

Director, Financial Planning & Business Support  
Proposed Residential Land Development/Subdivision  
307 Sunningdale Road E., London, ON

**Zoning (rezoning) Planning Act Applications' review comments for the submitted Environmental Impact Assessment (EIS), Hydrogeological Assessment Final Report and Conceptual Grading Plan that were received by EEPAC June 22, 2022.**

**Reviewers: Pat Almost, Susan Hall and Berta B. Krichker, Sandy Levin**

Submitted to July 21, 2022 ECAC meeting

*Overview - ECAC Review Comments for the proposed Rezoning Planning Act Applications to Minimize and Mitigate potential ecological/environmental adverse impacts and specifically related to the identified existing Arva Moraine Wetland Complex Provincially Significant Wetland (PSW), environmental areas that are located on the subject site or on adjacent areas and all within the Stoney Creek Sub-watershed; water resources management related to the protection of existing conditions that associated with proposed Residential Land Development/Subdivision at 307 Sunningdale London (this property is within the UTRCA regulated area) as follows:*

**ECAC's primary recommendation that a holding provision be applied to this site that can only be lifted when a Geotechnical Study has been approved by the City and the UTRCA.**

**Rationale: ECAC is skeptical that the post development conditions can meet the infiltration requirements over the long term due to the site conditions.**

- The final Hydrogeological Report identifies that further additional infiltration testing is recommended to be conducted to refine the soil conductivity and the estimate rate of infiltrations. Also this report stated that 'during construction activities the groundwater dewatering is likely to be required in the northern portion of the site where the groundwater elevations are found to be highest.' Therefore, at the detailed design stage, **the developer's consultant engineer must be required to demonstrate and to ensure that this dewatering will not adversely impact the water levels in PSW.** Although the preliminary water balance assessment are included in the Hydrogeological Report, based on the above presented information, the final water balance evaluation for the subject site becomes the most important and critical assessment and **the City must have confirmation on this water balance assessment upon the completion of the Storm/drainage and SWM servicing detailed report and a supported Geotechnical report.**

#### **Additional comments/recommendations**

##### **Rezoning Application Special provisions for the Subject Lands**

**ECAC recommends** *that the proposed Rezoning Application for the subject properties should include the special provisions, which will request that the proposed detailed design for the proposed subject site will incorporate the specific provisions to: preserve and maintain the existing PSW wetland, identify the required natural buffers/set-backs for the wetland and all environmental areas, identify measures/protocols to protect Significant Wildlife Habitat, Fish Habitat, Habitat of Threatened and Endangered Species, Potential Naturalization Areas and Nests of NBCA-protective birds, erosion sediment control, as well as possible substantial dewatering process and MECP, MNRP, UTCA and potential DFO approvals requirements and water discharges that will be in compliance with the*

*Stoney Creek Subwatershed system requirements, MECP, MNRP, DFO, UTRCA and City's standards and requirements for this system. **ECAC requests the opportunity to review of the requested detailed design documents, and specifically the Storm/Drainage and SWM Servicing detailed report and the recommended Geotechnical report.***

The proposed Rezoning Application for the subject properties should include, but should not be limited to, the special provisions, required to deliver the following: ensure the protection to maintain existing wetland ecological, water resources functions and features, existing SWH, Habitat of Threatened and Endangered Species, or other species that require protections identified in EIS; reaffirm sufficient buffers/setbacks to maintain and protect existing ecological/environmental functions, features of the existing wetland and identified environmental areas, as well as stipulated prohibitions of any potential encroachments into these significant ecological/environmental areas that are adjacent to this land development; develop and submit the Geotechnical Report and the detailed design Grading/Drainage and SWM Servicing Plan that will include, but not be limited to, the storm/drainage utilities and SWM services to deal with the water quality, quantity control, the water balance and the robust effective erosion sediment control protection control and be in compliance with the Stoney Creek Sub-watershed, MECP, MNRP, UTRCA and City's standards and requirements for this system.

**The existing environmental/ecological conditions, functions and features of the Existing Arva Moraine Complex PSW and adjacent environmental areas shall be maintained and protected and every necessary effort should be implemented to minimize any potential adverse impacts on PSW and natural area adjacent and at the subject site**

Ensure that the existing PSW ecological/environmental conditions will be preserved and the proposed rezoning and proposed land development will not adversely impact the existing environmental conditions of the PSW adjacent lands. Ensure that the existing wetland ecological/environmental, water resources functions and features will be preserved and maintained at the pre-development level (shall be no loss of wetland features and functions), as well as every effort will be employed to minimize potential adverse impacts that may occur as a result of the proposed land development and construction activities associated with this proposed development. EIS and all servicing reports shall include all required references and modifications/changes that will incorporate the recommended wetland preservations.

Taking in consideration all critical factors, the following factors such as:

- The provincial and City's policies and requirements stipulated there shall be no loss of wetland features and functions, the existing wetland must be maintained and preserve the existing environmental/ecological conditions, functions and features.
- and provide required protections of all Wildlife Habitat, including the Significant Wildlife Habitat (SWH), habitat of Threatened and Endangered Species, or other;
- This PSW is located immediately adjacent to the Stoney Creek system and needs to function in correlation with the Stoney Creek system;

***ECAC recommends that the existing wetland be preserved and ensure that the existing wetland ecological/environmental, water resources functions and features will be preserved and maintained, no loss of wetland features and functions would occur. EIS and all servicing reports shall include all required references for the proposed recommendations and justifications be incorporated. The proposed land development planning and servicing design components will incorporate all required works and measures to protect the existing ecological/environmental and water resource conditions for the subject and surrounded lands.***

### **Buffers Setbacks for Existing Wetland and Identified Environmental Areas**

Ensure that the sufficient natural buffer/setbacks will be identified and implemented in accordance with City's EMG, London Plan, the UTRCA and provincial guidelines regulations, requirements to protect and maintain the existing wetland functions and features, as well as maintain all identified environmental areas that need to be protected at the subject site and encroachments into PSW or other environmental area during and post construction periods shall be prohibited. EIS and other submitted applicable reports will need to reflect all support information associated with clarifications of required setback from the subject development to all identified environmental areas and wetland to ensure no adverse impacts on the existing wetland functions and features (shall be no loss of wetland features and functions) related to the ecological and water resources system, adjacent lands and surface/subsurface/groundwater functions, features, connections and correlation with the Stoney Creek system functions and performances.

***ECAC recommends the proposed natural buffers/setbacks for each required areas will be identified and be sufficient, based on the existing provincial, UTRCA and City's requirements and regulations. The technical justifications need to be provided to support the setback recommendations for this development and the proposed buffers/set backs need to be identified between the proposed development the existing wetland and all identified significant environmental areas. All encroachments on the Buffers Setback areas be prohibited.***

The recommended buffers/setbacks requirements shall be consistent with the City's London Plan Policies and requirements, completed and accepted by the City Council Subwatershed and Municipal Class EA studies for the subject area, MECP, MNRP and UTRCA Acts, Regulations and requirements. In accordance with the OWRA definitions, storm drainage and SWM systems, including the SWM Facilities, are consider to be a sewer systems.

### **SWH, Habitat of Threatened and Endangered Species, or other Required Protection**

Ensure that the existing species, specifically the Significant Wildlife Habitat (SWH), Habitat of Threatened and Endangered Species, or other species (that require protection) will be protected and all required measures, MNRF, DFO applicable ecological protocols will be implemented for handling these works for the subject lands. EIS needs to include all required references for the proposed changes and justifications (proposed approach and applicable protocols) that will be implemented.

Habitat for several species that are protected under the Endangered Species Act identified within Study area. Specifically protections of Fish Habitat and aquatic life are important within the Stoney Creek.

***ECAC recommends that all identified SWH, Habitat of Threatened and Endangered Species, or for other required protection species will be:***

- confirmed in the detailed field review prior to completing the final design report submission for the proposed development; and
- ***protected by identifying all required measures and required ecological MNRF, DFO and UTRCA protocols that will be implemented for handling these works for the subject lands, ensuring no adverse impacts on the species and the health of their habitat. EIS shall include all required references for the proposed changes and justifications (proposed approach and applicable protocols) that are recommended to be implemented.***