

APPENDIX 1

TERMS OF REFERENCE  
AND COMMENTS



591 Woolwich Street  
Guelph, Ontario  
N1H 3Y5

T: 519.822.6839  
F: 519.822.4052  
info@aboudtng.com  
www.aboudtng.com

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TRAIL SYSTEMS  
GREEN ROOFS  
CONTRACT ADMINISTRATION

EXPERT OPINION  
OMB TESTIMONY  
LEGAL PROCEEDINGS  
PEER REVIEW  
RESEARCH  
EDUCATION

February 24, 2016

Our Project No.: AA15-123A  
Sent by Email: [April.Nix@guelph.ca](mailto:April.Nix@guelph.ca)

April Nix  
Environmental Planner-Policy  
City of Guelph  
1 Carden Street, Guelph, Ontario N1H 3A1

**Re: Speedvale Bridge Underpass and Multi-Use Trail Linkage Project  
City of Guelph  
Revised Terms of Reference - Scoped Environmental Impact Study -**

Dear April Nix:

This document outlines the Revised Terms of Reference (ToR) of the Scoped Environmental Impact Study (EIS) for a proposed Multi-Use Trail running north-south, on the west side of the Speed River, crossing under the Speedvale Bridge. Please review the revised terms and circulate to City staff for discussion and approval.

## **BACKGROUND**

A multi-use trail is proposed along the west side of the Speed River connecting the existing Trans-Canada Trail to the Speedvale Avenue bridge underpass and linkage north to the existing Riverside Park trail system, with access to the Evergreen Seniors Centre in the City of Guelph. The trail is to be located on the west side of the Speed River, approximately 300 metres of new trail south of Speedvale Avenue, and approximately 400m of new trail, north of Speedvale Avenue (*Figure 1*).

The multi-use trail and underpass are within the Grand River Conservation Authority regulation limit, the one zone flood plain and is located within a number of Natural Heritage System features as defined under the schedules of the City of Guelph OP, including Valleylands, Significant Wildlife Habitat, and Significant Woodlands, and are adjacent to Locally Significant Wetlands, and Cool Water Fish Habitat.

In Preparing the Terms of Reference, the following sources were reviewed for background information:

- Project Brief (provided by the City of Guelph, September 16, 2015),
- Aerial photography of the subject site, as identified in Attachment 1-Subject site (provided by the City of Guelph, September 16, 2015),
- City of Guelph Official Plan (2014) and Schedules,
- Wellington County GIS mapping (Explore Wellington, accessed September 21, 2015) of natural heritage features (e.g. wooded areas, MNR wetlands, watercourses)
- GRCA mapping (accessed September 21, 2015) of natural heritage features (e.g. regulation limit, GRCA and OMNR wetlands, ANSI's, and MNR Woodlands),
- Natural Heritage Information Center, Make-a-map, accessed September 21, 2015,
- Ontario Nature. Ontario Reptile and Amphibian Atlas: a citizen science project to map the distribution of Ontario's reptiles and amphibians. Accessed September 21, 2015.
- Ontario Mammal Atlas. Dobbyn, 1995.
- Ontario Breeding Bird Atlas. Bird Studies Canada, 2007.
- Land Information Ontario, Woodland and Wetland Mapping, 2007.
- The City of Guelph's Natural Heritage Strategy and mapping, 2009.

## **STUDY AREA**

The study area includes all lands occurring between the Speed River to the north, and the existing trail or development to the south; as well as 30m at each end of the proposed trail alignment alternatives to the east and west where access is permitted(*Figure 1*).

## **PLANNING CONTEXT**

### *City of Guelph Official Plan*

The City of Guelph OP indicates that no development is permitted within the one-zone floodplain, but may be used for outdoor recreation (excluding buildings) and open space and conservation areas.

The OP indicates that development is generally prohibited within the *Natural Heritage System*, including minimum or established buffers, with exceptions listed under section 6A.1.2- General permitted uses, this includes passive recreational activities. An EIS may be required for construction of trails and walkways where there may be the potential for negative impacts to the natural heritage system.

Additionally, under sections 6A.2.4 and 6A.2.6, The construction of formal trails and walkways in *significant woodlands* and *locally significant wetlands* must also be considered essential to the City's trail system or integral to the scientific, educational or passive recreational activities of the property; the environmental impacts of the proposed trails must be assessed and mitigated through design that minimizes impacts to the natural heritage features and areas, and

ecological functions; and be accompanied with educational signs. As this trail development is part of a proposed active transportation link, we believe it is essential to the City's trail system.

Under section 6A.2.7 of the OP, Where *Significant Valleylands* are disturbed, the City also promotes restoration and/or naturalization in order to improve water quality and quantity, ensure bank and slope stabilization, and to enhance wildlife habitat.

Under section 6.A 5.1.2 Where the City is undertaking infrastructure work; healthy non-invasive trees within the *urban forest* will be retained to the fullest extent possible. Where trees are required to be removed, relocation or replacement plantings will be provided by the City. Where these trees cannot be retained, they will be subject to the Vegetation Compensation Plan addressed in Policy 6A.5.4. 2. Where regulated trees are damaged or destroyed a Tree Preservation and Vegetation Compensation Plan is needed.

#### *Grand River Conservation Authority*

The proposed trail development is entirely within the Floodplain and the allowances adjacent to these features. Section 8.1.18 of the GRCA's Policies for the Administration of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06, 2013) identifies recreational uses such as trails and river access points may be permitted "in accordance with the policies in Sections 7.1.2-7.1.3 - General Policies, and where it can be demonstrated that:

- a) There is no feasible alternative site outside the Riverine Flooding Hazard,
- b) There is no loss of flood storage,
- c) where unavoidable, intrusions on significant natural features or hydrologic or ecological functions are minimized and it can be demonstrated that best management practices including site, facility and/or landscape design and appropriate remedial measures will adequately restore and enhance features and functions, and
- d) The risk of property damage is minimized through site and facility design and flood emergency plans."

The Provincial Policy Statement and the City of Guelph Official Plan indicate that natural heritage features shall be protected for the long term. The Official Plan indicates that trail development may be permitted within the Natural Heritage System where an EIS demonstrates that there will be no negative impacts on the natural heritage resource.

Consequently, an EIS should be prepared to demonstrate that the proposed development will not negatively impact the *Valleylands*, *Locally Significant Wetland*, *Significant Wildlife Habitat*, *Cool Water Fish Habitat* or *Significant Woodland* or the one zone flood plain area.

A Tree Inventory and Preservation Plan and a Vegetation Compensation Plan will also be prepared under separate cover to meet the conditions of the City of Guelph Tree By-Law number (2010) - 19058.

#### **BACKGROUND REVIEW**

Additional background natural heritage information related to the subject lands and adjacent lands identified the following information:



1. The Ontario Reptile and Amphibian Atlas shows within a 10 km square of the subject lands, the recent and historical presence of 16 species of reptiles and amphibians (accessed September 15, 2015), including three species of Conservation Concern (Milksnake (SC), Western Chorus Frog (THR-Federal) and Snapping Turtle (SC)).
2. The Natural heritage Information Center indicates the presence of 3 species of Conservation Concern within 1 km of the project location (Eastern Ribbon Snake (SC), Northern map turtle (SC), Rusty-patched Bumblebee (END)).
3. The Ontario Mammal Atlas indicates that two species of Conservation Concern, Little Brown Myotis (END) and Northern Myotis (END) may occur in the study area.

Based on a review of the background information and an Ortho-photograph review of habitat present in the study area, it is unlikely that any Species at Risk identified in the literature review will occur within the proposed trail or adjacent study area. As a result, detailed wildlife surveys are not recommended for reptiles or bats, unless candidate habitat is identified in the study area through a review of SWH for the site.

## **PROPOSED TERMS OF REFERENCE**

To fulfill the requirements of this study, we will:

1. Review background information, (e.g. proposed activity, preliminary studies of tree inventory, relevant sections of Natural heritage system components of the City of Guelph OP, Investigation of Wildlife Atlases and NHIC)
2. Coordinate with RSAC and attend one meeting to present and gain approval of Terms of Reference.
3. Delineate, map and characterize the entire Study area using the ELC system. The details to capture are confirmation of boundaries and dominant vegetation of each vegetation community to at least the Ecosite level.
4. Conduct two site visits in spring and summer to complete a 2 season botanical inventory, spring and summer botanical inventories will capture the majority of the flora in woodland and wetland communities. Compare identified plant species to provincial and federal SAR lists (COSARO, SARA) provincial ranks (NHIC 2015), global ranks, and Significant Plants of Wellington County (Dougan & Associates 2009)
5. Conduct a screening of all background information and the site to determine the potential for the presence of Species at Risk (SAR).
6. Complete an MNRF Request for Information and determine if any Species at Risk have been identified in the study area, and any studies required by the MNRF under the ESA (2007).
7. Investigate the study area for habitat that may support important life stages for Species at Risk identified during SAR site screening.
8. Conduct a breeding bird survey of study area, following the protocol of the Ontario Breeding Bird Atlas (Bird Studies Canada 2001). The breeding bird survey requires two, focused, early morning site visits during the period between late May and early July.
9. Investigate the study area for the presence of trees of Butternut.
10. Investigate the study area for the presence of significant wildlife habitat; and complete a site assessment for all potential SWH (e.g. bat maternity habitat, Colonial Nesting Bird Habitat, Waterfowl Overwintering Area, Raptor Wintering Areas, Amphibian Breeding Habitat, Turtle nesting, habitat for species of conservation concern.) using the SWH Criteria schedules for Ecoregion 6E (2015).
11. Wetland Limit: Pre-stake the boundary of the locally Significant Wetland to the east of the trail alignment, south of Speedvale Avenue, and determine appropriate buffers to protect this feature. Coordinate with the GRCA and the City of Guelph for field-verification of the actual boundary of the wetland.
12. Complete two Winter Wildlife Surveys, to investigate the site for significant wildlife habitat (e.g. raptor stick nests, bat maternity habitat, seeps and springs) and record observations of incidental wildlife.
13. Complete a general watercourse characterization for the reach of the river adjacent to the proposed trail location, and complete an assessment of the trails impacts to the river characteristics and flood regime.
14. Complete a review of background fisheries information from the GRCA and MNRF, if available.

15. Complete a DFO Self-Assessment and Request for Review to ensure no impacts to the cool water fishery identified in this reach of the Speed River.
16. Three rounds of amphibian surveys will be conducted following the Marsh Monitoring protocol (2008), where candidate habitat occurs in the study area.
17. Describe the ecological linkages and functions provided by the river valley and significant woodlands.
18. Describe the proposed trail alignments and complete an analysis of alternatives to avoid impacts to the natural heritage system.
19. Provide mitigation and avoidance measure recommendations.
20. Communications with project team and the City as needed.
21. Analyze findings and prepare a map that shows:
  - a) Identified natural heritage features, and functions (e.g. wildlife trail), and landscape level features (e.g. linkages, forest interior habitat).
  - b) The proposed and alternative trail alignments
  - c) ELC vegetation communities
  - d) Other noteworthy features as needed
  - e) Locations of the results of the breeding bird survey.
  - f) Locations of other natural heritage features from background literature searches (e.g. mammal atlas, herpetofaunal atlas, County's OP, Township Zoning Bylaw.
  - g) Wetland Boundary delineation, as verified with the GRCA.
22. Conduct an impact assessment by reviewing the proposed trail development's direct, indirect, and induced (i.e. residual, ongoing) impacts on the natural features identified on site (including, but not limited to: natural hazards, significant woodlands, wetlands, Cool water fishery), and buffers where feasible. Provide alternatives for the location of the trail alignment to reduce/avoid impacts to natural heritage features and assess for minimizing impacts to ecological features and functions. This will involve discussions with the City of Guelph and Aboud & Associates.
23. Provide policy rationale for expected impacts to natural heritage features (e.g. removal of trees and grading to accommodate the trail alignment, requirements)
24. Edge Management Guidelines and Compensation: Provide general recommendations of where and why naturalization treatments may be needed to protect vegetation features (e.g. woodlands, wetlands, and valleylands) adjacent to the proposed trail. Provide rationale and recommendations for tree compensation (e.g. where, why and how much), provide recommendations for the removal of invasive species, and enhancement of riparian habitat along the Speed River.
25. Complete a Tree Inventory and Preservation Plan, following City of Guelph recommendations, for all proposed trail alignments, to be provided under separate cover.
26. Prepare a report of the EIS that includes background information, methods, existing conditions, proposed trail, impact assessment and mitigation measures, proposed monitoring programs and enhancement opportunities and appendices of field studies (e.g. flora and ELC data sheets, breeding bird survey results).

27. Submit report to City, GRCA and RSAC.
28. Prepare for and attend a RSAC meeting to present report and findings.

Please contact the undersigned should you require additional information of the above.

Yours truly,

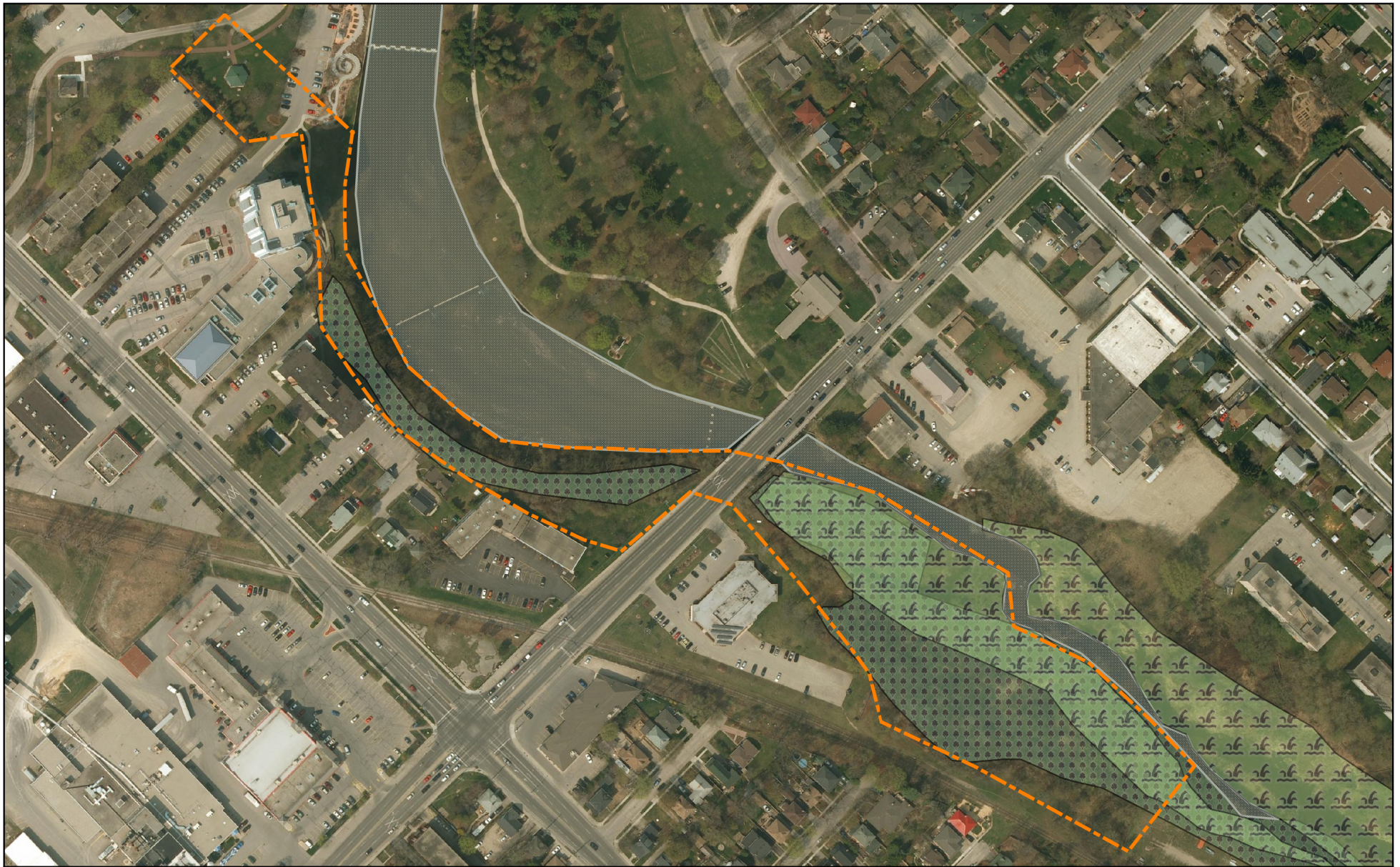
**ABOUD & ASSOCIATES INC.**







Cheryl-Anne Ross, B. Sc., Wildlife Ecologist

cc. Jyoti Pathak, City of Guelph  
Jason Wagler, GRCA Planner





## LEGEND

-  STUDY AREA
-  SIGNIFICANT WILDLIFE HABITAT
-  LOCALLY SIGNIFICANT WETLAND
-  SIGNIFICANT WOODLAND

### Information Sources:

1. Ortho provided by City of Guelph ,July, 2015
2. MNR Woodland, Land Information Ontario, Woodland mapping, 2007.
3. GRCA Wetland, GRCA, wetland mapping, 2014.
4. Significant Wildlife Habitat, City of Guelph Official Plan Schedules, 2014.

\* Map Provided for Site context only.

### Title:

Existing Conditions  
& Subject Site\*

### Project:

Speedvale Bridge Underpass  
& Multi-use Trail Linkage Project

Date: February, 2016

Project: AA15 - 123A

Scale: 1 : 4000



**ABOUD & ASSOCIATES INC.**  
Consulting Arborists • Ecologists • Landscape Designers

591 Woolwich Street, Guelph, Ontario, Canada, N1H 3Y5  
1.519.822.6839, F.519.822.4052, info@aboudtng.com, www.aboudtng.com

Figure No:

1





November 10, 2015

Cheryl-Anne Ross  
Aboud & Associates Inc.  
591 Woolwich Street  
Guelph, Ontario  
N1H 3Y5

Attention: Cheryl-Anne Ross

**Re: Terms of Reference for Scoped Environmental Impact Study (EIS)  
Speedvale Bridge Underpass and Multi-Use Trail Linkage Project**

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We have reviewed the Terms of Reference for the Speedvale Bridge Underpass and Multi-Use Trail Linkage Project, prepared by Aboud & Associates, dated October 7, 2015. We offer the following comments.

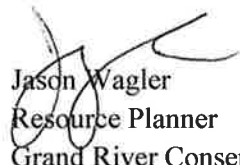
**Required Comments**

1. The study area is defined as 15m on either side of the preliminary trail alignment. There is concern that this size of study area will not provide enough flexibility to assess alternative alignments should significant natural heritage features or species be observed. It is recommended the study area include the subject site area (as illustrated on Attachment 1) and adjacent lands that are contiguous with the natural heritage features, as site access permissions allow.
2. The terms of reference does not propose amphibian surveys based on a review of the habitat present. Please provide additional information on site conditions observed and why amphibian surveys are not included in the scope of the EIS. GRCA records indicate wetland habitat is present on the subject lands and would expect amphibian habitat to likely be present.
3. The EIS report should detail any monitoring recommendations as well as opportunities to protect or enhance natural features.
4. Trail alignments should be setback from wetland features and the rationale for proposed buffers should be included in the EIS Report.

### **Advisory Comments**

1. Please verify the breeding bird survey protocol to be used. Are marsh breeding birds expected to be present? Is this protocol suitable for the habitats observed on site to-date?
2. Please confirm the number of winter wildlife surveys to be completed and the proposed search effort.
3. It is recommended that the Ministry of Natural Resources and Forestry be contacted for Species at Risk (SAR) screening and to verify the approach to SAR.
4. Significant Wildlife Habitat Ecoregion 6E Criterion Schedule screening should be completed in conjunction with field investigations to determine the presence or absence of candidate significant wildlife habitat.

Yours truly,



Jason Wagler  
Resource Planner  
Grand River Conservation Authority

cc: Jyoti Pathak, City of Guelph  
April Nix, City of Guelph

**November 12, 2015**  
**River Systems Advisory Committee**

**Item 2                      Speedvale Bridge Underpass and Multi-Use Trail Linkage Project**  
**Draft EIS Terms of Reference**

**Proposal**                      The City is examining the ability to create a multi-use trail linkage along the west side of the Speed River to provide a connection under Speedvale Rd from the existing Trans Canada Trail to connect northwards to the southern end of the River Side Park trail network.

**Location**                      The study area generally includes the areas adjacent to the west side of the Speed River from roughly the end of Mac Av. (approx. 200 meters South of Speedvale Rd) northwards to south end of River Side Park.  
(See Attachment 1 for the proposed Study Area map from the EIS TOR.)

**Background**

- The study area is located in the Speed River subwatershed.
- The study area includes parts of the City's Natural Heritage System. The Speed River in the area provides cool to cold water fish habitat and significant wildlife habitat for waterfowl overwintering. The area also includes (locally) Significant Wetlands and significant Valleylands, both associated with the Speed River. The valley area also provides functions as a Significant Woodland and Ecological Linkage, which all comprised parts of the City's Natural Heritage System. (see Attachment 2 for the approximate limits of the City's NHS).
- The overall purpose of the EIS would be to ensure that the ultimate trail route and design satisfies the City's requirements in relation to the Natural Heritage System, including that it would have no negative impact on the natural heritage features and their functions.
- The area also falls within the regulated area of the Grand River Conservation Authority and additional permits and approvals may be required by the GRCA. GRCA comments are included in Attachment 3.

**Comments**

- 1) The background section of the TOR should incorporate information from the City's Natural Heritage Strategy. In addition City mapping regarding the NHS including community level ELC should be obtained from the City and utilized as a starting point for the EIS.
- 2) While an overall conceptual alignment has been identified previously the EIS will need to examine alternatives to that conceptual alignment. This will also require a larger study area in order to accommodate consideration of alternatives (see comment 7 below).
- 3) Why is only a 2 Season botanical inventory being proposed? Why not also include the fall season?
- 4) ELC work should be to at least the Ecosite level.
- 5) Wildlife search/ study methodologies have not been included/ detailed, specifically staff would like to see clarification with respect to the following:
  - a) Colonial Nesting Bird Habitat – is the intent to address this via the stick nest surveys during leaf off conditions (later winter) - as stated in the response to GRCA (Attachment 5)?
  - b) Waterfowl overwintering areas have been identified within the City by the Ministry of Natural Resources and Forestry (MNRF) and include many areas of the Speed and Eramosa Rivers within the City including within the study area. These areas generally include portions of the river where it continues to have open water for extended periods through the winter, providing open water for foraging opportunities for overwintering waterfowl. This should be assessed through the EIS and potential impacts and benefits relating to waterfowl over wintering habitat will need to be identified and considered. Further, a preferred alignment should avoid impacts to overwintering functions and mitigation measures should be identified to avoid and minimize any impact to the River.
  - c) Raptor Wintering Areas (feeding and roosting) and Woodland Raptor nesting – How are these being considered through the project? Are the proposed stick nest surveys during leaf off conditions (later winter) - as stated in the response to GRCA (Attachment 4) also to assess for raptor nests? Within an urban context the river corridor including significant



woodland and wetland areas may provide important wintering habitat for feeding/foraging and roosting raptors, as well as potential nesting sites.

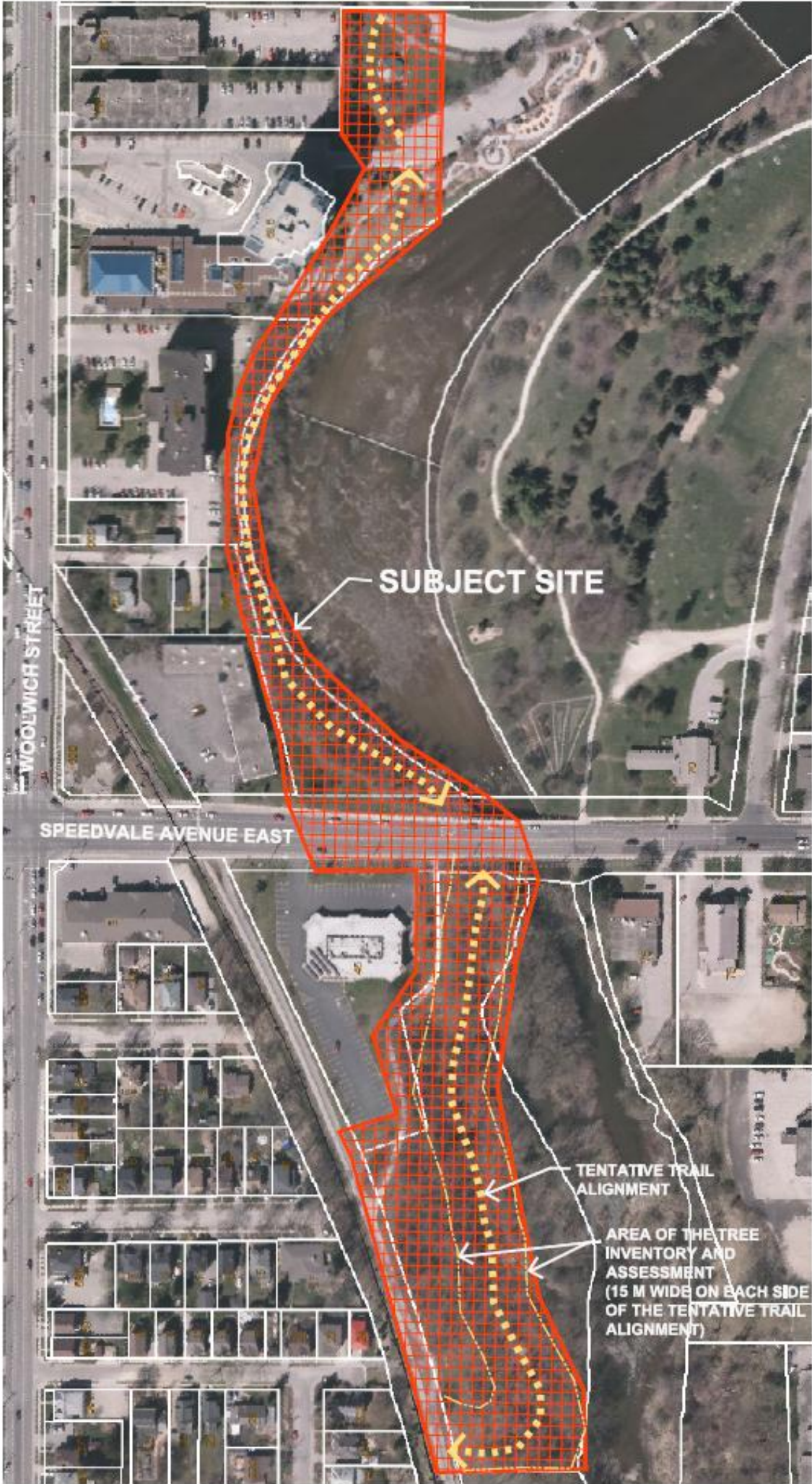
- d) Do to the presence of the wetland area in the southern portion of the study area – is waterfowl nesting habitat anticipated? Is this the reason for the proposed marsh monitoring study?
  - e) Why is a breeding bird survey being proposed? Is there potential for area sensitive species within the significant woodland area?
  - f) How is turtle nesting habitats associated with the Speed River being considered through the EIS? Staff are aware of occurrences of turtle nesting along the Speed River throughout the City – this includes for Snapping Turtle.
  - g) Habitats for species of conservation concern should include Monarch Butterfly breeding/feeding areas.
  - h) Amphibian studies should be completed in the event that there is candidate breeding/feeding habitat in the area (per the GRCA comments and response). Candidate habitat should be assessed utilizing the criteria from the Significant Wildlife Habitat Technical Guide.
  - i) The EIS should also include an analysis as it relates to Habitats for (locally) Significant Species in accordance with Section 6A.3.4.
  - j) How is wildlife movement in relation to the ecological linkage function provided by the river valley being incorporated into the EIS?
- 6) Wildlife surveys should include details regarding methods and search effort, where points counts/ monitoring stations are being established these should be provided to staff for review/input.
  - 7) Comments input received from the MNRF regarding Endangered Species Act requirements will also need to be included/incorporated in the EIS.
  - 8) City staff support the recommendation to include candidate bat maternity roost searches – in the event that candidate habitats are identified additional studies may be required and timing/phasing of these studies will need to be discussed
  - 9) The provision of mitigation measures should also first include measures for the avoidance of impacts
  - 10) The analysis of findings will also need to look at and consider alternatives including alternative alignments.
  - 11) There is no mention regarding considerations in relation to river characteristics and functions including flow regimes or consideration of potential impacts to these functions which will need to be considered through the EIS.
  - 12) Please clarify whether there is potential for or consideration of any other natural hazards as part of the EIS (i.e. flood conditions, areas of steep slopes or erosion control hazards).
  - 13) A tree inventory and preservation plan (TIPP) does not appear to be proposed? Is one being completed? A TIPP should:
    - a) Be undertaken by a qualified arborist
    - b) Include tree inventory information for all trees 10cm DBH or greater proposed to be removed/retained including: Tree # corresponding to plan/drawing, species name, dbh, crown diameter, condition (vigour), remarks, recommended action and rationale.
    - c) This should also include an assessment and recommendations for any/ all trees in hazardous condition that are within striking distance of a proposed trail. The assessment should generally include trees within 30m of the preferred trail alignment.
    - d) The inventory should also include both public and private trees, including any within 5 m of property lines
  - 14) The proposal should seek to preserve trees. Where preservation is not feasible, note that the City is seeking compensation at a 3:1 replacement ratio for trees 10cm DBH or greater that are in fair to excellent condition.
  - 15) The impact analysis and mitigation measures should also include consideration of buffer functions. However staff recognizes that the study area is virtually entirely within natural heritages features and areas and their buffers.
  - 16) In addition given that parts of the trail will need to utilize some sort of structure (boardwalk?) within the flood plain areas, and may have a direct impact on fish habitat, this also needs to be incorporated into the EIS impact analysis.
  - 17) In relation to edge management recommendations – this needs to be broadened to also consider impacts and develop recommendations regarding the riparian functions of the river system, invasive species management.
  - 18) The EIS will also need to identify monitoring recommendations along with proposed monitoring programs.

*Suggested  
Motion*

*Staff recommends that the River System Advisory Committee conditionally support the Terms of Reference for an Environmental Impact Study prepared by Aboud and Associates for the Speedvale Bridge Underpass and Multi Use Trail Linkage Project, subject to the following being addressed:*

- Additional clarification be provided to staff regarding the proposed scope of wildlife studies as noted in the staff report;*
- That the MNRF be contacted in relation to requirements under the Endangered Species Act;*
- That the EIS include consideration of alternative trail alignments and also look at ways to avoid impacts, in addition to mitigating them as part of the evaluation of the alternatives; and,*
- The edge management recommendations be expanded to also include an examination of invasive species and the protection and enhancement of riparian functions of the river system.*

# ATTACHMENT 1 -SUBJECT SITE





Attachment 2 – NHS Map (City of Guelph Official Plan Schedule 10)





0 15 30 60 90 120 m

## Speedvale Trail Underpass Natural Heritage System



Produced by the City of Guelph  
Planning, Urban Design and Building Services, Development Planning  
November 2015

## Attachment 3 – GRCA Comments



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: [www.grandriver.ca](http://www.grandriver.ca)

November 10, 2015

Cheryl-Anne Ross  
Aboud & Associates Inc.  
591 Woolwich Street  
Guelph, Ontario  
N1H 3Y5

Attention: Cheryl-Anne Ross

**Re: Terms of Reference for Scoped Environmental Impact Study (EIS)  
Speedvale Bridge Underpass and Multi-Use Trail Linkage Project**

---

We have reviewed the Terms of Reference for the Speedvale Bridge Underpass and Multi-Use Trail Linkage Project, prepared by Aboud & Associates, dated October 7, 2015. We offer the following comments.

### **Required Comments**

1. The study area is defined as 15m on either side of the preliminary trail alignment. There is concern that this size of study area will not provide enough flexibility to assess alternative alignments should significant natural heritage features or species be observed. It is recommended the study area include the subject site area (as illustrated on Attachment 1) and adjacent lands that are contiguous with the natural heritage features, as site access permissions allow.
2. The terms of reference does not propose amphibian surveys based on a review of the habitat present. Please provide additional information on site conditions observed and why amphibian surveys are not included in the scope of the EIS. GRCA records indicate wetland habitat is present on the subject lands and would expect amphibian habitat to likely be present.
3. The EIS report should detail any monitoring recommendations as well as opportunities to protect or enhance natural features.
4. Trail alignments should be setback from wetland features and the rationale for proposed buffers should be included in the EIS Report.

**Advisory Comments**

1. Please verify the breeding bird survey protocol to be used. Are marsh breeding birds expected to be present? Is this protocol suitable for the habitats observed on site to-date?
2. Please confirm the number of winter wildlife surveys to be completed and the proposed search effort.
3. It is recommended that the Ministry of Natural Resources and Forestry be contacted for Species at Risk (SAR) screening and to verify the approach to SAR.
4. Significant Wildlife Habitat Ecoregion 6E Criterion Schedule screening should be completed in conjunction with field investigations to determine the presence or absence of candidate significant wildlife habitat.

Yours truly,

  
Jason Wagler  
Resource Planner  
Grand River Conservation Authority

cc: Jyoti Pathak, City of Guelph  
April Nix, City of Guelph



## Attachment 4

### April Nix

---

**From:** Cheryl-Anne Ross <Cheryl@aboudtng.com>  
**Sent:** November 12, 2015 10:20 AM  
**To:** April Nix  
**Cc:** Jyoti Pathak; Marc Nielsen; Andrew Janes  
**Subject:** FW: Speedvale Bridge Underpass-multi-use Trail Linkage EIS  
**Attachments:** Speedvale Bridge Underpass and Multi-Use Trail Link - ToR Comments.pdf

Hi April,

We've received comments back from the GRCA in regards to the ToR (Attached), It looks like the letter is on its way to you, so I wanted to pass along how we are addressing the comments to aid in your review of the ToR.

#### Required comments:

1. the study area will include all lands to the edge of the Speed River to the north, and bounded by the existing trail/development areas to the south where access is permitted.
2. We will determine if Amphibian habitat exists within the new study area during fall/winter work by identifying any vernal pools or ponds that may provide breeding habitat. If Amphibian habitat actually occurs on site, and the proposed trail alignment is likely to impact amphibian habitat, we would revise our work plan to include three rounds of amphibian surveys next spring/summer at candidate habitats.
3. We will include monitoring recommendations and enhancement opportunities in the EIS report.
4. We will take into consideration when examining possible trail alignment setbacks to wetland features and their buffers, over the retention of trees, in order to protect the area with greater sensitivity to disturbance, if we are greater than 30m from any candidate amphibian habitat, this could also reduce or eliminate the need to complete amphibian surveys.

#### Advisory comments:

1. We will be using the Ontario Breeding Bird Atlas Protocol, not the marsh breeding bird protocol, this will be addressed in the writing of the report.
2. The number of Winter Wildlife Surveys to be completed is 2; one, late winter survey to identify stick nests, tracks and signs, and Significant Wildlife Habitat, and a second, early winter/late fall survey to identify potential Bat Maternity Habitat and Candidate Amphibian Habitat prior to heavy snow fall.
3. A Request for information will be sent to the Guelph district MNRF in the next two weeks as part of the EIS process.
4. Significant Wildlife Habitat Screening will occur through desktop analysis and winter wildlife surveys, as well as part of all spring summer surveys in 2016 as part of the EIS process.

Please let me know if you have any questions, and if you think the above is sufficient to address comments.

Cheryl-Anne Ross

# MEETING MINUTES



MEETING DATE	<b>River Systems Advisory Committee</b> November 18, 2015
LOCATION TIME	City Hall - Meeting Room C 4:00 – 6:00 p.m.
MEMBERS PRESENT	Nicola Lower (Chair), Eric Wilson, Ryan VanEngen, Beth Anne Fischer, Javier Acosta
STAFF PRESENT	April Nix, Prachi Patel, Abby Watts, Stacey Laughlin, Arun Hindurpur, Janet Sperling, Jyoti Pathak
MEMBERS ABSENT	April Wepler, Mariette Pushkar, Jeremy Shute, Ian McCormick

## DISCUSSION ITEMS

ITEM #	DESCRIPTION
<b>1</b>	<p><b>Welcome:</b></p> <ul style="list-style-type: none"> <li>• Roll call and certification of quorum- met</li> <li>• Declaration of pecuniary interest or conflict of interest – None</li> </ul>
<b>2</b>	<p><b>Clair-Maltby Secondary Plan/MESP Terms of Reference:</b></p> <p>April Nix, City of Guelph Environmental Planner, presented the City Staff Report to the RSAC Committee.</p> <p>S. Laughlin, Senior Policy Planner and A. Hindupur, Infrastructure Planning Engineer with the City of Guelph provided a PowerPoint presentation to update RSAC on the Clair-Maltby Secondary Plan terms of reference.</p> <p>S. Laughlin and A. Hindupur outlined the following information:</p> <ul style="list-style-type: none"> <li>• Reviewed outline of terms of reference and detailed tasks</li> <li>• Presented the process outline/timeline; currently finalizing the terms of reference to bring to IDE Committee and Council in December</li> <li>• Reviewed the project phasing and points of contact with RSAC throughout the project</li> <li>• Outlined the next steps</li> </ul> <p>Committee Discussion:</p> <ul style="list-style-type: none"> <li>• Discussion regarding contracts and timing/funding</li> <li>• Important to keep the community involved in this project</li> </ul> <p><b>A.</b> In Committee Discussion</p>



	<p>Moved by Ryan VanEngen and seconded by Javier Acosta,</p> <p>THAT the River Systems Advisory Committee support the proposed Clair-Maltby Secondary Plan, Master Environmental Servicing Plan and Community Plan Draft Terms of Reference.</p> <p>THAT the City takes a precautionary approach to considering future development within the Clair-Maltby area, recognizing that the Clair-Maltby area is located on the Paris Galt Moraine, is a sensitive headwater area supporting Hanlon, Mill and Torrance Creeks and includes important natural heritage features and areas.</p> <p style="text-align: right;">Motion Carried Unanimous</p>
<p><b>3</b></p>	<p><b>Speedvale Bridge Underpass and Multi-use Trail Linkage:</b></p> <p><b>A.</b> April Nix, City of Guelph Environmental Planner, presented the City Staff Report to the RSAC Committee.</p> <p>Committee Discussion:</p> <ul style="list-style-type: none"> <li>• Map of overall trail system</li> <li>• Definition of multi-use</li> <li>• extreme weather and trail durability</li> <li>• Restoration and enhancement opportunities</li> </ul> <p>Marc Garon-Nielsen, Landscape Architect, and Cheryl Anne Ross, Wildlife Ecologist, from Aboud &amp; Associates (consultants hired by the City) provided a brief presentation to address A. Nix's comments in the Staff Report.</p> <p>Committee Discussion:</p> <ul style="list-style-type: none"> <li>• Fish and habitat study for baseline data</li> <li>• Opportunities for enhancement and restoration (fish habitats)</li> <li>• Would like to see more of an ecosystem approach for improvements and enhancement of fish habitat</li> <li>• Discussion around existing hydrology and potential trail options</li> <li>• Structural assessment of retaining wall</li> </ul> <p><b>B.</b> In Committee Discussion</p> <p>Moved by Beth Anne Fischer and seconded by Ryan VanEngen,</p> <p>Staff recommends that the River System Advisory Committee conditionally support the Terms of Reference for an Environmental Impact Study prepared by Aboud and Associates for the Speedvale Bridge Underpass and Multi Use Trail Linkage Project, subject to the following being addressed:</p>

	<ul style="list-style-type: none"> <li>• Additional clarification be provided to staff regarding the proposed scope of wildlife studies as noted in the staff report;</li> <li>• That the MNRF be contacted in relation to requirements under the Endangered Species Act;</li> <li>• That fish and fish habitat are considered including consideration for surface water quality and quantity.</li> <li>• That the EIS include consideration of alternative trail alignments and also look at ways to avoid impacts, in addition to mitigating them as part of the evaluation of the alternatives;</li> <li>• The edge management recommendations be expanded to also include an examination of invasive species and the protection and enhancement of riparian functions of the river system, including enhancement and restoration opportunities for the River System including the river corridor; and,</li> <li>• That a holistic approach regarding the trail linkage and bridge construction also consider the long term need for the retaining wall.</li> </ul> <p style="text-align: right;">Motion Carried Unanimous</p>
<b>4</b>	<p><b>Other Business</b></p> <ul style="list-style-type: none"> <li>• Animal By-law Review</li> <li>• Trail Master Plan in budget for 2016</li> </ul> <p><b>Adoption of October 8, 2015 Meeting Minutes:</b></p> <p>Moved by Beth Ann Fischer and seconded by Eric Wilson. “To approve the minutes as amended.”</p> <p style="text-align: right;">Motion Carried Unanimous</p>
<b>5</b>	<p><b>Adjournment</b></p> <p>Motion to adjourn. Moved by Javier and seconded by Beth,</p> <p style="text-align: right;">Motion Carried Unanimous</p> <p>Adjourned 6:00 pm</p>