

# Meeting Agenda



City of Guelph

## **Environmental Advisory Committee**

September 12, 2018

City Hall, Meeting Room C

From 7:00 to 9:00 p.m.

Meeting Chair: Colin Oaks

## **Agenda Items**

Welcome to all

### **Item 1, 2 and 3**

Item 1, Roll call and certification of quorum

Item 2, Declaration of Conflict of Interest

Item 3, Approval of Minutes of June 13, 2018 and July 11, 2018

### **Item 4**

1242, 1250 and 1260 Gordon Street and 9 Valley Road EIS and TOR

- Review of Staff Report
- Information from Stantec
- Hearing of delegations
- In Committee discussion – motion

### **Item 5**

46, 47, and 87 Hyland Road EIS

- Review of Staff Report
- Information from NRSI
- Hearing of delegations
- In Committee discussion – motion

## **Item 6**

### Information Items

- Clair-Maltby Secondary Plan Information Session on Phase 1 and 2 Characterization Report
- Environmental Advisory/River Systems Advisory Committee Review
- October 10 EAC meeting

### **Next Meeting:**

October 10, 2018 from 7:00 to 9:00 p.m. City Hall, Meeting Room C

<b>Item</b>	<b>1242, 1250 and 1260 Gordon Street and 9 Valley Road, Environmental Impact Study Terms of Reference</b>
<b>Proposal</b>	<p>High density residential development is proposed at 1242, 1250 and 1260 Gordon Street, 9 Valley Road. At this time the applicant proposes to develop the site with two 12-storey apartment buildings with surface and below grade parking. A pre-consultation meeting between the applicant and City staff has not yet occurred and further development of the concept plan is expected at that time.</p> <p>Note that a Terms of Reference for an Environmental Impact Study (EIS) for a previous development at 1242, 1250 and 1260 Gordon Street, 9 Valley Road was reviewed by the Environmental Advisory Committee in January, 2015.</p>
<b>Location</b>	<p>The subject lands are approximately 2.98 hectares in size, and are located on the east side of Gordon Street, immediately south of Valley Road (Attachment 1).</p>
<b>Background</b>	<p>There is a topographical divide on the subject lands, which fall partially within the Hanlon Creek Subwatershed and partially within the Torrance Creek Subwatershed.</p> <p>In the Official Plan the lands are designated as Significant Natural Areas and Natural Areas, Medium Density Residential and General Residential. The Natural Heritage System attributes are identified as Provincially Significant Wetland (PSW), Significant Woodland, Significant Wildlife Habitat (Deer Wintering Habitat). In addition, a deer crossing is associated with the Significant Natural Area across Gordon Street in the vicinity of 1250 Gordon Street. Provincially Significant Wetlands and Significant Woodlands were staked in the field with GRCA and City staff on October 17, 2014 as part of a previous application.</p> <p>The properties are currently zoned Single Detached R.1B with shading to illustrate lands adjacent to PSW and lands with one of the following: Significant Woodlands, Locally Significant Wetlands, Natural Corridor or Linkage. The subject lands currently consist of woodlands, PSW buffer, residential homes, sheds, manicured lawn and trees.</p> <p>Park Planning is reviewing the EIS TOR and comments are forthcoming. Note that the Guelph Trail Master Plan identifies a proposed trail connection through these lands. Through previous planning efforts, a desire for a park to be located on the subject lands has been identified.</p> <p>GRCA is reviewing the EIS TOR and comments are forthcoming.</p>
<b>Comments</b>	<p>Environmental Planning staff reviewed the EIS TOR and provide the following comments:</p>

## Item

### **1242, 1250 and 1260 Gordon Street and 9 Valley Road, Environmental Impact Study Terms of Reference**

- The EIS TOR should indicate that the lands fall partially within the Hanlon Creek Subwatershed and partially within the Torrance Creek Subwatershed. Subwatershed studies completed for these subwatersheds include targets and recommendations that will need to be considered through the EIS.
- Due to proximity to the PSW the hydrology of the wetland should be characterized and an associated water balance for the natural feature should be prepared as part of a Hydrogeological Report to support the EIS, in addition to the water budget that forms part of the SWM report. This should include consideration for any ground water impacts as a result of underground parking where proposed. Incorporation of Low Impact Development (LID) as part of the stormwater management approach is also encouraged.
- The EIS TOR indicates that field studies are required to delineate the wetland boundary. Note that delineation of the woodland boundary is also required, and may not necessarily coincide with the PSW.

#### Preliminary Screening Assessment for Significant Wildlife Habitat (SWH)

- April 2017 guidance from the MNRG Guelph District on survey protocols for identifying suitable maternity roost trees indicate that surveys should be completed during leaf-on condition for Tri-colored Bat (*Perimyotis subflavus*) which roost in dead/dying leaves along a dead branch, and during leaf-off condition for Little Brown Myotis/Northern Myotis (*Myotis lucifugus*/*M. septentrionalis*) which roost in tree hollows and cracks. Field surveys are proposed in May to assess Bat Roost Habitat, and should also be proposed during leaf-off condition. Note that surveys in May should be completed in late May to ensure that leaves have in fact developed.
- Note that where surveys for SWH are not proposed, staff expect a conservative approach to be taken in the EIS which acknowledges candidate SWH and identifies constraints based on the precautionary principle.
- The EIS TOR indicates that candidate SWH is present for Reptile Hibernaculum. Clarification is needed as to what field surveys for wildlife habitat assessment entail. It is unclear whether or not snake exit surveys and/or snake surveys are proposed.
- Candidate SWH is also identified for Woodland Raptor Nesting Habitat. Clarification is needed as to whether or woodland raptor nesting surveys are proposed as part of surveys for wildlife habitat.
- Note that deer movement occurs along the edge of the PSW (as observed through other EISs) as well as across Gordon Street (as indicated in the Natural Heritage Strategy). Table 1 should be updated to reflect this information.

#### EIS Field Surveys

## Item

### **1242, 1250 and 1260 Gordon Street and 9 Valley Road, Environmental Impact Study Terms of Reference**

- Location of field surveys, such as breeding bird point count locations and amphibian monitoring stations should be provided on a study area map.
- Staff request that movement of deer be studied on the subject lands using wildlife cameras to assess movement in the east-west and north-south direction.
- Clarification on the timing (e.g., spring emergence, first/second breeding bird window, etc.) conditions and search effort proposed for wildlife surveys, species of special concern and rare species searches.
- Vegetation community mapping should also indicate woodland staking.
- Spring botanical inventories should ideally be completed in early May. Waiting until June will miss early spring ephemerals, which will have senesced by June.
- Vegetation community descriptions should include description of soils, per the ELC protocol.
- Table 1 indicates that incidental observations of terrestrial crayfish will be recorded. Clarify where searches for terrestrial crayfish will be performed (i.e. target habitats).
- Regarding Species of Conservation Concern/Locally Rare Species, it should be noted that City records show that American Bullfrog (*Lithobates catesbeianus*) and Meadow Horsetail (*Equisetum pratense*) have been recently documented in the Torrance Creek PSW.
- Section 4.2.1.2 Vascular Plants should be revised to indicate that three-season botanical inventory will be completed.
- Note that formal wetland boundary and woodland boundary delineation with agencies is required.

#### Tree Inventory and Preservation Plan

- The subject lands are regulated under the City's Private Tree By-law and any tree removals will require authorization from the City. The EIS should inform the development application and should look for opportunities to retain trees and integrate them into the development proposal, where feasible. A Tree Inventory and Preservation Plan (TIPP), undertaken by a qualified arborist, is required and should be integrated into the EIS. The TIPP should include the following:
  - 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.
  - Identify shared, public and private trees with crowns that are within 6 m of property lines.
  - Identify opportunities for protection, enhancement and restoration of trees within the Urban Forest.

## Item

### **1242, 1250 and 1260 Gordon Street and 9 Valley Road, Environmental Impact Study Terms of Reference**

- Tree Protection Fencing locations and/or other tree protection methods.
- The TIPP should also note that where preservation is not possible, as agreed to by the City, compensation is required. Note that the City seeks compensation at a 3:1 replacement ratio. Where replacement plantings are not achievable cash in lieu may be accepted at a rate of \$500 for each tree damaged or destroyed.

#### EIS Data Analysis

- The EIS TOR should indicate that where candidate or confirmed SWH exists, staff would like to see it mapped in the EIS.
- The City of Guelph Local Species List should be consulted when doing the impact analysis and the species lists should include a column to indicate any locally significant species.
- Deer movement patterns that occur on the subject lands should be mapped in the EIS.

#### Hydrogeological Study to support EIS

- It is not clear where or what type of instrumentation will be used to characterize existing conditions and assess the wetland water balance. In terms of data collection, staff would like to see continuous data loggers installed in piezometers. Also, ensure wetland catchments are delineated and depicted to set the context and that the analysis is provided on a monthly as well as annual basis.

#### General

- It is acknowledge that the EIS will include a more defined concept of the proposed development plan in order to assess potential impacts resulting from grading, roads, stormwater management, etc.
- The impact analysis does not specifically mention impacts and/or mitigation measures to address salt application.
- An Environmental Implementation Report will be required for this development. Environmental Planning staff have found it helpful to document considerations for the EIR in the EIS.

## **Suggested Motion**

**Staff recommends that the Environmental Advisory Committee accept the Terms of Reference for an Environmental Impact Study prepared by Stantec (July 19, 2018) with the following condition:**

THAT a revised EIS TOR is provided which addresses staff comments and at a minimum includes:

- A study area map showing survey locations;
- A Tree Inventory and Preservation Plan;
- Clarification on surveys proposed for assessing significant wildlife habitat;
- Deer movement surveys using wildlife cameras;
- Commitment to utilize continuous data loggers to collect data to support a wetland water balance and a monthly analysis;
- Recommended mitigation measures for salt management; and
- Considerations for a future Environmental Implementation Report.

**Item**                                    **46, 47 and 87 Hyland Road, Guelph Proposed Draft Plan of Subdivision and Zoning By-law Amendment**

**File #: 23T-16501/ZC1601**

**Proposal**

Documents Reviewed:

- 46, 47 and 87 Hyland Road, Guelph Environmental Impact Study (EIS) dated March 2018 prepared by Natural Resource Solutions Inc. (NRSI)
- Functional Servicing and Stormwater Management Report, prepared by Van Harten Surveying Inc., dated Revised January 23, 2018.
- Scoped Hydrogeology Study, prepared by Englobe, dated March 28, 2018.

The above noted documents were prepared and submitted in support of a proposed draft plan of subdivision and zoning by-law amendment application.

**Location**

The subject lands consist of a parcel of land located on the north side of Hyland Road (46 Hyland Road) and adjacent parcels south of Hyland Road (47 and 87 Hyland Road), comprising approximately 1.48 hectares of land in total. The north parcel abuts existing residential development at the easterly limit of Hyland Road and Eleanor Court, and the south parcel abuts existing residential development at Hyland Road, Glenburnie Drive and Fletcher Court. Wetlands associated with the Guelph Northeast Provincially Significant Wetland (PSW) are located to the east and south of the subject lands. See Attachment 1 for location map.

**Background**

- The proposed draft plan of residential subdivision subdivides the property to allow the creation of 16 single detached lots. Glenburnie Drive is proposed to be extended to accommodate 8 single detached lots in a cul-de-sac. The applicant proposes a Draft Plan of Condominium for the parcel north of Hyland Road to accommodate 10 single detached dwellings. The lots would front onto a common element condominium for servicing.
- A formal pedestrian trail is proposed to traverse the subject lands, in accordance with the City of Guelph's Trail Master Plan.
- The lands subject to the proposed draft plan of subdivision and zoning by-law amendment are part of a much larger property, which includes PSW, significant woodland, significant wildlife habitat, and habitat for locally significant species.
- Portions of the subject lands are regulated by the Grand River Conservation Authority (GRCA).

**Item****46, 47 and 87 Hyland Road, Guelph Proposed Draft Plan of Subdivision and Zoning By-law Amendment****File #: 23T-16501/ZC1601**

- The subject lands fall entirely within the Eramosa-Blue Springs Subwatershed.
- This application is subject to the Natural Heritage System policies contained within the March 2018 Consolidation of the City's Official Plan. Schedule 1 places a Significant Natural Areas designation on the subject property and on lands adjacent to the proposed development limits. The Significant Natural Areas designation is associated with PSW and Significant Woodland.
- The Zoning By-law identifies the subject property as UR (Urban Reserve) Zone and WL (Wetland) Zone.
- A Terms of Reference (TOR) for the EIS was prepared by the applicant, which was submitted to the City and reviewed by EAC (see City staff report to EAC from February 12, 2014). The approved TOR and review comments are provided in Appendix II of the EIS.
- The study area for the EIS includes additional lands to the north and northeast of the development proposal in order to consider adjacent lands.
- This EIS represents an update to an original EIS report dated December 2015 which was submitted to and reviewed by Beacon Environmental Ltd. on behalf of the City of Guelph. Subsequently, updates and revisions to the development proposal and EIS were made to address comments received, including the preparation of a Tree Inventory and Protection Plan (TIPP). A summary of agency comments and NRSI's responses is provided in Appendix I of the EIS.
- A TIPP is provided in Appendix VI of the EIS.

**Comments**

Staff reviewed the above noted documents and note that the EIS addresses many of the requirements set out in the approved EIS TOR and agency comments provided in 2016 on the original December 2015 EIS. However, a number of substantial issues related to interpretation of the City's natural heritage policies and practices remain. Overall, previous staff comments have not been adequately addressed in the revised EIS.

**Significant Woodland Boundary Delineation**

- 1) The woodland dripline was originally staked in the field with City staff. The EIS questions an area originally staked as woodland, adjacent to FODM8-1 within the MEMM3 cultural meadow. 2015 EIS review comments provided by Beacon Environmental Inc. indicated that further study of this feature was necessary. In response, tree density and canopy cover assessments were completed. Based on the results of the tree density assessment, all six plots met the City's definition of woodland, thus deeming the area in question woodland/Significant Woodland. However, the EIS concludes that the area in question is a meadow and not a woodland on the grounds of tree canopy cover. The definition of woodland provided in the Official Plan clearly establishes

**Item****46, 47 and 87 Hyland Road, Guelph Proposed Draft Plan of Subdivision and Zoning By-law Amendment****File #: 23T-16501/ZC1601**

criteria for evaluating woodland based on tree density. If an area supports the threshold for tree density, the area must then be further assessed to determine whether or not the area is a Significant Woodland or Cultural Woodland. Based on the information provided in the EIS, it appears that the area covered by the Woodland Assessment Plots shown on Map 3 should be protected as Significant Woodland and a minimum 10 m buffer should be applied to it. The woodland limit in this area should be re-staked in the field with City staff.

- 2) In section 4.1.2, the EIS describes how the WODM5-3 unit does not meet the criteria for Significant Woodland, despite it being staked as such with City staff and questioned in previous comments provided on behalf of the City. The EIS refers to the disturbed nature of the woodland and width of the woodland, quoting the Natural Heritage Reference Manual (NHRM; OMNR 2010) as the reference for excluding linear treed areas with minimum average width of <40m from significant woodland boundaries. The WODM5-3 unit is not linear, nor is it separated from the broader natural heritage feature (which consists of a mosaic of wetland and forest vegetation communities). In the context of the NHRM, linear treed areas that occur in isolation of other natural vegetation communities can be excluded from significant woodland boundaries. Linear treed areas are interpreted to mean treed projections, or hedgerows that extend from a larger, better configured patch of woodland. Based on the information provided in the EIS and the woodland limit staked in the field with City staff, the WODM5-3 unit should be protected as Significant Woodland and a minimum 10 m buffer should be applied to it.
- 3) Previous comments provided on the woodland assessment north of Hyland Road were addressed in the March 2018 EIS, which included the applicable policies and rationale for the removal of the FODM8-1 unit north of Hyland Road, and opportunities for preserving existing trees in fair to excellent condition at the rear of lots 13 and 14 which back onto the FODM8-1 unit.

Development Limits and Buffers

- 4) The limit of development must be outside the protected feature and the feature's minimum buffer or established buffer (whichever is greater). Activities that may be permitted in buffers include formal public trails, as well as stormwater management and associated grading. Therefore, the development limit should reflect the outermost buffer limit of the significant woodland. Based on this analysis, the proposed development provided on Map 5 in the EIS must be revised to conform to Official Plan policies.

Tree Compensation

**Item****46, 47 and 87 Hyland Road, Guelph Proposed Draft Plan of Subdivision and Zoning By-law Amendment****File #: 23T-16501/ZC1601**

- 5) The revised EIS and TIPP continue to recommend compensation for trees approved for removal from the FODM8-1 unit on the north parcel at a 1:1 ratio despite previous comments provided on the City's standard practice of compensation at a 3:1 ratio. The current tree compensation plan presented in the TIPP is unacceptable. The compensation plan must be based on a 3:1 compensation ratio for the removal of any tree in fair to excellent condition. Compensation plantings may also include some shrubs, planted at a 5:1 ratio for each tree removed. If the number of required plantings cannot be accommodated on the subject lands, the City will accept cash-in-lieu at \$500 per tree removed.

Impact Assessment and Mitigation

- 6) Previous comments provided on behalf of the City recommended the integration of some Low Impact Development (LID) measures to increase lot level infiltration and provide some lot level quality control. The EIS states that LID measures are not feasible due to the impermeability of soils at the site. The grading indicates that a considerable amount of fill is required to develop the subject lands. Opportunities for LID measures should be explored for the subject lands in conjunction with the grading plan by a Professional Hydrogeologist. Efforts should be made to offset the amount of overland flow through infiltration to improve water quantity and quality inputs to the receiving wetland, which is also considered significant wildlife habitat for woodland breeding amphibians.

Retaining Wall and Trail

- 7) There is inconsistency in the EIS regarding the trail cross-section proposed. In some sections, reference is made to a swale, whereas in other sections reference is made to a 3:1 slope and overland flow across the trail. Clarification on this detail is necessary in order to properly assess the suitability of the proposed trail, environmental impacts, mitigation measures and maintenance requirements. Staff are generally in agreement that Option 1 is the preferred alignment in terms of minimizing impacts to the natural environment. However, this alignment will need to be reviewed in relation to revised significant woodland boundaries/buffers, and adjustments to accommodate LID surface water management.

<b>Item</b>	<p><b>46, 47 and 87 Hyland Road, Guelph Proposed Draft Plan of Subdivision and Zoning By-law Amendment</b></p> <p><b>File #: 23T-16501/ZC1601</b></p>
<b>Suggested Motion</b>	<p><b>Staff recommends that the Environmental Advisory Committee conditionally support the Environmental Impact Statement prepared by NRSI (March 2018) in support of the proposed draft plan of subdivision and zoning by-law amendment application at 46, 47 and 87 Hyland Road with the following conditions:</b></p> <p>THAT the following items be provided to the City's satisfaction through an EIS Addendum:</p> <ul style="list-style-type: none"> <li>• A revised woodland limit on the south parcel, confirmed in the field with City staff.</li> <li>• A revised development limit that reflects the woodland limit and buffer requirements.</li> <li>• A revised Tree Inventory and Compensation Plan that reflects the revised development limit.</li> <li>• A revised Tree Inventory and Compensation Plan that reflects the City's standard practice of a 3:1 ratio for replacement plantings.</li> <li>• A revised stormwater management plan that incorporates lot level control through LID measures.</li> <li>• A revised assessment of impacts associated with the proposed trail cross-section and the need for additional width to accommodate a swale and drainage underneath the trail.</li> </ul>

Attachment 1:



Attachment 1:

