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MTE File No.: 47825-100

Steve Stapleton  
Auburn Homes  
566 Wellington St  
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Dear Steve:

**Re: Review of the Natural Heritage Study for Kilally Road South EA**

I have reviewed the EIS report (North-South, Feb 2021) that was produced in support of the Kilally South, East Basin Stormwater Servicing project undertaken by the City of London. This review is specific to the property owned by your corporation which lies south of Kilally Road and the proposed Official Plan amendments to Map 1 of the London Plan.

It is my understanding that there was no access granted for study on this property. Therefore, all conclusions must have been based on road side surveys. While this study approach may be acceptable in the context of devising Stormwater servicing options for future development, it is not an acceptable study effort to assign landuse designations to this property; a task which is outside the scope of the original report.

On Map 1 of the report, North-South has identified two study locations on the property [Map attached with Auburn property ownership highlighted), which are within the Auburn land holdings. A review of the field notes suggest the amphibian surveys were done at the roadside, not next to the aggregate extraction pond. That map is incorrect and should be fixed. Further, there is a breeding bird survey location noted but none of the breeding bird studies were compartmentalized to the specific locations. Again, without access permission, this call study location is incorrect and should be deleted from Map 1 of the EIS.

**General Comments**

This area owned by Auburn is clearly a former aggregate extraction area. These constructed features, similar to stormwater management ponds, sewage lagoons and landscape pond - all of which support plants and wildlife – should not be considered as part of the Natural Heritage System. I do not disagree that there is opportunity to review these features for opportunities in future development scenarios. As such, the aggregate pond is already identified as Unevaluated Wetland on Map 5. The recently agreed upon London Plan Map 1 retained the landuse designations as before, recognizing some assessment of the aggregate pond would be required at the time of development.

Nevertheless, the North-South Report chose to update Map 5 based on their study which was designed to determine stormwater management locations and servicing options; not land use.

There are two findings within the subject lands which led North-South to conclude the features

should be listed as ER on Map 5 of the London Plan as follows:

- 1) Significant Wildlife Habitat (amphibian breeding for both woodland and wetlands)
- 2) Eastern Meadowlark Habitat

### **Amphibian Breeding**

In appendix 8 of the NSE report, the amphibian data is presented via field notes. All reported results are from the roadside in relation to this pond (Pond 4). In those notes, the results are not clear, even to the investigator. They had difficulties in determining call codes (Marsh Monitoring protocol) because of wind, traffic and even include notes that they assumed the calls were coming from a pond that was over 100m away. These findings are not at all definitive as suggested in the main body of the report. With other nearby habitats possible, the poor shoreline quality of the aggregate pond and lack of overwintering habitat for these amphibians (typically under logs and leaf litter of a forest floor), this data and thus conclusions of this study are not supportive of a landuse amendment at this time. Site specific studies should be conducted at the time of a development application; studies which would already be triggered by the current and accepted London Plan maps and policies.

### **Eastern Meadowlark**

Eastern Meadowlark is a protected species under the Endangered Species Act. Location of nesting habitat is critical to the determination of what is protected under this Act. Category 1 (10m from nest) and Category 2 (up to 100m from nest) is the main area of interest for the ESAct. North-South did not provide locational data to nesting habitat nor to where the bird was seen or heard. Often, E. Meadowlark will seek higher perches near nesting habitat to help attract a mate and observe activity in its territory. The report indicates it is a "probable breeder" somewhere nearby.

While not having conducted breeding bird surveys for this site ourselves, we have inspected the habitat, and the areas noted on the Auburn lands are not good habitat for this species. They tend to prefer grassland habitat of hay fields or old field meadows. The habitat on site is dominated by shrub and early successional trees. The habitat suited to meadowlark is interspersed amongst the woody vegetation and not large enough for nesting habitat. There is much more suitable habitat in the surrounding lands including beyond the EA study area.

### **Conclusion**

The North-South study was not designed to determine or adjust landuse designations on a property but to guide servicing locations. The data is not clear, definitive nor properly documented to support a landuse designation change. Current London Plan policies and supporting maps are sufficient to address and refine the findings as part of a future development application. No changes to the landuse Map 1 is supportable or warranted.

Yours truly,

**MTE Consultants Inc.**



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# Kilally South EA

## Study Area



### Legend

Study Area

### Survey Points

Amphibian Call Count Survey Stations

Breeding Bird Survey Stations



Project Number  
18-1042

Date:  
2020-04-17



Data Sources:  
North-South Environmental Inc., Ecosystem Recovery Inc., City of London,  
Ontario Ministry of Natural Resources and Forestry

