

Review of: **Victoria Ridge Plan of Subdivision EIS**  
dated May 3, 2013

Reviewers: S. Sanford, D Sheppard;  
July 2013

### **Clear cutting portion of ESA**

While the possible expansion of development beyond the existing ESA Gap may be contemplated in policy, EEPAC believes there is no clear right of development which gives unmitigated right to clear cut more of the ESA. The EIS Addendum focusses on the options of how to expand the ESA Gap. EEPAC is not convinced by any evidence in the report that destroying more of the ESA is desirable or beneficial in any way.

*Recommendation 1:* EEPAC does not support the destruction of any part of the ESA. No policy exists which empowers the City to allow development with a designated ESA. Further destruction of the ESA should be simply disallowed. This would not only better protect our natural heritage system but also save the time and money being expended by City staff.

*Recommendation 2:* If the City decides to contravene policy and allow destruction of more of the ESA, the benefits gained any behalf of the public good must be dramatic and must exceed the financial benefits being bestowed on the proponent.

### **Ecological Impacts of Allowing Gap Expansion**

Several ecological impacts remain inadequately addressed:

- a) Expansion of the gap will decrease interior area of the ESA
- b) Removed vegetation would include communities have been observed to contain breeding territories for Conservation Priority birds, including American Redstart (community 3a) and Savannah Sparrow (community 1a).
- c) The EIS infers displaced breeding birds will simply relocate to “adjacent lands.” It is faulty to assume there are adjacent lands which are not already occupied by territorial pairs. Further, it can be assumed that the lands in proximity to the PSW may in fact be the prime breeding ranges and any displacement, would be to lower quality habitat.

*Recommendation 3:* The expansion of the ‘gap should be refused by the City due to the unaddressed ecological impacts.

### **Destruction of ESA for creation of access to ESA Gap**

In order develop in the already designated ESA Gap, access is required across designated ESA lands. This impact has been consistently ignored by previous EIS reports and correspondence and is also ignored in this Addendum. Any discussion of development within the ESA Gap must include impacts created by access and must include robust

mitigation and compensation measures specific to the access. EEPAC has seen no attention to this issue since the beginning of the Old Victoria process.

*Recommendation 4:* Mitigation and compensation measures must be identified for the destruction of ESA as a result of the need for access to the ESA Gap.

### **Floodplain lands must be excluded from Compensation Ratio**

Floodplain lands are not developable. Yet they are being held up by the proponent as a valuable part of a compensation package being offered to the City. The exchange would include trading developable lands for non-developable lands. This is not a good value trade.

*Recommendation 5:* Floodplain lands are not a valuable part of any kind of compensation plan and should be fully excluded from any possible land swap or compensation arrangement.

*Recommendation 6:* The City should simply purchase the floodplain lands at the approved rate or leave them in private ownership.

### **Ecological Buffers must be excluded from Compensation Ratio**

While it is difficult to determine with the mapping in the Addendum, there may be cases where the 30m required buffer from the Thames River may be greater than the floodline. In any such cases, these buffer lands should also be fully excluded from any compensation ratio as they do not provide any kind of additional value to the equation. They are a requirement no matter what and including them in the compensation ratio would only inflate the ratio.

*Recommendation 7:* Any required 30m buffer lands which extend beyond the floodplain should be excluded from the compensation ratio in order to avoid artificial inflation of the ratio.

### **Impact of SWM on ESA – Mitigation and Compensation**

Official Plan requires that any impact on the natural heritage area resulting from infrastructure be both mitigated and compensate. There are no details available as to how this policy will be followed.

*Recommendation 8:* Both mitigation and compensation measures for the impact of the SWM outlet on the ESA must be detailed and implemented.

### **Setback from Watercourse**

Option 3, indicated as most preferred, should include a 50m setback from the watercourse as requested by City Staff. The setback would improve not only water quality but terrestrial systems in proximity to water courses are very ecologically important and should be maximized.

Recommendation 9: Watercourse buffer should be 50 meters

### **Restoration Species and Native Seed Mixes**

EEPAC observes many EIS recommendations include the application of a native seed mix, without any further detail. The proper native seed mix must be utilized according to the situation. Therefore, EIS recommendations should not generalize in this regard. Further, in many cases, a simple seed mix is not enough to out-compete the existing seed bank of non-native weeds.

Recommendation 10: EIS is commended for detailing the necessary site prep, the species to be used and the composition of the native seed mix to be used.

Recommendation 11: Native plant plugs should also be used in conjunction with the seed mix in order to better outcompete non-native species.

### **Restoration Area Maintenance**

All restoration work in areas involved in a compensation scheme should be fully funded by the proponent. This includes all appropriate site preparation, plantings and most importantly tending and maintenance for 5 years post planting to ensure establishment of the intended vegetation community and the exclusion of invasive species.

Recommendation 12: Restoration plans for any compensation lands, including 5 year maintenance plan should be specified by the City and funded by proponent.

### **Monitoring of Restoration**

EEPAC recommends that the success (or failure) of the restoration be monitored and actively managed for a period of five years. If significant setbacks or failures are encountered in the process, the City must retain the right to extend the monitoring and maintenance requirements the sole cost to the proponent. If restoration is required in return for a benefit given to the proponent, the proponent must be held to fulfill the restoration requirement fully and completely regardless of time required. Otherwise, the proponent is keeping their benefit and the public is losing theirs.

Recommendation 13: Monitoring and maintenance requirements (at the cost of the proponent) should be a minimum of five years. They City should have the right to extend that period in the case of significant non-accomplishment of restoration goals.

/end