notices.
- xiii) Partner with local newspaper(s) to run feature on the contribution of Advisory Committees and to promote the volunteer opportunities
- xiv) Reach out to organizations that deal with newcomers to London. Advisory Committees need diversity and newcomers often need local experience.
- xv) Utilize FaceBook and Twitter.
- xvi) Create a recruitment flyer in pdf that existing AC members (and City staff) can share with their networks.

## **Appointments**

- 12) The Advisory Committee Striking Committee should include participation, if possible, of the outgoing Chair or Vice Chair of the advisory committee. The Chair or Vice Chair is uniquely qualified to provide input on the performance of reapplying members as well as the skills needs of the Committee.
- 13) For applicants who held AC positions the previous term, their attendance record should accompany their application for any new appointment. Past attendance is a good indicator of future participation.
- 14) The procedure for making appointments mid-term should be detailed, including the role of the AC Chair, the Standing Committee Chair and the Clerks Dept.

#### **Maximum Length of Service**

15) The two term maximum should be deleted and replaced with wording similar to "During the appointment process, preference may be given to applicants who have not already served two consecutive terms on the same advisory committee."

### **Election of Chair and Vice Chair**

16) Policy "An Advisory Committee member shall not serve as Chair or Vice Chair for more than two consecutive years" should be deleted. It should be fully at the AC's discretion which members fill these roles.

# **Committee Orientation**

- 17) The following issues be added or enhanced within the <u>written Clerk's Orientation Package:</u>
  - a) meeting procedures and protocols such as Speaking through the Chair; how to address others on the committee.
  - b) An explanation that advisory committees must make decisions via motions including what a motion is, how they are supposed to work and how to phrase and introduce one.

- c) explanation of the wording Clerk's Dept uses to present AC recommendations at Standing Committee. It is important that AC members truly understand what happens to their recommendations
- d) examples of most common EEPAC motions and what they mean: Note and file; Refer to staff; Recommend to Planning Committee.
- e) what happens to advisory committees recommendations after they are voted on at advisory committees meeting.
- f) role of the Chair.
- g) role of the Vice Chair.
- h) attendance requirements
- i) how to formally resign and why one should instead of waiting to be removed due to non attendance.
- j) The Staff Support section be modified to specify: Non-Voting Resource Members from Planning and Development, Environmental Services, Parks Planning and Upper Thames River Conservation Authority as well as the Committee Secretary have a role in providing some initial orientation at the beginning of a term as well as some periodic ongoing training for the committee with the goal of refreshing and building committee member skills directly related to their tasks.
- k) governance and organizational structure of the City
- l) under what conditions the AC may meet in camera and what procedures are to be followed
- 18) AC's should receive written notice of all Standing Committee membership and Chair-ship changes
- 19) Standing Committee Secretary should inform AC members of any special "training" or information sessions being provided to Councillors or Standing Committees so that AC members might also take advantage of the opportunity.

# Chair and Vice Chair Orientation / Info

- 20) Orientation specifically for Chair and Vice Chair needs to be developed and delivered, including
  - rules and skills on running a meeting
  - How to book a room
  - How to book AV equipment
  - What committee and council packages to expect
  - When and how to appear at Standing Committee as delegation for your report
- 21) Standing Committee should detail some expectations on what they want/need from an AC delegation. e.g.
  - expected length,
  - what is Standing Committee REALLY looking for from the delegation,
  - how the AC can be best prepared to pitch/explain their recommendations (e.g. have a well versed member attend with and/or present instead of, the Chair if appropriate)
  - rules on how Standing Committee deals with AC delegations;
  - how AC rep can or should interact with Standing Committee discussion

#### **Attendance**

- When a member's appointment is being reconsidered at CoW, their entire attendance record should accompany the agenda item. Currently decisions on whether the member should be allowed to continue on the AC are made with no regard to overall attendance history.
- Opinion or written recommendation of the AC Chair should be allowed when CoW re-considers a member's appointment following an absence of three consecutive meetings.
- 24) Missing 2/3 of meetings should not be allowed. In other words, current policy accepts a 33% attendance rate. Minimum attendance should be more inline with standard not for profit boards. Options include 50% attendance within any given 6 month period or greater than 60% over a calendar year. The current attendance expectation is too low and hampers the functioning of the AC.

- 25) Policy should be clarified to state that the attendance requirements are equally applied to members at large as well as members appointed to represent a specific agency.
- 26) The Advisory Committee should receive written notice of either a member resigning or a member being deemed resigned after missing three meetings.
- Advisory Committee policy 5.16 requires that advance notice of absences from meeting will be recorded in the committee report. Presumably this should be done by indicating both Regrets and Absent members in the report. This is not currently done but it should be. In reviewing member attendance, the difference between regrets and absent is useful.

# Reporting to/at Standing Committee

- Advisory Committee recommendations should be allowed to be directed to the Standing Committee appropriate to the recommendation being made and not only strictly to the Standing Committee to which it regularly reports.
- When the AC has a recommendation going to Standing Committee, the AC Secretary should ask the Chair if they want to have delegation at Standing Committee. If so, the AC secretary should be able to obtain and confirm this status with the Standing Committee Secretary. The onus for requesting and obtaining delegation status should not be on the Chair.

#### **EEPAC Mandate**

30) See suggested additions and deletions in Appendix A.

#### Other

- 31) The mandates of all AC's should include assisting the City with making its information more open and its processes more transparent. AC's are a well suited vehicle to advance the goals of community engagement within their particular realm of operations.
- 32) It would be helpful if the Clerk's dept would book the required AV equipment for the AC when booking a room for working group meetings. Currently, the chair has to make a second call to TSD to make the booking and TSD is more accustomed to dealing with online bookings and bookings by staff than with outside volunteers.
- 33) Given the amount of effort EEPAC has undertaken in providing suggestions and ideas for the Advisory Committee Review, EEPAC requests an opportunity to comment on the draft new Council Chapter 5 Advisory Committees policy as well as proposed changes to the EEPAC mandate before they are enacted.

# Appendix A: Proposed Revisions to EEPAC Mandate

Note: The proposed changes to the mandate are aimed at more clearly and simply stating what EEPAC does, not only for AC members and the City, but also for members of the public and potential AC applicants.

The Environmental and Ecological Planning Advisory Committee reports to the Municipal Council, through the <u>Planning Committee</u>.

The Environmental and Ecological Planning Advisory Committee provides technical advice to the City of London on environmental matters which are relevant to the City's Official Plan London's Natural Heritage System, which

includes Environmentally Significant Areas, woodlands, wetlands, stream corridors, etc.

The Environmental and Ecological Planning Advisory Committee is responsible for the following:

- to recommend on natural areas, environmental features and applicable policies which may be suitable for identification and/or recognition in the Official Plan;
- to recommend on the management and enhancement of the Natural Heritage System, including Official Plan Policy, Environmental Management Guidelines and other policies and practices
- participate in developing Conservation Master Plans for London's Environmentally Significant Areas and in Subwatershed Studies
- monitor and provide input on reports, projects and processes that may impact the natural heritage system include Area Plans, Natural Heritage Studies, Environmental Impact Studies, Subject Land Status report, Environmental Assessments, etc.
- provide input and monitor impacts of all projects (including City lead)
   occurring within the Official Plan trigger distance for an EIS, regardless of whether the project includes a formalized EIS
- to provide technical advice, at the request of the Municipal Council, its Committees or the City's Planning and Development Department, on environmental matters which are relevant to the City's Official Plan or natural heritage system;
- to assist in maintaining an up-to-date information base on natural areas and environmental features which are identified in the Official Plan and to monitor the condition of these areas on an ongoing basis;
- to encourage public awareness and education on natural areas, environmental features and policies of the Official Plan which relate to environmental matters; and
- to comment on environmental legislation, programs and funding from Provincial Ministries and other government agencies as may be referred to the Committee by Municipal Council or its Committees.
- to provide comment on any matter which may be referred to the Committee by the Municipal Council or its Committees

## Composition

#### **Voting Members**

Between seventeen and twenty-three Voting Members, including one member of the Advisory Committee on the Environment.

#### Non-Voting Resource Group

# City Ecologist

One representative of each of the following:

City's Community Services Department
City's Planning and Development Department - City Planning & Research
City's Planning and Development Department - Development Approvals
City's Environmental & Engineering Services Department - Stormwater
Upper Thames River Conservation Authority
Lower Thames Valley Conservation Authority

# Kettle Creek Conservation Authority Ministry of Natural Resources

#### **Term of Office**

Concurrent with the term of the Municipal Council making the appointment.

# Appointment Policies/Applications Appointments Policies

Through local newspaper advertisements, the City of London website and postings at local library branches, citizens are invited to apply for appointment to the Advisory Committee. The Board of Control nominates the members and the Municipal Council makes the appointments.

The Chair and Vice-Chair are elected by the Advisory Committee from among its Voting Members.

## Qualifications

Members are appointed to serve as individuals and shall not represent a specific interest group or agency.

Members will be appointed to the Committee on the basis of their interest, experience, availability, academic qualifications and the expertise they possess in disciplines that will assist in carrying out their mandate, including, but not limited to the following:

Biology	Ornithology	Geology
Botany	Zoology	Landscape Architecture
Forestry	Ecology	Resource Management

Hydrology Geography Environmental Planning
Limnology Natural History

Applicants without the above technical background may also be considered.

# Meetings

5:00 p.m., on the third Thursday of each month, at City Hall. Advisory Committee reports can be accessed from <a href="Council & Committee Meeting Agenda Packages">Committee Meeting Agenda Packages</a>.

#### **Time Committment**

Excellent attendance at monthly meeting is expected as the committee can not function without a quorum of members.

In addition to attending monthly meetings (which are usually about 2 hours), members are required to commit time in preparing themselves for the meeting by reading the Agenda Package which will include the reports, notices and topics the committee is to discuss.

The workload of the committee is driven largely by the volume and nature of planning applications and processes underway at the City which affect the natural heritage system, as well as the desire and ability of the committee to undertake other proactive work to be recommended to the City for adoption.

Depending on the fluctuating workload, members may be required to participate in a project group before the next monthly meeting in order to review and prepare advisory comments on a project or process. This responsibility is shared amongst all committee members and so should not result in every member being on a project team every month.

#### Remuneration

No remuneration is paid to the Advisory Committee members.

# Staff Contact (Committee Secretary)

Name: Lorelei Fisher

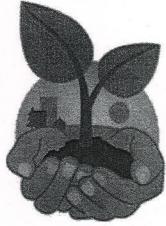
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# Appendix B: Example of Advisory Committee Homepage

Note: Goal of having a homepage is to simply and concisely offer the public a clear explanation of what the AC does, who they are, and a sampling of projects and documents that the AC concerns itself with. Additionally, it would offer the AC some visibility which would enhance recruitment and public participation.



Natural Areas as Neighbours

You and Your Environment: A

Student's Guide

# Durham Environmental Advisory Committee

# **About Us DEAC Meetings** Role and Purpose Minutes and Agendas Scope of Work Annual Workplan Terms of Reference **Environmental Achievement Awards** Membership Information About the Environmental Achievement Member Biographies Awards **Special Features and Resources** 2011 Award Recipients Hosting the 2011 Provincial EAC Past Award Recipients Symposium - International Year of **Contact Us** Forests Address, Phone, Fax, Email "Favourite Places in Durham" Links Region of Durham Natural Features Map

# EEPAC Outgoing Member Survey 2011

Responses compiled by Ravi Gupta; Questions by Dean Sheppard.

Note: 9 members responded. The responses below are as submitted with minor spelling and punctuation corrections.

The goal of this survey is twofold:

- A) Make sure as EEPAC'ers, we run the best, most effective committee we can.
- B) Inform the City of London (i.e. Clerk's office and Planning Committee) of the issues/items/problems that detract from or diminish the meaningfulness of volunteering on an Advisory Committee with the hope of affecting improvement in these areas.
- 1. How meaningful was this term of EEPAC to you on a scale of 1 to 5, where 1 is 'not meaningful at all' and 5 'very meaningful'?

Average answer <u>3.7</u> based on following 3, 5, 3, 4, 4, 4, 3, 4, 3.

# Additional comments provided for this question by the respondents:

- EEPAC members will get out of the committee what they put in to it....my experience has been
  a 3 because I have learned a lot, but have not put the effort into EIS reviews that would be
  required to really benefit.
- Dean is really great-xclnt chair.
- The core members are really tight and share empathy.

# 2. Why or why not did you find it meaningful?

- I feel like we are contributing to sound and sustainable planning decisions by bringing environmental considerations to the table, however, I feel like there could be improvement in dialogue between the City and EEPAC case in point, the outstanding deferred list. While I recognize the City does not have the resources to address every single item brought forward by EEPAC, the length of the deferred list is extremely discouraging and almost makes it seem like they are far too busy to be receptive to the work we bring forward for consideration (note: I don't apply this to Bonnie or Heather as they are invested in EEPAC, but they can only do so much it is the Planning Department collectively that must view us as a source of info rather than a body that creates more work for them). Also reference my comment below about Project Team contributions and lack of feedback on the submissions.
- I think the work that we get done is highly beneficial to the city, I don't always feel as though we get as much done as we could, or that the work we do is appreciated/utilized by the city.
- It was largely a learning experience. Especially at the onset, my contribution was less than I would have liked.
- I think we do great work. I think we have made some improvements to the whole process.
- It would be more meaningful to me if we were more proactive and projects were more uniformly shared and contributed to.
- The other members make it meaningful. I also find delegations very meaningful. Often times, the discussions with staff at meetings seems pointless and is much longer than required. Staff needs to make sure that their points are delivered concisely and in leymans terms to ensure that there is value for members.
- I found we were very effective in bringing staff and council attention to concerns regarding development plans and policy. Occasionally, our input wasn't incorporated, but on the whole, I'm proud of what we accomplish as a committee.
- It is frustrating, on occasion, to see hard work have provide little in the way of results.
- Discussions and opinions shared are often relevant and most guest lecturers interesting.

 Meaningful because it addresses local issues, good discussion and as a voluntary exercises it does create results. Meaningful because it can make a difference.

Meaningful because it does recognise and work well with staff.

Unfortunately I have more negative maybe because it is nearly 8 years and I am tired at the lack of vision

The non-meaningful arises from the lack of stretching the boundaries- we are advisory committee and I feel too much of our time is spent on "silent confrontational objectives". The point of EEPAC is advisory but most discussions seem to be about working within the terms of boundaries that were laid years ago. We do not react to a future that must be simpler and empathetic, there is constant regulation referencing but little focus on how to charm and persuade.

One of the most meaningless issues is EEPACs desperate lack of understanding the environment... there is greater concern for a paper environment than what is going on around us. For all the work we put in there is much less achieved than I would expect.

At 12 meetings x 3 hours = 36hrs (1 week) and then some additional hours so let's say 50-60 per annum, we really do not achieve too much.... 9 full time members turn up... therefore 50x9=450 hours / annum.- that is nearly 11 weeks or 3 months of full time work- we need to see what we do each year.

We do not question the poor quality of the EIS reports

The process of the EIS has been reduced to experts who make money from their opinions but their opinions are shaped by the myopic framing of the reports- when EISs began they were much better... we are part of the reason why they are so ridiculously useless and not worth seeking for any more. This is confirmed by most current critical academic literature on this topic. If there is one thing that makes our time meaningless on the committee is reading these obtuse and biased reports by engineering firms who want markets and not equitable environments.

# 3. What do you like best about being on EEPAC?

- Hoping that we have an influence on how decisions are being made, with consideration to environmental and ecological function.
- I like that I am contributing in some way to the benefit of the city and the environment, I think it
  is important to have a committee of concerned individuals working together for the same goals.
- It is good to be part of such a knowledgeable and passionate group.
- The chance to improve how our natural system is being protected and managed.
- Discussions about EIS reviews with the reviewers and the rest of the committee.
- I really enjoyed learning the nuances and vagaries of municipal planning.
- Interacting with like-minded people.
- Being involved in the creation of policy.
- It gives an opportunity to help guide planning with regards to environmental issues.
- The camaraderie. The focus to do something. The fact that it is a public discussion. Dean has been a tremendous breath of fresh air.

#### 4. What do you like least?

There doesn't seem to be a whole lot of diversity in the work that we assess – seems like 90% EIS and the occasional review of a secondary plan, master plan, or other topic-specific study. Secondly, there is not a lot of motivation for Project Teams. Perhaps if those topics were part of a City-led initiative that we could participate in, it would be more effective in motivating us as compared to us going through a lot of work for a project and hoping someone reads it and then decides to advance the idea. For example, how has the Project Team submission on Parking Lot Shade been considered? It was submitted in May 2009 and I don't think we've heard anything

- else about it the 7 page report was the culmination of a lot of time and research, and not receiving any City feedback discourages subsequent Project Team efforts (i.e. "what's the point of doing this?").
- Two things bother me about EEPAC, first, because we only meet for two hours a month our time is very limited, there have been many meetings where inappropriately timed or arbitrary conversations have wasted valuable time that could have been utilized better. Secondly, it is very frustrating to see situations where large scale tree removal or land changes have been made either before we have a chance to review a file or even after we have submitted comments. I realize that this is a city issue and there is little we can do about it however, it does cause a sense of ineffectiveness.
- Meetings were longer than I thought initially.
- Feeling like too few members are willing and able to contribute fully to projects. That City Hall
  won't or can't provide better support for things like committee recruitment, online agendas and
  meeting reports. These things would make our job easier and would increase public interest in
  the committee.
- I find discussions with the staff are often too high level for new members to understand.
- Workload was a little high at times and agendas were heavy leading to long meetings.
- Getting bogged down in minor details instead of looking at bigger pictures.
- It takes a long time to struggle through all the rules and regulations of the official plan and all its
  accessory documents. I don't find there is time to become educated in the process very quickly.
- It's hard to get 2 hours of worthwhile discussion in when we often can't start on time. Perhaps we should move that on to 5:15 pm start.
- Working group meetings. We need to be more digital. Use more communication tools that we
  can access at different times. Reviewing reports with so little impact on outcomes- psych
  hospital is an example. Do not like that we are so limited in our discussion on environment. ...
  thus do not like the constrained approaches we enforce.

# 5. Are you likely to apply for EEPAC next term? Why or why not.

- Yes.
- I would like to continue my time on EEPAC, for several reasons, some stated above, also because I enjoy the people, I think Dean does a great job of being chair and committees like ours are needed and require people to step up and contribute.
- Unsure. I have acquired knowledge required to make a more meaningful contribution and want to help. I like being part of the EEPAC community, but I am pulled in too many directions, diminishing my ability to add valuable input.
- Still not decided but likely. I have been around a while and a change would be nice but I still enjoy it.
- Unsure- would love to, but commitments have to be prioritized.
- Unlikely to return. I've served 8 years on the committee and I need to concentrate on other things this term.
- Yes. I still feel as though I personally, and the committee in protecting the natural heritage of the city.
- Yes-I like the people and the variety of occupation and expertise they bring to the committee.
- Maybe... I have been on it for 8 years- stretching it to November is already a problem as I need time for other things. Funnily enough things change faster outside of EEPAC. One of the problems with EEPAC is the busyness but that it focuses on far too little of relevance. We are still promoting the far off suburban sprawl. We still do not act as a conscience for the advice staff need to give to council. We are ignoring the important drivers of the environment and focussing on stuff that staff is paid to do. London as a city is very response to the citizens by the staff- exceptionally so... this is verified by the very good companionship between all members of EEPAC... but.... The city is very behind in dealing with real issues.

# 6. Are you likely to apply for a different Advisory Committee next term? Why or why not.

No – although I would like to, time constraints are prohibitive to joining another committee.

- I will stick with EEPAC, I feel that our mandate is something that I believe in and want to be a part of the good work that EEPAC does.
- No. I would not switch to another Committee, instead I would put the free time towards other environmental volunteer work.
- If I don't reapply for EEPAC (which I probably will), I would apply for Trees and Forest.
- Unsure- would love to, but commitments have to be prioritized.
- Unlikely to apply to other advisory committees. I've served on 3 advisory committees, 4 task forces plus additional working groups...time for a rest.
- No. I cannot afford the time commitment.
- No. This is enough for me and probably the committee I should be on.
- Will see how the next couple of months go. Disappointed that sustainability is not an issue. Disappointed that climate change is not taken seriously. Tired of trees being so much of a focal point. Not sure why emissions are so poorly represented. One of the recent experiments with ACE recently was to spend the committee monies on. Inviting the public to our meeting and have a presentation. It turned out we had 50 people and an hour of questions and answers. The public raised many more issues and concerns than ordinarily found on the ACE committee. We have few public coming to our meetings, this is a concern, we advise as part of a public mandate, yet are afraid to loose respect from the councillors etc. I may stay with ACE, it is more lateral in the objectives of environment... EEPAC tries to replace stuff that staff should be doing anyway. We have a great team but we are afraid to go beyond the ridge of the distant horizon. We know that we are about to get payback from the environment and EEPAC still thinks that development can win as a brokered venture. We need a philosophy even if it is against the development, just so we raise important issues. The engineers department has pulled a couple of things over our eyes and we as a committee have not responded to the fact that they now ignore us and continue without our input. We are the public and we own our city. I have no problem with Dean chairing and the things he has got the committee to do over the past couple of years but I am disappointed that EEPAC is still where we were 8 years ago... but in the past 60 days, China has had the worst drought in 100 years, in the past 2 years 200 million have moved due to floods and for the past 6 years, the health of our young all over the world has sunk to terribly low levels. EEPAC behaves as if none of this is not happening here. I am tired of wearing balaclava backwards and not seeing where we go; we need to be more assertive.

# Review of: Stanton Drain Remediation and Hyde Park SWM Facility 4 – Scoped Environmental Impact Study

dated September 2, 2011 by AECOM

Reviewers: S. Sanford, G. Sass, D. Sheppard.

October 19, 2011

# Infrastructure within the NH System

EEPAC does not agree with putting green infrastructure within the natural heritage system. Patch 01015 is a vibrant wetland full of amphibian and other life and this is where the City is proposing to put the new SWM. This is wrong given the huge loss of natural habitat experienced already. SWM facilities should be placed outside of the natural heritage system in every case.

**Recommendation 1:** SWM facilities, along with all other green infrastructure, should be placed outside of the natural heritage system. Replacing a natural feature, no matter its qualitative condition with a constructed piece of engineering does not represent a net gain to the natural heritage system.

**Recommendation 2:** The EIS needs to clearly depict where the SWM facility will be installed, where water will enter, where it will exit into the natural heritage system. This is completely missing from the EIS.

## Field Investigations

Field investigations were limited to two seasons. The City of London Environmental Management Guidelines mandate that a three season inventory be taken.

**Recommendation 3:** A three season inventory should be performed. This may be particularly important considering the unusually high rainfall during the spring campaign.

#### **Hydrology**

Although checked off in the EIS scoping report, there is not much mention about hydrologic context to this area. What is the catchment area to Stanton Drain? What is the groundwater recharge/discharge function of the subject lands?

Recommendation 4: The hydrologic context needs to be better established so that we get a better understanding of how water is moving through this system.

#### Water quality

The EIS comes across as saying that beavers are causing low water quality, once removed, water quality should vastly improve. Well, there could be local improvement but then the problem is just transported further downstream. There is no mention of the source of pollutant and nutrient loads that comes from surrounding agricultural fields and polluting property owners especially along Reach 5. The emphasis needs to be shifted from the beavers to the source of the problem which is agriculture and urban runoff.

**Recommendation 5:** Where no natural vegetation is present, the City should work with property owners to plant riparian buffers in order to reduce nutrient, sediment and pollutant loads from agricultural fields and industrial lands. Buffers of at least 30 m should be encouraged along Stanton Drain to reduce nutrient, pollutant and sediment loads.

**Recommendation 6:** The runoff along the east side of Reach 5 should be redirected and not allowed to drain directly into Stanton Drain,

**Recommendation 7:** Beavers should not be removed as they will just reestablish a few years later. We need to start working with nature and not against it. Beaver dams might stop fish movement but at the same time, their impoundments actually clean water that flows downstream. Instead focus on what is coming off the lands.

#### Tree Replacement

The EIS proposes a 2:1 ratio planting ratio for lost mature trees. This ratio is arbitrary and is not sufficient to recover the lost ecological function within a reasonable time frame. Nor does it consider tree mortality. The ratio should be much higher and needs to be based on ecological mitigation and recovery, not an arbitrary number.

**Recommendation 8:** The tree planting ratio should be a lot higher to consider mortality, especially given a changing climate.

**Recommendation 9:** Plantings should focus on Carolinian species only. Trembling aspen might establish quickly but it has a huge evaporative demand and can easily outcompete other species.

# **Mapping**

There are big holes in terms of mapping. The biggest problem is that the study area is ill defined. What are its boundaries? Where are all of the important vegetation patches listed on page 1 (01012, and 01017 are not shown). What is the catchment of the Stanton Drain?

Recommendation 10: It is hard to evaluate an EIS with poor maps. Missing from this EIS are: Subject land boundaries, all vegetation patch boundaries, catchment boundary, SWM facility boundary. The EIS should not be further considered for approval while so much mapping is missing.

# Significance evaluations for patches 01013 and 01015

The EIS evaluated patch 01015 for significant wildlife habitat but not as a locally significant wetland, when there is clear indication that it might be very important aquatic habitat. Patch 01013was not evaluated at all.

**Recommendation 11:** Patches 01015 and 01013 need to be evaluated as for potential significance as wetland and woodland, respectively.

**Recommendation 12:** Looking at the contiguous nature of all of the natural heritage patches along Stanton drain, the City should really consider evaluating them together as forming an ESA: the Stanton Drain ESA.

#### 8.2.1.7 Compensation

The EIS fails to supply a full and detailed mitigation and rehabilitation plan to compensate for the destruction of feature and function. It is not appropriate to leave this plan to some future time. It is the very nature of an EIS to identify and plan out the required mitigation and rehabilitation measures required to reduce the predicted impacts to "No Net Effect". I

Recommendation 13: The EIS should include specific details on how the destruction of features and functions will be mitigated. The impact level conclusions of the EIS can not be justified without proving specific mitigation measures.

#### **8.2.3 Construction Monitoring**

The EIS is not complete with details of required monitoring. Generalized statements about the need for monitoring are not sufficient to accept an EIS and its conclusions.

**Recommendation 14:** Detailed monitoring program information is required, including baseline, pre construction, post construction, protocols, frequency and to whom the report will be submitted and by whom the results and/or contingency measures will be approved by.

## sec 9 Conclusions and Recommendations

The Conclusion of the EIS is that the proposal will result in loss of habitat of moderate potential value and ecological function. Conclusion is Medium-Low Effect on the natural heritage system whereas OP 15.5.1 states the EIS "will include conditions to ensure that

development does not negatively impact the natural features and ecological functions for which the area is identified"

**Recommendation 15:** If the EIS can not propose sufficient mitigation measures to result in No Net Effect, then the development proposal should not proceed.

## Net Effects Assessment

The Net Effect Table should include a clear list of well defined "impacts" rather than generalized statements such as "could affect". The Mitigation measures should be more detailed in order to convince the reader they are sufficient to achieve the stated goal (e.g. establish a buffer' is not sufficiently detailed to specifically mitigate for the associated impact of "disturbance to breeding birds and other wildlife".

**Recommendation 16:** Overall the Net Effects Assessment needs to be more specific in its impacts and its proposed mitigation measures.

#### Net Gain

OP 2.9.3 states "The City shall encourage a net gain in environmental quality through the implementation of the Official Plan." Any SWM proposal has the potential to comply with this OP requirement by location near <u>but not inside</u> the existing natural heritage system.

OP 15.3.3 states " It is the preference of the Municipal Council that the preferred location of infrastructure not be within the Natural Heritage System."

Both of these OP requirement seems to be continually disregarded through the ongoing efforts to consume the natural heritage system for the convenience of built infrastructure.

**Recommendation 17:** All city staff (including EESD) should abide by the spirit of these two OP policies and cease to propose SWM ponds within our shrinking natural heritage system.

/end

# Review of: Environmentally Significant Areas, DRAFT Encroachment Procedure

as prepared by City of London; dated - no date (~September 2011)

Reviewers: M. MacDougall, B. Maddeford, D. Sheppard; October 2011

#### sec. The Problem

The last sentence of this section does not clearly differentiate Phase III from Phase II.

# (1.1) Encroachment Visit Report

The description of an on-site encroachment visit does not seem to include or allow for a decision as to whether an encroachment is even suspected, and if no encroachment is suspected, then no further action is taken.

It also does not clearly state that the an encroachment may be suspected and in which case the procedure proceeds to Phase II.

#### Phase II

The written description of this phase does not make any sense without clarifying that Phase II is in the case of a suspected encroachment and unless one refers to the flow chart. The procedure should be written in a way that can be easily understood without referring to or even needing the flowchart. The flowchart should be supplemental to the written procedure, not critical.

## 2.2 Landowner Compliant

The use of the word compliant is very confusing and should be re-considered. It seems to mean in this case that the landowner is agreeable to removing the encroachment. However intuitive, one would expect that the word compliant would refer to the state of the owner's property and activities as it relates to comprising an encroachment or not.

"...have the choice to enter into an agreement or issue a Work Order." is not explained at all and is confusing. The terms "agreement" or "work order" are not explained nor is the reasoning of the choice. For ease of use, easy of understanding and transparency, the entire procedure should be written in a form and style that a layman can pick up and understand. The subject material is not so complicated as to preclude this.

#### 2.3 Landowner Non-Compliant

This is again confusing. It intuitively would mean 'there is an encroachment' whereas this procedure defines it as the landowner being non-cooperative. A landowner could be very non-cooperative and there might be no encroachment at all.

#### 2.5 Letter of Compliance

Clarify to read "If a landowner has not complied with the work order within 30 days, the UTRCA..."

Why would the City send a letter of compliance to a non-compliance situation? This is confusing. The letter should be one of "non-compliance" whereas a letter of compliance should be reserved for the end of the process to confirm that all required changes or cleanup have been satisfactorily achieved. Surely the property owner would want such a final letter of compliance for their records as well.

The final letter to the property owner will grant the property owner an additional 30 days to come into compliance. The procedure should clearly state from which date that additional 30 days will commence (or expire).

"section 3.2 will be implemented" is awkward and not self explanatory. Suggest replace with "the area of concern will be cleared by UTRCA as per section 3.2".

# 2.7 Survey Positive

Again, the terminology is not extremely friendly. A survey is really neither positive nor negative. The survey is the survey and the existence of encroachment is either positive or negative.

## 2.8 Survey Negative

"If a negative survey is issued.." does not make easy sense. It seems like different surveys could be issues whereas, the same type or nature of survey will always be issued. The variable is the site-specific activity that may constitute encroachment, not the survey itself.

- "...notified of such actions.." is not explained at all. What actions? Why is the City notified?
- "...file is transferred to the City of London..." is not explained. Why is the file transferred? Why can't the UTRCA continue its activities. The expected actions of the City of London in continuing to resolved the encroachment must absolutely be detailed in this procedure.

# 2.9 Encroachment Agreement or Engineer's Consent

Again "...of such actions" is not explained.

Explanation is required regarding both an encroachment agreement and engineer's consent. Are they the same? What is different? Do we really need two names for the same thing?

How is the agreement or consent documented/recorded? Surely the property owner receives a copy? Is the consent registered on title? Should it be? What conditions are or can be included in such a consent (e.g. the consent is specific to the identified structure and if the structure is removed it can not be re-built)?

The documentation of the consent in the UTRCA database would seem to be important step here but it is not stated.

# 2.10 Agreement with UTRCA and Property Owner

What if the 30 days expire? What recourse is pre-planned? We dont want to have to start over again with a work order (30 days) and then a letter of non-compliance (another 30 days)? This approach would seem to give property owners who indicate they will clean up more time to comply than owners who are non-cooperative from the outset.

"...with no set agenda." seems to make no sense. What does this mean, especially in the context of "within 30 days."?

#### 3.1 No Encroachment

This section is not clear on what documentation will be made regarding the existence of the encroachment and its eventual removal. Instead it refers only to recording "No Current Issue/No encroachment" when in fact there was an encroachment and a cleanup that need to be documented as well as the final state of "no encroachment."

# 3.2 Area of Concern Cleaned by UTRCA

The nature and purpose of an access agreement should be clearly explained. Additionally, why would an access agreement be required when the encroachment has been determined to be on CoL property?

# 3.3 Access Agreement

Why would a property owner require an access agreement if they have agreed to remove encroaching articles??

# 3.4 Municipal Bylaw Enforcement

When are bylaw charges expected? It is reasonable that in some cases no charges will be laid but that means conversely, we must indeed specify when charges are likely to be laid. An explanation of the restrictions faced by bylaw officers in laying charges for

items such as dumping or illegal gates should be included. The layman will expect charges laid for identified 'illegal' activity, therefore the restrictions faced are valuable to explain.

The possible fines that could be invoked should be stated as an indicator of possible consequences.

# 3.5 Land Use Regulations Officer

This section makes no sense. Why? By whom? It is this really a point in the process or just a generally available resource to all involved?

# **Other**

# Checking for Encroachment Re-occurrence

After an encroachment is removed, at what frequency will the site be re-checked to ensure a similar encroachment is not re-established?

# Billing/Invoicing

The procedure does not explain when and how the property owner may be billed for the removal of encroachment materials. Nor does the flowchart.

#### Flowchart - General

This chart is extremely hard to understand. The flow is not intuitive. It is not always clear what branch of the flow should be followed after what decision or condition. Some of the flow lines seem in fact to be able to "flow in both directions" which is very counter intuitive to understanding the process (e.g. I think the lines between 2.10, 2.4 and 2.5 are able to go both ways?). The outcome of box 2.6 is not clear in where it should go and in which circumstances, especially regarding CoL involvement.

#### Flowchart 2.5

It does not make sense that both Work Order and Letter of Compliance (supposedly two separate actions, separated by at least 30 days and the determination of no or insufficient action by the property owner) should be in the same flowchart box.

#### Table 2 - Work Order

It is very good to see that extensive gardening and introduction of invasives is on this list. Excellent!

While possibly covered by already listed items, consideration might be more clearly given to items such as: draining of swimming pools, 'tidying up' through raking, removal of fallen trees or deadwood or other vegetation

#### **Table 3 - Letter of Non Compliance**

The address of the encroaching property would be important in order to prove that property owner was notified and to create a robust record trail.

There are more than 16 ESA's in London.

3rd para ".. with no recourse of action on materials." makes no sense.

This second letter should clearly state that it is the property owners second notice after a work order was issued and should clearly state that municipal bylaw fines can be invoked in addition to the clean up costs.

# **Documentation**

The procedures needs to be more clear on at which points in the procedure the database is updated with information such as land owner complies, work order issued, letter of non-compliance issued, file transferred, etc. etc. These are all important steps in the process and a clear trail of documentation is required. A simple part of ensuring that trail is created is to detail these requirements in this procedure.

# Other ESA Encroachment Management Issues

It is possible for the City to install fencing in ESA areas where no fencing was previously required?

The City should consider sending awareness letters to each and every home abutting an ESA to remind them they are living next to an ESA, what that means, and that the CoL is conducting management activities within the ESA (neighbours should be told CoL is actively managing the area and CoL should get this limited acknowledgement for its efforts), and that they will be examining properties for encroachments. If an encroachment is suspected, the property owner will be contacted, etc. It is very nice (and beneficial) to let property owners know of the exercise before they receive a notice or call of possible encroachment.

/end

# City of London, Environmentally Significant Areas DRAFT Encroachment Procedure

#### Introduction

The Environmentally Significant Areas (ESAs) within the City of London are being affected by a number of impacts, the majority of which are related to their proximity to urban settlement. One of the most visible and potentially damaging impacts is the actions of adjacent property owners. The City of London and the Upper Thames River Conservation Authority (UTRCA) have dealt with this issue on different occasions using different approaches. The purpose of the Encroachment Deterrent Program and procedure is to put into practice a program to remove existing encroachments. This procedure is developed to give direction to staff performing encroachment visits while eliminating or reducing all encroachment into the ESA properties.

# What is Encroachment? (And why should you care?)

An encroachment occurs when a property owner intrudes on, in, under or over the ground space of an adjacent publically-owned property, either de berately or inadvertently. Encroachment results from any use of publically-owned land w individuals for their own purposes. Public agencies such as the Conservation Authority and municipalities are concerned with encroachment onto public property for a number of reasons.

- Encroachments can cause irreparable dan ecologically sensitive ecosystems.
- Encroachments on public lands can be a safety hazard to the public. They may give rise to serious liability claims non-resultant injuries and may destabilize public lands with resultant damages to a facer to the lands.
- They may increase costs to the expayer for restoration of public lands.
- Encroachments restrictor like it the use and enjoyment of public lands which are maintained by the public agency for the benefit of all its residents. Encroachments reduce the parkland available to the general public.
- Encroaching onto publically owned or managed lands is against the law. (site reg)

#### The Problem

Currently there are approximately 1160 properties that border the properties identified as Environmentally Significant Areas (ESA's) under current management by the Upper Thames River Conservation Authority (UTRCA). These bordering properties consist of residential, commercial, public and private lands. This procedure is developed to give direction to staff performing encroachment visits while eliminating or reducing all encroachment into the ESA properties.

The ESA's under management by the Upper Thames River Conservation Authority (UTRCA) include Kilally Meadows, Medway Valley Heritage Forest, Meadowlily Woods, Kain's Woods, Sifton Bog, Westminster Ponds/ Pond Mills, and Warbler Woods.

This policy is broken down into three phases. Phase I consists of initial evaluation, and data gathering by staff. Phase II involves both staff and property owner working together to initiate

and complete the removal of the encroaching materials. Phase III, is specific to the removal of the encroachment.

## PHASE I

Encroachment data is stored in the UTRCA encroachment database. This database gives staff a chance to add, review, or edit data collected. Within this database every bordering property surrounding the designated ESA properties are given a property ID number. This ID number lets staff document and track all actions taken on the specific property such as owners names, address, roll number, plan #, lot #, phone numbers, etc.

# (1.1) Encroachment Visit Report

Staff will perform an encroachment visit as outlined below.

On-site Encroachment Visit

UTRCA staff will walk the specific perimeter of the ESA boundary in connection to the property ID number. This boundary is from the City A De don parcel mapping, and in turn uploaded into a GPS unit. This gives the operator approximately 2m accuracy when in-field. An observation is made as to activities, materials and structures that are encroaching onto ESA lands. This information is collected into the GPS of Items that could be included but are not limited to can be found in Table 1.

Staff will not purposely enter onto private land when performing an encroachment visit, unless permission is given from the land when the GPS unit is a guide only and should never be used as a surveying tool.

Table 1. Encroachment Structure and Landscaping

Structures.	
Pool	
Pool	Tree house
Deck	Drainage
Hot Tub	Doghouse
Retaining Wall	Fire pit
Sprinkler System	Sandbox
Fencing	Vehicle/Vehicle Storage
Shed	Composter
Pond	Lawn Furniture
Fountain	Wildlife feeder
Lighting	Play Equipment
Stairs	Dumping of materials
Landscaping	
Extensive gardening	Removal of vegetation
Intro of Invasive Species	Mowing Grass
Planted trees - (Non-Native)	Landscape Fill/Grading
Generic Regulations (UTRCA Sec. 28)	

# PHASE II

#### (2.1) Contact Landowner

UTRCA staff will contact property ID owner and an on-site visit will be arranged between UTRCA staff and the property owner. If the landowner does not want to attend an on-site visit the UTRCA staff will follow section 2.6

#### (2.2) Landowner Compliant

If UTRCA decide the landowner is compliant, staff do have the choice to enter into an agreement, or issue a Work Order.

## (2.3) Landowner Non-Compliant

If UTRCA decide the landowner is non-compliant (non-cooperative) then an immediate request of survey is issued (2.6).

#### (2.4) Work Order

A work order outlines specific details of encroace of at issues regarding the specific property. The property owner will be given 30 days to come in compliance with the work order. An example of a work order can be found in Table 2.

#### (2.5) Letter of Compliance to Property Own

If a landowner has not complied with the work order the UTRCA will serve a final letter of compliance to the property owner. The property owner will have an additional 30 days to come into compliance. If the property owner does not comply, section 3.2 will be implemented. An example of a letter can be found in Table 3.

# (2.6) Request of Survey

If at any time during Phase II the UTRCA or City of London deems a land survey is necessary then the City of London Geomatics Division will be contacted and a survey will be ordered.

#### (2.7) Survey Positive

If on completion of the survey, it is deemed to be positive for encroachment the UTRCA or City of London will continue with (2.5)

#### (2.8) Survey Negative

If a negative survey is issued then the work order will be reviewed and the property ID reevaluated. City of London staff will be notified of such actions immediately, and the file will be transferred to the City of London.

#### (2.9) Encroachment Agreement or Engineer's Consent

City of London staff will be notified of such actions immediately, and the file will be transferred to the City of London. In the case where a building or structure has been located on municipal lands, the City Engineer may enter into an encroachment agreement or engineer's consent to allow the encroachment to remain.

#### (2.10) Agreement with UTRCA and property owner

In the case of total compliance and agreement between the landowner and the UTRCA it is to the discretion of the UTRCA whether to fill out a work order. An agreement can be verbal between the two parties involved. Area will be cleaned by owner within 30 days or by UTRCA staff with no set agenda.

#### PHASE III

#### (3.1) No Encroachment

After 30 days from the agreement, or the work order is used the UTRCA will revisit the property. If the landowner has cleaned the outline acroachment to the UTRCA satisfaction then the property will be reassessed during an encroachment visit and graded as No Current Issue/No encroachment. An access agreement has used to be completed and signed prior to any removal of encroachment articles by either vary involved.

# (3.2) Area of concern cleaned by TRO

Implemented after;

- i) 2.4
- ii) 2.5
- iii) 2.10

The UTRCA will clean up materials deemed to be encroaching onto City of London lands. All materials will be disposed of in a manner they feel appropriate. An access agreement will need to be completed and signed prior to any removal of encroachment articles by either party involved.

#### (3.3) Access Agreement

If a property owner agrees to remove encroaching articles on ESA property or grants access to UTRCA staff to use property as an access to the ESA property an access agreement will be completed and signed. See Table 4.

# (3.4) Municipal By-law

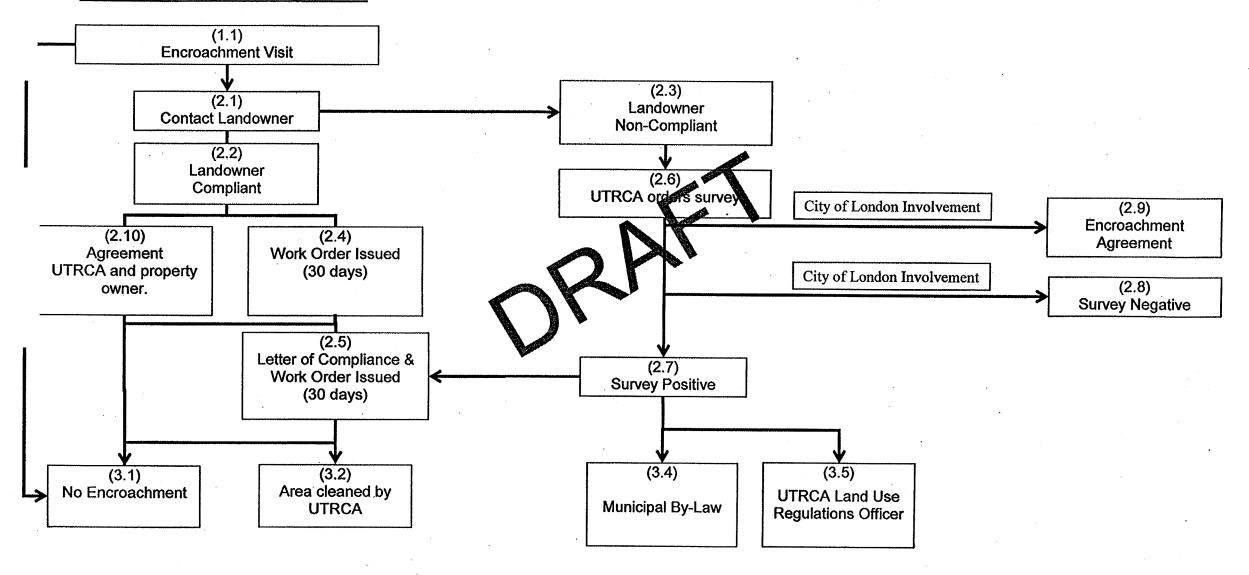
Municipal law enforcement officers may lay charges under specific by-laws relating to the encroaching material, and or activity.

# (3.5) Land Use Regulations Officer

Upper Thames River Conservation Authority, Land Use Regulation Officers may be contacted when dealing with Generic Regulations violations or inquiries.



# **ENCROACHMENT FLOW CHART**



### Table 2: Work Order

# UPPER THAMES RIVER

# ENCROACHMENT WORK ORDER

This	work order outlines specific details	— s of encroac	hment issues regarding said items l	listed below which wil
Unle	to be removed from City of Londonss specified, property owner will be	on property. e given 30 d	ays to come into compliance with the	nis work order.
			ructures	
	Pool ,		Fencing	
	Deck		Shed	
	Hot Tub		Pond	
	Retaining Wall		Fountain	
	Sprinkler System		Lighting	
	Wildlife feeder		Stair	
	Lawn Furniture		P' / Equament	
	Composter		Santax	
	Vehicle/Vehicle Storage		Poghouse	
	Fire pit		True house/Fort	
	Drainage		ther	
			oling	
	Extensive gardening		Mowing Grass	
	Intro of Invasive Species	<b>1</b>	Removal of vegetation	
	Planted trees - (Non-Na ve)		Landscape Fill/Grading	
Note:	s:			
	Access Agreement Issued			
ouun:	eby agree to remove all materials, led in this work order. Failing to do IRCA staff at their discretion.	structures a	nd plantings encroaching onto City It in removal of said materials, struc	of London properties ctures, and plantings
		Pro	operty Owner Signature:	
		υT	RCA Designate Signature:	

#### **Table 3: Letter of Compliance**

(Date)

Re: Encroachment in (specific ESA)

Dear Neighbour:

There are 16 natural areas in London designated as Environmentally Significant Areas (ESAs). ESAs are an integral part of London's Natural Heritage System connecting parks, valley lands and other open spaces. Specifically, (specific ESA), abuts your property.

Properties that surround (specific ESA) have been assessed for encroachment related issues. At this time materials adjace it to your property have been identified as encroaching into the ESA. The management team of the Upper Thames River Conservation Authority (UTRO), and the City of London would like to give you an opportunity to relocate said materials.

You have 30 days from the date above or emove any such materials out of the ESA. At the end of 30 days the materials vill be removed by UTRCA staff, with no recourse of action on materials. It have fines may be imposed.

Please contact us with any que tion, you may have regarding this issue at 519-451-2800 ex. \_\_\_\_ or (email).

Yours truly,

(Name) (Title)

### Table 4: Access Agreement

<b>UPPER</b>	THAN	ŒS	RI	/ER
CONSER	VATION	AUT	HOR	ITY

# ACCESS AGREEMENT

	(the "Owner") hereby grants
permission to	to enter upon the
land of	. •
Access to lands shall be for the purpose to articles.	o remo e all identified encroachment
All parties involved agree to:	
<ul> <li>a) To leave the general area in a clear</li> <li>b) To comply with all provisions in lucture regulations, by-laws in force, and and Upper Thames River conserv</li> </ul>	rules pertaining to the City of London
This agreement is of a term from	ending
This agreement is deemed to be oid if en	nd date has expired.
In consideration of granting permission as or take any action, claim or demand again resulting in death, or loss or damage to proor any of its employees, servants, agents which is based upon, arises out of, or is compared by the said representative or anything don hereby waives, as against the Owner all services.	st the other for any injury, including operty suffered or sustained by parties or contractors, or by any other person onnected with this permission granted as a result of such permission and
Name:	_ Name:
Executed this day of	Executed this day of

### EIS Completeness Checklist and Tables (for Complete Application) Proposed by EEPAC, October 2011

### EIS COMPLETENESS CHECKLIST

#### Required Tables - An EIS shall contain the all of following tables. Does the A) EIS include the following completed tables?

Table #	Table Title	Inclu	ded?	Complete?		
		Yes	No	Yes	No	
L1	Reports/References Relevant to the Subject Site			7.03	110	
L2	Summary of Field Inventories Conducted (or Relied Lipon)			-		
L3	Partners in Flight Priority Land Bird Species (ON BCR13)			-		
L4	Species of Conservation Concern on Site or Possibly on Site					
L5	Regionally Significant Vegetation Communities					
L6	Cumulative Habitat Land Area Impacts Summary					
L7	Environmentally Significant Area Evaluation (O.P 15.4.1.3)					
L8a	Significant Woodland Evaluation (O.P 15.4.5)					
L8b	Woodland Standards and Patch Conditions			<b>-</b>		
L9	Significant Habitat Evaluation (O.P. 15.4.7)					
L10a	Ecological Buffer Assessment (EBA) Calculation					
L10b	EBA Range Refinement					
L10c	Total Buffers and Setbacks					
L11	Net Effects Assessment Table					
L12	Summary of Monitoring Requirements					
Notes:	Summary of Monitoring Requirements					

(1) Tables are prefixed with L as to not interfere with other table presentation/numbering in the EIS.

(2) Tables L7, L8a, L8b and L9 must be completed once for every patch or terrestrial feature within the subject lands

#### Required Mapping - An EIS shall contain all of the following information B) within its mapping. Does the EIS include the following mapping?

Contains/Depicts	Inclu	rded?	Found on
	Yes	No	EIS Pg#
<b>Site location</b> (at appropriate scale and with sufficient legible features to easily locate the site)			
<b>Schedule B1</b> at a scale appropriate to read the onsite designations of each feature			
Schedule B2 at a scale appropriate to read the onsite designation of each feature			
<b>Vegetation patch boundaries</b> (in entirety including offsite portions if applicable) and patch #'s			
Vegetation communities delineated and labelled for every patch, including all watercourses			
Vegetation community map with proposed development overlay		······································	
Hazard mapping with proposed development overlay			
Contour mapping with vegetation community overlay			
Composite map showing location of all ELC plots, breeding bird and amphibian monitoring stations			
Final proposed environmental feature boundaries and buffers			

(1) Individual maps may not be required for each of the above content requirements. It is possible that one map may legibly supply multiple requirements.

#### C) Other Required Information - An EIS shall contain the following required information and components. Does the EIS include the following other required information?

	Included?		
	Yes	No	
Table of Contents, including list of Tables, Maps and Appendices, each with page numbers indicated.			
EIS is signed by Principal Author and Reviewer			
Approved EIS Issues Summary Checklist			
Subwatershed Study Tributary Factsheet(s) where appropriate			
ELC Sheets for all vegetation communities			

Southern Ontario Wetland Evaluations for each wetland	T	T
Full Plant Species List, including vegetation community location(s)		
Full Wildlife Species List, including vegetation community location(s)		
or monitoring station		
Notes		

# REQUIRED EIS TABLES AS PER COMPLETENESS CHECKLIST

Table L1: Reports/References Relevant to Subject Site

	rts or Reference		
	Date	Notes	
*			

Notes - Should include reports such as Area Plans, Natural Heritage Study, Subwatershed Study. OMB decisions, Environmental Assessments, etc

<sup>(1)</sup> If the subject site contains a watercourse, a Tributary Fact Sheet likely exists and is required.

Table L2: Summary of Field Inventories Conducted (and/or Relied Upon)

	Required			1975 m 1971 1981 (1982)	Survey	12.	para di Salah Kalangan da Salah
Investigation Window	Target Species	by EIS Scoping ? Y/N	Type / Actual Species Targetted	Methodology	Date and Time of Field Investigation(s)	Weather Conditions	Name(s) of Person(s) Conducting Observations
Early Spring (late March / April)	Salamander breeding Early Frog breeding					E .	observations -
Spring (May)	Frogs Migratory Birds Early Spring Ephemerals						
Early Summer (June - mid July)	Breeding birds Spring Ephemeral Flora Forest Stand Char. Veg. Community Typing Soils Typing Fish Habitat						
Summer (July / August)	Wildlife Habitat Summer Flora ( wetland and prairie species) Butterflies Odomata						
Fall (September / October)	Compositae plant species Prairie species Migratory birds Butterflies. Odomata						

Note - If a table field is not applicable, complete the field with NA instead of leaving blank.

Sokiist and Tables	EEPAC	EIS Completeness		cklist and Tables
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Table L3: Partners in Flight Priority Land Bird Species (ON BCR13)

Priority Species			Reaso	n for St	atus			3 *** ********************************	1 222		at a second	Other
Thomas opening	cc	RC	RS	SAR F	SAR O	MI	Overall Objective	Guild(s)	Habitat Obligate	Area Sensitive	Résidency Status	Specialized Habitat
						•	Bether				<u> </u>	Needs
										Ar. to the control of		
	-											
												:

Reason for Status: CC = Continental Concern, RC = Regional Concern, RS = Regional Stewardship, SARF = Species-at-Risk Federal, SARO = Species-at-Risk Ontario, MI = species of regional Management Interest

Species-at-Risk Status: EN = Endangered, TH = Threatened, SC = Special Concern, UR = Under Review by COSEWIC Overall Objective: as per Ontario Land Bird Conservation Plan

Guild: FO = Forest, SS = Shrub/Successional, GA = Grassland/Agricultural, Wet = Wetland, OH = Other Habitats, AFI = Aerial-foraging Insectivore

Habitat Obligate: Y = species is dependent on that breeding habitat category

Area Sensitive: Y = species requires large blocks of suitable habitat and/or is potentially sensitive to habitat fragmentation

Residency Status: PR = Permanent Resident, B = Resident during breeding season only, BW = Resident during breeding and winter seasons, not a permanent resident

Other Specialized Habitat Needs: features required such as dense ground cover, dense shrub layer, closed or open canopy, snags, mature forest

EEPAC	1		1
LLFAU	4	EIS Completeness	ecklist and Tables

Table L4: Summary of Species of Conservation Concern, and Provincially and Regionally Rare and Uncommon **Vegetation Communities** 

Туре	Species / Communities Identified on Site			rity Sta	tus	Found (or Potentially) Onsite in
The state of the s	Scientific name	Common name	Fèd.	Prov	Reg.	Vegetation Communities
Reptiles					ixeg.	vegeration communities
-d						
Amphibians				<u> </u>	<u></u>	
Butterflies					<b>.</b>	
Other Wildlife						
Other Whalle						
Flora with						
Conservation Coefficient of 8 - 10						
Other Flora						
Vegetation						***************************************
Communities				· · · · · · · · · · · · · · · · · · ·		1

- (1) If a table field is not applicable, complete the field with NA instead of leaving blank.
  (2) Birds are excluded from this table because they are summarized in a previous table.
  (3) Species found on site should include those species which are suspected or likely as well as confirmed. Must include scientific and common
- (4) Federal Rarity Status: EN = Endangered, TH = Threatened, SC = Special Concern, UR = Under Review by COSEWIC
- (5) Provincial Rarity Status: S1 = Extremely Rare, S2 = Very rare, S3 = Rare, S4 = Uncommon
- (6) Regional Rarity Status: R1, R2, R3, R4, R5

Table L5: Regionally Significant Vegetation Communities

	etation Communities	Identifier used in EIS (if any)	Frequency Occurrence in London	% of ELC Area Proposed for
ELC Code	Series	T	(%)	Removal
TPW	Tallgrass Woodland		0.04	
BOO	Open Bog Ecosite		0.04	
BOT	Treed Bog		0.08	
TPS	Taligrass Savannah	·	0.13	
SAM	Mixed Shallow Aquatic		0.13	
BOS	Shrub Bog		0.13	
SAF	Floating Leaved Shallow Aquatic		0.17	
TPO	Open Tallgrass Prairie		0.21	
SAS	Submerged Shallow Aquatic		0.21	
BLT	Treed Bluff		0.42	
BLO	Open Bluff		0.42	
FOC	Coniferous Forest		0.46	
SWM	Mixed Swamp		0.63	
CUS	Cultural Savannah		0.67	
SWC	Coniferous Swamp	, in the second	0.76	
MAS	Shallow Marsh		1,48	
FOM	Mixed Forest		2.36	
CUW	Cultural Woodland		3.63	
OAO	Open Aquatic		3.84	
MAM	Meadow Marsh		5.61	
CUM	Cultural Meadow		7.34	
SWT	Thicket Swamp		7.76	
CUT	Cultural Thicket		10.62	
SWD	Deciduous Swamp		12.65	
FOD	Deciduous Forest		40.22	

- (1) If a table field is not applicable, complete the field with NA instead of leaving blank.
  (2) Communities with frequency occurrence less than 10% must be identified in this table. Add to the above list if necessary.
- (3) Frequency Occurrence in London source is Bergsma and DeYoung 2006
  (4) ELC plots must be >10m inside a community

Table L6: Cumulative Habitat Land Area Impacts Summary

	PI	RE - Developn	nent	Proposed POST - Development				
Community Series Terrestrial	Total Area (h)	% of Total Vegetation	% of Subject Site Area	Total Area Remaini ng (h)	% Change in Total Area (h)	% of Total Vegetation	% of Subject Site Area	
Wetland								
Aquatic		Folkling ( ) Single	e e source Personale				÷	
TOTALS		400		·	,			
TOTALS		100				100		

Table L7: Environmentally Significant Area Evaluation (O.P 15.4.1.3)

	<b>Criterion 15.4.1.3</b>	Fulfilled ? Yes/No
1	The area contains unusual landforms and/or rare to uncommon natural communities within the country, province, or London subwatershed region	
2	The Area contains high quality natural landform-vegetation communities that are representative of typical pre-settlement conditions of the dominant physiographic units within the London subwatershed region, and/or that have been classified as distinctive in the Province of Ontario	
3	The Area, due to its large size, provides habitat for species intolerant of disturbance or for species that require extensive blocks of suitable habitat.	
4	The Area, due to its hydrologic characteristics, contributes significantly to the healthy maintenance (quality or quantity) of a natural system beyond its boundaries.	
5	The Area has a high biodiversity of biological communities and/or associated plant and animal species within the context of the London subwatershed region.	
6	The Area serves an important wildlife habitat or linkage function.	`
7	The Area provides significant habitat for rare, threatened, or endangered indigenous species of plants or animals that are rare within the country, province or county.	
	Assessment Conclusion: Is the patch an ESA? (must fulfill two criteria)	
A 1 -	tos:	

<sup>(1)</sup> If a table field is not applicable, complete the field with NA instead of leaving blank.

<sup>(1)</sup> If a table field is not applicable, complete the field with NA instead of leaving blank.

Table L8a: Significant Woodland and Woodland Evaluation (O.P 15.4.5)

ration #	Supwatersneg	Part Control			
Assessment for Woodland Significance (OPA403) O.P. Policy 15.4.5.1  A woodland will be considered "Significant" if it achieves a minimum of one High or five Medium criteria scores as determined by application of the Guideline Document for the Evaluation of Ecologically Significant Woodlands (March 2008) as listed in section 19.2.2. A Significant Woodland will be designated as Open Space on Schedule A and delineated as a Significant Woodland on Schedule B.					
CRITERIA	EVALUATION FACTORS	CRITERIA SCORE			
CRITERION 15.4.5 i) Functions that Support Environmental Quality and	1.1 Site Protection				
Integrity	1.2 Landscape Integrity				
CRITERION 15.4.5 ii) Age, Size, Site Quality and Diversity of Natural	2.1 Age and Site Quality				
Communities and Associated Species	2.2 Size and Shape				
	2.3 Diversity of Natural Communities and Associated Species				
CRITERION 15.4.5 iv) Species-at-Risk Habitat	3.0 Species at Risk				
CRITERION 15.4.5 v) Distinctive, Unusual, or High Quality Natural Communities or Landforms	4.1 Distinctive, unusual or high quality communities				
Communities of Landforms	4.2 Distinctive, unusual or high quality landforms				
SUMMARY OF CRITERIA SO	CORES FOR EIGHT ECOLOGICAL FA	CTORS			
	Number of High				
	Number of Medium				
	Number of Low				
Patch is a Significant Woodland:	☐ YES ☐ NO				
Prepared by:					
Date:					

Table L8b: Woodland Standards and Patch Conditions

Evaluation	Standards	Patch Condition(s)	Rating
Factors			
Site Protection	a) Presence of hydrological features		
	within or contiguous with the patch		
	b) Erosion and Slope Protection		
Landscape Integrity	a) Landscape Richness		
	b) Landscape Connectivity		
	c) Patch Distribution		
Age and Site	a) Community successional stage /	·	
Quality	seral age		
	b) Mean Coefficient of Conservatism		
	(MCC) of communities or whole patch	-	
	c) Disturbance related to Human		
	Activity		
Size and Shape	a) Community successional stage /		
	seral age		
	b) Mean Coefficient of Conservatism		
	(MCC) of communities or whole patch	,	
	c) Disturbance related to Human		
	Activity		, .
Diversity of Natural	a) ELC Community Diversity		
Communities	b) ELC Vegetation Type and		
and Associated	Topographic Diversity		
Species	•		
	c) Diversity (species and individuals) &		
	Critical Habitat Components for		
	Amphibians		
	d) Presence of Conifer Cover		
	e) Fish Habitat Quality		
Distribution of	The Woodland is important for the		
Open Space	provision of a balanced distribution of		
and Passive	open space amenities and passive		
Recreation	recreational opportunities across the		
Species at Risk	urban area.		
	Species at Risk present on site		
Distinctive, unusual or high	a) ELC Community SRANK		
quality	h) Chaoidinad ar an		
communities	b) Specialized or rare species	·	
Communities	presence/absence		
	c) Size and distribution of trees		
Dietinotivo	d) Basal Area		
Distinctive, unusual or high	a) Distinctive Landform Types		
quality			
landforms			
ianuiviiii5			

Notes: (1) Ratings: H = High, M = Medium, L = Low

Table L9: Significant Habitat Evaluation (O.P. 15.4.7)

			Feature
Criterion	May include these Features	Present Y/N ?	Found in Veg. Comm.
Seasonal Concentration	Colonial bird nesting habitat or sites (e.g. banks, cliffs, trees, shrubs, ground)		
Areas	Waterfowl stopover and staging areas (aquatic/ terrestrial)		
	Amphibian breeding habitat (woodland / wetland)		
	Landbird/songbird/shorebird/butterfly migratory stopover areas		
	Raptor wintering areas (hunting and roosting)		
7	Wild Turkey winter range		
	Reptile (snake) or bat hibernacula	A III	
Rare Vegetation	Areas that contain a provincially rare vegetation community (S1-S3)		
Communities	Areas that contain a vegetation community that is rare or under-represented within the City of London (e.g marshes, tall grass prairie and savannah, bog, fen, bluff, shallow aquatic and open aquatic); O.P. 15.4.7.i)(b).		
Specialized Habitat for	Turtle nesting habitat and overwintering areas		
Wildlife	Woodland raptor nesting habitat		
	Waterfowl nesting areas		
	Sites supporting area-sensitive species		*
	Woodland amphibian breeding ponds		
	Mature forest stands or forests with abundant mast for foraging		
	Areas with a high diversity of habitats, communities, species of value for research, conservation, education, passive recreational opportunities; O.P. 15.4.7.i)(c)		
	Seeps and springs		
Habitat for	Forest bird habitat guild		
Species of	Grassland/agricultural bird habitat guild		
Conservation	Shrub/Successional bird habitat guild		
Concern	Terrestrial Crayfish		
(Priority	Species-at-Risk (Federal, Provincial) or Provincially rare		
Species ON	(S1-S3) or Regionally Rare Species		
BCR-13)	Flora with coefficient of conservation 8-10		
Animal	Amphibian movement corridors (from terrestrial to		
Movement	breeding habitat)		
Corridors	Landbird/songbird/shorebird/butterfly migratory routes		
	Mammal movement corridors (deer, mink, beaver, coyote)		

<sup>(1)</sup> Found in Veg. Comm. = List the Vegetation Communities the Significant Habitat feature is found within.

# Table L10a: Ecological Buffer Assessment (EBA) Calculation

	Size of Development Parcel (ha)	Slope of Dev. Parcel	NHS Feature	Proposed Land Use Adjacent to NH Feature
Actual Site Data				
Minimum EBA Value based on Site data				
Maximum EBA Value based on Site data				

Using Minimum EBA Valı	les:
Buffer Width =	[(size) + slope)/2] + [(feature + adjacent land use)/1.5]
=	meters (rounded to whole number)
Using Maximum EBA Val	ues:
Buffer Width =	[(size) + slope)/2] + [(feature + adjacent land use)/1.5]
=	meters (rounded to whole number)

<sup>(1)</sup> As per Ministry of Natural Resources, Natural Heritage Reference Manual 2010, adjacent land use shall consider 120m from the natural heritage feature.
(2) Refer to Guidelines for Determining Setbacks and Ecological Buffers Appendix A for EBA Values

### Table L10b: EBA Range Refinement

Character of NH		1. 17. 18. 18. 18. 18. 18. 18. 18. 18. 18. 18		***************************************	<sup>2</sup> atch E	ounda	ary Se				
Feature or	Highest Sensitivity	Lowest Sensitivity	1		2		3			5	
Development		repoler and the second	High L	ow Hig	h Low	High	Low	High	Low	High	Low
Edge Considerations											·
Aspect	South and West facing	North and East facing									
•	edges	edges					<u> </u>	<u> </u>			
Community Maturity	Mature	Pioneer									
Height of Vegetation	Tall trees	Shrubs and woody plants						<u> </u>			
Edge type	New edge or no mantle	Well developed mantle									
Slope	Steep slope > 10%	No slope, flat or undulating									
Fences and barriers	Unfenced or open	Fenced lot lines									
Direction of Slope	Development uphill	Development downhill									
Substrate subject to	Poor drainage, tills and	Open drainage, sands and	,								
erosion	clays	gravels									
Existing land use in	Trees or woody vegetation	Open area, active									
potential buffer area	such as plantation or	agricultural land			-						
potential buller area	cultural thicket							1			
<b>Entire Feature Conside</b>	erations			······································						***********	ł
Landacana acuar	High forest cover in 2km	Low forest cover in 2 km				:	T	<u> </u>	<u> </u>	ľ	
Landscape cover	radius	radius									
Dinarian vacatation	Little or no riparian buffer	>75% of watercourse with					1				
Riparian vegetation	along length of watercourse	vegetation buffer			j			İ			
Groundwater	Groundwater recharge or	Neither recharge nor					1				
Gloundwater	discharge area	discharge area			l						
Surface Water	Headwater area	Downstream area									
	Priority birds, area sensitive	Edge species, generalist					<b> </b>			<b>1</b>	
Cassian Dropout	species, interior species,	species, adventive exotics									
Species Present	highly conservative	•			1						
	species, species at risk										
<b>Development Consider</b>	rations	·	<del></del>		<del></del>	-1		_ <del></del>	1	4	1
Scale of development	Large, i.e. community plan	Single residence			<u> </u>		1	T	<u> </u>	Ϊ	
Effects of infiltration	Hardened surfaces	Permeable surface					T	<b>†</b>			
Effects of infiltration		retained, infiltration allowed								1	
		100	<b></b>					1			L
Refined Ecological Buf	ffer Width for Each Patch Bou	indary Segment (m)									
Notes:			L			1				<u> </u>	

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- (1) The EBA range values are to be finalized to a single value for each identified boundary segment through the qualitative assessment of the number of High vs. Low values
- (2) Edge Considerations must consider a distance of 50m into the patch since up to 50m is all ecological edge area.

Table L10c: Total Buffers and Setbacks

	Setback Components	P	atch Bound	dary Segme	ent
	Total Control of the	1	2	3	4
_	Geotechnical				
Α	Allowance				
В	Ecological Buffer Zone				
D	(from table L10b)				
С	Additional Setback				
	Total Setback				

(1) Ecological buffer may include some or all of any required geotechnical development setback.
(2) Additional setback may not be required. Typically it may include allowance for recreational trails or multi-use pathways.

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Table L11: Net Effects Assessment Table

Ecological	Potential Imp	Impact / Effect			Effect	ner en		
Feature/ Function Affected	Physical / Direct Impacts	Functional / Indirect Effects	Magnitude	Frequency	Duration	(before mitigation)	Proposed Mitigation Measures	Residual Effect
	During Construction					Le con		
	Post Construction	1 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	The state of the s	111111111111111111111111111111111111111				
	During Construction							
			'					
	Post Construction							
	During Construction			45,5 S			100 mg/s	
	Post Construction	58 T		1-20 F 3 F 3 F 4				

- (1) At a minimum, post construction impacts include increased edge effect, introduction of invasives, wildlife disturbance due to maintenance, habitat loss, etc
- (2) Effect Before Mitigation is the predicted level of impact of development before the implementation of any mitigation measures. It shows the level of impacts which must be mitigated.
- (3) Both Effect Before Mitigation and Residual Effect shall be No, Low, Medium or High as defined by Guidelines for the Preparation and Review of Environmental Impact Studies
- (4) Proposed Mitigation Measures shall consider avoidance, minimization and rehabilitation.

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EEPAC	 EIS Completeness	ecklist and Tables
		TOTAL TOTAL

## **Table L12: Summary Monitoring Requirements**

Mitigation Measure	Performance Objective	Monitoring Strategy and Methods	Monitoring Locations	Frequency & Duration	Reporting Requirements (form and timing)	Results Reported to Who	Contingency Methods
		- 1					
						281-00	
THE THE REAL PROPERTY.	3						

- (1) Mitigation Measures must link back to measures proposed in the Net Effects Assessment Table
  (2) Frequency and Duration must consider Pre Construction (i.e. any required baseline monitoring), During Construction and Post Construction
  (3) At a minimum, all monitoring results and reports must be submitted to and reviewed by Parks Planning and Design

