

Hearing Committee Meeting

Tuesday May 28, 2024 1:30pm – 1424 Clarke Road, London

Brian Petrie, Chair of the Hearing Committee, called the meeting to order at 1:30 pm on Tuesday May 28, 2024 at 1424 Clarke Road.

Members Present:

Paul Mitchell
Brian Petrie – Chair
Mark Schadenberg
Dean Trentowsky

Regrets: Sandy Levin – Recused himself

UTRCA Staff Present:

Jenna Allain – Manager of Environmental Planning and Regulations
Tracy Annett – General Manager
Michael Funk – Land Use Regulations Officer
Michelle Viglianti – Administrative Assistant – Recorder
Stephanie Shreiner – Water Resources Engineer (Planning and Regulations Support)
Christine Creighton – Planner II

UTRCA Lawyer: Grant Inglis

1. Approval of Agenda

Mover: Paul Mitchell
Secunder: Dean Trentowsky
THAT the Hearing Committee approves the agenda.
Carried.

2. Declaration of Conflicts of Interest

The Chair inquired whether the members had any conflicts of interest to declare relating to this hearing. The Chair reported that due to prior knowledge of this file, Sandy Levin recused himself from this Hearing.

3. Minutes of Previous Meeting

Mover: Mark Schadenberg

Seconder: Paul Mitchell

THAT the Hearing Committee approves the minutes dated April 25, 2024.

Carried.

4. Business Arising from the Minutes

There was no business arising from the minutes.

5. Application #50-24

The Hearing for the consideration of application #50-24 was called to order at 1:31pm.

The Chair presented his opening remarks stating the Committee was to consider an application by Forest Edge Commons Inc. c/o Paul Kitson, Westdell Development Corporation - Application #50-24 to permit development within a riverine flood hazard associated with a river or stream valley and within a wetland area of interference and within an area regulated by the Upper Thames River Conservation Authority at 952 Southdale Road West in the City of London, Ontario.

Mover: Paul Mitchell

Seconder: Dean Trentowsky

RESOLVED To sit as a Hearing Committee to consider application #50-24 by Forest Edge Commons Inc. c/o Paul Kitson, Westdell Development Corporation to permit development within a riverine flood hazard associated with a river or stream valley and within a wetland area of interference and within an area regulated by the Upper Thames River Conservation Authority at 952 Southdale Road West in the City of London, Ontario.

Carried.

The following people were present to represent the applicant:

Paul Kitson – Applicant, Westdell Development Corp.

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Adam Kristoferson – Agent, Stantec Consulting Ltd.

Dave Hayman – Agent, MTE Consultants.

Mike Funk, Land Use Regulations Officer, presented his report to the Hearing Committee.

Paul Kitson of Westdell Development Corp. presented the history of the site and the proposed project, Adam Kristoferson from Stantec Consulting presented the floodline study, and Dave Hayman of MTE Consultants presented the wetland study.

The Applicant and UTRCA staff had no questions for each other.

The Committee members asked questions of UTRCA staff and the applicants regarding their reports and presentations.

Moved: Paul Mitchell
Seconded: Mark Schadenberg
That the Hearing Committee move into to deliberation.
Carried.

The Hearing Committee moved into deliberations at 2:30pm.

The Hearing Committee rose from deliberations at 2:41pm.

Mover: Mark Schadenberg
Secunder: Paul Mitchell
THAT the Hearing Committee adjourn the Hearing for application #50-24.
Carried.

Mark Schadenberg left the meeting at 2:43pm

The Chair reported the following decision and reasoning:

THAT Application #50-24 for the proposed development within a riverine flood hazard and wetland be approved due to the following reasons:

- Appropriate technical information has been provided to identify the extent of flood hazard limit, to the satisfaction of the UTRCA.
- The applicant has provided confirmation that the proposed filling, although not balanced, will not negatively impact flooding on adjacent properties. UTRCA technical staff have reviewed and accepted the submitted information.
- The development limits align with the OS5 zone for the wetland and buffer, which were previously approved by the City of London in 2021 prior to the Floodline Analysis matter being fully addressed.
- Of the three options in the Floodline Analysis (Stantec), the “Do Nothing” approach affords the greatest protection to the wetland feature and its functions because it does not require grading within the wetland feature or its buffer to compensate for the loss of flood storage.

And subject to the following conditions:

That the requirement for final reports and drawings be prepared through the municipal site plan process and to the satisfaction of the UTRCA, and would include:

- Final EIS report and Environmental Management Plan;
- Final Stormwater Management/Serviceing Report;
- Final Hydrogeological Assessment Report;
- Final Civil Engineering Drawings;
- Erosion and Sediment Control Plans; and,
- Final Retaining Wall Designs, signed by P.Eng. with appropriate floodproofing.

6. Adjournment

There being no further business to discuss, the meeting was adjourned at 2:49 pm on a

motion by Paul Mitchell.

Tracy Annett, General Manager
/mv