



July 9, 2014

Adèle Labbé
Environmental Planner
City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Dear Ms. Labbé.

Re: 132 Clair Road West EIS Terms of Reference

North-South Environmental Inc. (hereafter, NSE) has been retained to prepare an Environmental Impact Study (EIS) in support of Draft Plan of Subdivision and Zoning By-law Amendment applications to permit the development of a Corporate Business Park and commercial block within an irregularly-shaped property located south of Clair Road West, approximately 250 m west of Gordon Street. The 5.2 ha property is known municipally as 132 Clair Road West and is legally described as Part of Lot 11, Concession 7 (Geographic Township of Puslinch) in the City of Guelph. Figure 1 illustrates the approximate boundaries of the subject property overlaid on an aerial photograph.

Few natural features are present within the subject property. Most of the property is cultivated to produce row crops, currently corn. A gravel laneway extends south from Clair Road West through the subject property to the remnants of several farm buildings; a number of trees are located in the vicinity of these remnants and portions of the agricultural fields and laneway are bordered by narrow (less than 10 m wide) fringes of cultural meadow vegetation. The southern limit of the subject property consists of the right-of-way for a future extension of Poppy Drive from its existing terminus south of the intersection of Clair Road West and Clairfields Drive east to Gordon Street. This right-of-way has been graded to accommodate the installation of a watermain to service the approved development of 1897 Gordon Street, also known as the Bird property.

The subject property is surrounded on three sides by existing and ongoing development. Immediately north of Clair Road West, the subject property is bordered by residential and commercial land uses. To the west, the subject property abuts the main administrative office of the Guelph-Wellington Emergency Medical Service. To the east, the subject property abuts two properties currently under development. The first (the Fieldgate property) is a 3.6 ha block of land located adjacent to the intersection of Clair Road West and Gordon Street. This property has been graded to support the construction of a community shopping centre. The second property (the Bird property) is a 5.8 ha block of land located south of the Fieldgate property.



The Bird property has been graded to support the construction of 21 single detached dwellings, 36 townhouse units and 152 apartment units in three apartment blocks.

In contrast to the lands to the north, west and east, those to the south of the subject property consist of a mosaic of agricultural fields and various culturally influenced vegetation communities, including cultural meadow, cultural savannah and cultural plantations. Several remnant natural vegetation communities are also present, including the recently evaluated and designated Neumann Pond Provincially Significant Wetland (PSW) and other small deciduous forest, marsh and swamp communities.

The City of Guelph requires the preparation of an EIS in support of the Draft Plan of Subdivision and Zoning By-law Amendment applications because the subject property is located within 120 m of the Neumann Pond PSW. This letter outlines a proposed Terms of Reference (TOR) for the required EIS; please circulate it to the appropriate City of Guelph and Grand River Conservation Authority (GRCA) staff for their review and comment. I would appreciate it if you could also include consideration of the proposed TOR on the agenda of the Environmental Advisory Committee at your earliest convenience.

EIS requirements are determined by Section 6A.7 of the City of Guelph's Official Plan as revised by OPA 42 and the GRCA's EIS Guidelines and Submission Standards for Wetlands dated August 26, 2005. Consistent with these requirements, the EIS will characterize the study area and assess the potential impacts of the proposed development on the natural heritage features and ecological functions of the subject property and adjacent lands, with particular consideration of the Neumann Pond PSW. The EIS will also identify ways of avoiding or mitigating potential impacts.

The EIS will be a comprehensive document including an introduction, conclusion and supporting figures and plans as appropriate. A proposed outline is provided below.

- 1) Table of Contents
- 2) List of Figures
- 3) List of Tables
- 4) List of Appendices
- 5) Introduction

The introduction will address Section 6A.7.2(i) of the City of Guelph's Official Plan as revised by OPA 42. Specifically, the introduction will review the history of the subject property, briefly describe the proposed development and describe the objectives and methodology of the EIS. The study area will be defined and mapped, and the rationale for its boundaries provided. The study area will encompass the subject property and include adjacent lands that might reasonably be directly or indirectly affected by the proposed development.

6) Study Area Characterization

Section 6 will address sub-sections ii, iii, iv and v of Section 6A.7.2 of the City of Guelph's Official Plan as revised by OPA 42. Specifically, Section 6 of the EIS will briefly describe existing land use and provide a biophysical characterization of the study area. The following features will be briefly described:

- topography
- bedrock geology and overburden
- soil types by texture/grain size (e.g. clay, silt sand)
- surface water features, drainage patterns and catchment boundaries
- groundwater features, including areas of groundwater recharge and discharge
- areas of high water table

This section of the EIS will also describe the study area's natural heritage features, ecological functions and hydrological functions and assess their significance and sensitivity to disturbance. In particular, this section will:

- Describe vegetation communities to the ELC Vegetation Type level.
- Assess the condition of the vegetation communities with reference to successional state, degree of disturbance and the extent of invasive plant species.
- List plant, mammal, breeding bird, reptile, amphibian and fish species observed or known to occur in the study area. The conservation status of listed species will be determined based on assessments by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), the Committee on the Status of Species at Risk in Ontario (COSSARO) and the Provincial Natural Heritage Ranking System (S-Ranks). Local status will be defined by the City of Guelph's Natural Heritage Strategy Phase 2 Report.
- Identify and map Significant Wildlife Habitat as defined by the Natural Heritage Reference Manual (MNR 2010) based on criteria outlined by the Significant Wildlife Habitat Technical Guide (MNR 2000) and/or the draft Significant Wildlife Habitat Schedule for Ecoregion 6E (MNR 2012).
- Assess the potential presence of species at risk not previously recorded from the study area based on Ministry of Natural Resources (MNR) screening methodology.
- Identify linkages.

Two levels of investigation will be used to characterize the study area, including (i) secondary sources (i.e. compiling information from existing documents) and (ii) detailed field surveys. The timing and level of investigation undertaken for different features will be explained and justified.

Secondary sources to be reviewed include the following:

- MNR fish collection records
- Pleistocene Geology of the Guelph Area (Karrow 1968)
- Soils of Wellington County, Ontario (Hoffman et al. 1963)
- NHIC database records of significant species and natural areas
- Hanlon Creek Watershed Plan (MMM Limited and LGL Limited 1993)
- Hanlon Creek State-of-the-Watershed Study (PEIL et al. 2004)
- MNR Wetland Evaluation, Data and Scoring Records for the Neumann Pond PSW.
- 1897 Gordon Street (Bird Property) Environmental Impact Study and Tree Conservation Plan 2nd Submission (Aboud & Associates Incorporated 2010)
- Site Servicing and Stormwater Management Report for 1897 Gordon Street, City of Guelph (Gamsby and Mannerow Limited 2010)
- City of Guelph Natural Heritage Strategy. Phase 1: Terrestrial Inventory Design & Defining Locally Significant Natural Areas (Dougan & Associates and Ecological Outlook 2005).
- City of Guelph Natural Heritage Strategy. Phase 2: Terrestrial Inventory & Natural Heritage System (Dougan & Associates and Snell & Cecile Environmental Research 2009).
- Thomasfield Homes Limited Application for Site Alteration Permit 2/13 for 1897 Gordon Street watermain easement

The results of detailed field surveys will be used to supplement the information obtained from secondary sources. The following surveys of the study area will be completed:

- Three-season botanical inventory.
- Delineation and categorization of vegetation communities using the methodology of the Ecological Land Classification for Southern Ontario: First Approximation and Its Application (Lee et al. 1998).
- Breeding Bird Surveys per guidelines of the Atlas of the Breeding Birds of Ontario (Cadman et al. 2007).
- Calling amphibian surveys per Marsh Monitoring Protocol (MMP) methodology (Environment Canada 2003).
- Fish surveys of the open water portions of the Neumann Pond PSW using minnow traps, seine net hauls and angling.

Incidental observations of wildlife or evidence of their presence (e.g. tracks, scat) encountered during fieldwork will also be documented.

7) Identification of Opportunities and Constraints to Development

Section 7 will address sub-sections iii, iv, and viii of Section 6A.7.2 of the City of Guelph's Official Plan as revised by OPA 42. Specifically, Section 7 of the EIS will identify opportunities and constraints to development within the subject property based on relevant land use policies established by the Province, the City of Guelph and regulatory agencies, particularly the GRCA. Policies to be addressed include the following:

- Provincial Policy Statement (2014)
- City of Guelph Official Plan as revised by OPA 42, particularly those policies that relate to the Natural Heritage System (NHS).
- Ontario Regulation 150/06
- GRCA Policies for the Administration of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (January 25, 2013)
- Endangered Species Act (2007)

8) Description of Proposed Development

Section 8 will address, in part, Section 6A.7.2(ii) of the City of Guelph's Official Plan as revised by OPA 42. Specifically, Section 8 of the EIS will describe the proposed development of the subject property, including the proposed land use and activities on-site. It will include a general location map, showing main roads and a preliminary site map that illustrates the conceptual location of proposed buildings, driveways, etc...

9) Identifying and Assessing the Impacts of the Proposal

Section 9 will address Section 6A.7.2(vi) of the City of Guelph's Official Plan as revised by OPA 42. Specifically, Section 9 of the EIS will identify the natural heritage features, surface water features and groundwater features as well as their ecological and hydrological functions that might be negatively impacted by the subject property's proposed development. Section 9 will also describe potential negative impacts (direct and indirect) in terms of their magnitude, area affected and likely duration.

10) Avoidance of Impacts and Identification of Mitigation Measures

Section 10 of the EIS will address sub-sections vii and viii of Section 6A.7.2 of the City of Guelph's Official Plan as revised by OPA 42. Specifically, Section 10 will recommend ways of avoiding negative impacts. This may include alternatives to the proposed development. Section 10 will also describe a range of mitigation measures to reduce or minimize negative impacts, including an analysis of the buffer/setback necessary to protect the Neumann Pond PSW. The relative effectiveness of implementing these measures will be estimated and the extent of any remaining impacts discussed.

11) Conclusions and Recommendations

Section 11 of the EIS will address sub-sections ix and x of Section 6A.7.2 of the City of Guelph's Official Plan as revised by OPA 42. Specifically, Section 11 will summarize the potential negative impacts associated with the proposed development and the recommended measures to avoid or mitigate these impacts. Enhancements may also be suggested. Recommendations will be as specific as possible, and may include:

- a modification of the concept plan;
- a construction requirement or constraint;
- a requirement for appropriate buffers/setbacks or other environmental protection measures; and
- an integral component of detailed designs or site plans, such as:
 - tree protection plan
 - erosion and sediment control plan
 - restoration/enhancement measures

If appropriate, the EIS will also include recommendations for short- or long-term monitoring to identify any negative impacts and inform the implementation of remedial measures.

12) List of References

13) Appendices

The appendices will include a description of the qualifications of the study team.

I trust this proposed TOR will meet the requirements of City of Guelph/GRCA and satisfy the members of EAC. I look forward to receiving their comments. In the meantime, should you have any questions, please do not hesitate to contact me at (905) 854-1112.

Sincerely,



Chris Parent
Project Manager/Biologist



Figure 1: Approximate limits of subject property. Air photo dates to 2010 and does not illustrate development of lands adjacent to Gordon Street.