

*"Inspiring a Healthy Environment"*

July 25, 2013

The Corporation of the City of London  
P.O. Box 5035  
300 Dufferin Avenue  
London, Ontario N6A 4L9

**Attention: Michael Tomazincic** (sent via e-mail)

Dear Mr. Tomazincic:

**Re: File No. OZ-8120 – UTRCA Comments on Subject Land Status Report for Patch 1012**  
**Applicant – PenEquity Realty Corporation**  
**3130 & 3260 Dingman Drive, London, Ontario**

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The Upper Thames River Conservation Authority (UTRCA) has reviewed the *Subject Land Status Report for Patch 1012* prepared by AECOM dated May 8, 2012. Based on our review the UTRCA is of the opinion that the woodland / wetland patch is significant and must be protected for the following reasons:

1. Patch 10102 has been identified as significant woodland since it meets 5 high criteria scores out of a possible eight when evaluated using the City of London significant woodland criteria. The significance of a woodland is determined by what criteria it meets, not by what it is missing. It is inappropriate to argue that the woodland is less significant because it did not meet all eight criteria.
2. The UTRCA does not agree that the seven extenuating factors should have any bearing on the significance of the woodland / wetland patch feature for the following reasons:
  - i. Patch 10102 does not have to contain Species at Risk to be significant. This is just one of the eight categories for determining significance. Each category (function) is of equal weighting, so a score of "high" in one category is not greater or less significant than a score of "high" in a different category.
  - ii. The woodland criteria were developed specific to the City of London, so the ecological functions of the woodland ARE considered uncommon within the area of London.
  - iii. The invasive plant cover of the woodland are not considered high within the urban context. Appendix B shows that the percent of exotic species in the woodland is 34.85%, which is within the range of most urban centers.
  - iv. According to MNR (SOLRIS mapping guidelines), as long as the sewer easement is less than 20m across, it is not considered wide enough to separate the patch. Note that a patch can contain a meadow or a shrub land "corridor" within its boundaries.
  - v. Most woodlands are isolated from each other in the urban context. Some animals still need these woodlands during migration periods as stopover sites. Table 2 shows that this area is being used by numerous chorus frogs, and Table 3-1 shows that there was at least one confirmed breeding Level 1 bird species found within the patch. The Breeding Bird Survey identified many birds using the patch, despite the loud traffic noise nearby. Therefore, there is an opportunity to improve the linkage between the woodland and other natural features, rather than isolating them further. As well, the local model boat club, which uses the adjoining pond feature, may also appreciate the open space amenity

- of the woodland or a passive recreational opportunity such as a trail through the woodland. These options should be considered.
- vi. Whether or not the SWT2-9 gray dogwood mineral thicket swamp is commonly found within the City of London and surrounding areas, it is a rare community in the Province of Ontario and would need approval from the OMNR for its removal.
  - vii. The woodland has persisted despite many of the factors listed as threats. The fact that it is significant despite these threats adds further credence that this woodland should be protected in its entirety.
3. The UTRCA needs to be involved in future agency consultation and scoping activities given that an unevaluated wetland has been identified within the patch. Our policy does not permit development in wetlands or in the surrounding area of interference. The limits of the feature need to be confirmed and an appropriate buffer needs to be established to protect the wetland. We would anticipate a full 3 season inventory (i.e. need additional summer and early fall) for vegetation, and additional spring (May and June) and fall (September and October) surveys to complement the breeding bird survey of early July.
  4. Please consider the impact of Emerald Ash borer in addition to the change in moisture regime when discussing overall patch quality on page 8. Discuss woodland management options to improve the health of the patch.

In addition to these comments, there are some typos:

- Page 13: The above evaluation identifies FIVE (not four) criteria with a score of “High”.
- Appendix E: Summary for Criterion 2.2 (in the box) should be HIGH, not medium
- Appendix E: Woodland Patch Assessment Score Sheet should have a MEDIUM, not a High in Section 4.2
- Appendix E: Woodland Patch Evaluation Summary Score Sheet should have a HIGH, not a Medium in Criterion 2.2

Thank you for the opportunity to comment. Our staff would be pleased to meet to discuss our comments and the next steps. If you have any questions, please contact the undersigned at extension 293.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton  
Land Use Planner  
CC/cc

c.c. Sent via e-mail -  
Applicant – PenEquity Realty Corporation  
UTRCA – Jeff Brick, Co-ordinator - Hydrology & Regulatory Services & Mark Snowsell, Land Use Regulations Officer