

Prepared By:



Concession II, Lot 33 and 34

Township of Southgate, Grey County

Environmental Impact Study

Project No. 02-017-2021

February 2022

23 HERRELL AVENUE, BARRIE ON L4N 6T5
WWW.BIRKSNHC.CA



23 Herrell Avenue
Barrie, Ontario
L4N 6T5

February 25, 2022

Attn: Norman Bowman

RE: BIRKS NHC 02-017-2021
Environmental Impact Study
Concession II, Lot 33 and 34, Township of Southgate

Dear Mr. Bowman:

Thank you for retaining Birks Natural Heritage Consultants Inc. (Birks NHC) to prepare an Environmental Impact Study (EIS) for the property described above. It is our understanding that you are proposing a severance of two merged lots (Lot 33 and Lot 34), into their original lot dimensions to allow future development within the southern portion of each of the resulting lots. An EIS was requested by the Township of Southgate due to the proximity of wetlands, significant woodlands and a watercourse to the proposed development area.

Birks NHC conducted surveys in summer 2021 to review the existing conditions of the property with a focus on natural heritage features and functions present. This report outlines the process by which features are considered for their natural heritage function and value and an assessment of potential impacts associated with the proposed development. Where potential impacts are identified, mitigation measures are proposed to reduce the potential impacts that could result to those identified. Assuming the mitigation measures recommended in this report are implemented, there is no expectation that natural heritage features or functions associated with the Study Area defined herein would be negatively impacted.



If you have any questions or concerns regarding this report, please do not hesitate to contact the undersigned.

Yours truly,

Birks Natural Heritage Consultants Inc.

Brad Baker, H.B.Sc
Ecologist

Melissa Fuller, H.B.Sc
Ecologist



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1 INTRODUCTION

Birks Natural Heritage Consultants, Inc. (Birks NHC) was retained by Solomon Martin on behalf of the property owner, Norman Bowman, to undertake the preparation of an Environmental Impact Study (EIS) for the property identified as Concession 11, Lot 33 (no civic address assigned) in the Township of Southgate.

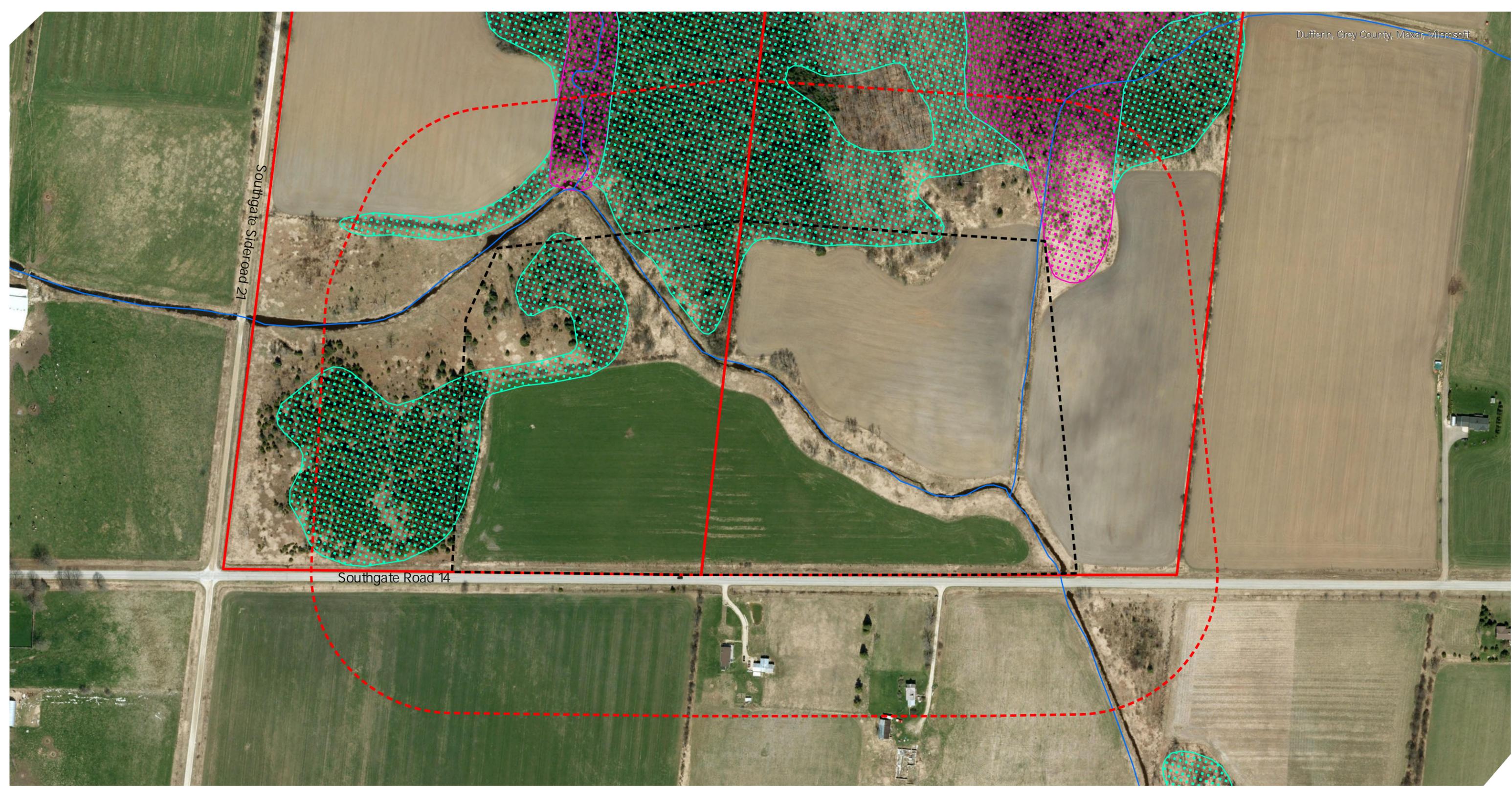
1.1 PURPOSE

The property is located within the rural agricultural area south of Dundalk, in the Township of Southgate. The majority of the Study Area is dominated by farmland, with a forested area located within the northern portion of the Study Area which extends to cover much of the property to the north (Figure 1). We understand that this assessment is required as part of a severance and development application for the property. This would allow for the severance of two historically merged lots (Lot 33 and Lot 34) restoring them to their original lot dimensions, with the intent of developing those lots. An EIS has been requested by the Township of Southgate due to the presence of significant woodlands, a watercourse, and wetlands. A portion of the proposed development area is also regulated by Saugeen Valley Conservation Authority (SVCA) due to a municipal drain.

The purpose of this EIS is to identify and characterize the natural heritage features and functions present within and adjacent to the proposed development area and to determine if potential impacts to those features and functions could arise from construction of the proposed severance and future development of the severed lands. This report has been prepared to address the natural heritage requirements of the Provincial Policy Statement (PPS, 2020), *Endangered Species Act* (ESA, 2007), *Fisheries Act*, 1985, County of Grey Official Plan (2019) and the Township of Southgate Official Plan (2006)

1.2 STUDY AREA

For the purpose of this EIS, the Study Area is focused within an area approximately 120 metres (m) surrounding the proposed development area at the southern portion of the lots, as illustrated in Figure 1. The Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNRF) published the Natural Heritage Reference Manual (MNR, 2010) to provide technical guidance for the implementation of the natural heritage policies of the Provincial Policy Statement, 2020 (PPS) which outlines a distance of 120 metres for use in consideration of impacts to adjacent features. To allow for the consideration of any other natural heritage features in the area a landscape level screening was also undertaken through a review of air photos within approximately one kilometer surrounding the Study Area.



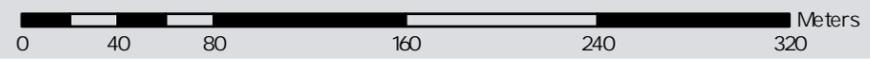
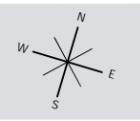
Concession 11, Lot 33
 Township of Southgate, Grey County

Property Limit	120m Study Area	Wetland (LIO)
Development Area (approx.)	Watercourse (LIO)	Un-evaluated
		Evaluated-Other

Figure 1:
Study Area



MAP DRAWING INFORMATION:
 DATA PROVIDED BY: LIO
 MAP CREATED BY: SB
 MAP CHECKED BY: BB
 MAP PROJECTION: NAD 1983 UTM ZONE 17N



FILE LOCATION:
 Path: C:\Users\S_Brady\Birks\NHC\Birks NHC Team for all - Documents\Project Folders\SBrady Projects\ArcGIS - Projects here\Projects - here\SouthgateSideroad 14
 PROJECT: 02-017-2021 STATUS: DRAFT DATE: 22/11/2021



1.3 SITE DESCRIPTION

The property contains agricultural lands and natural coniferous and deciduous woodlands. A municipal drain bisects the property, traversing the Study Area on the east-west axis and flowing north-westerly. The southern property line fronts Southgate Road 14. This EIS is focused on the southern portion where development opportunities are being considered.

1.4 ADJACENT LAND USE

The property is within a rural area in the Township of Southgate. Primary land use in the area is agricultural. Unevaluated wetlands and components of evaluated non-provincially significant Ventry Swamp are present within the property and surrounding lands.

2 ENVIRONMENTAL POLICY FRAMEWORK

The following summarizes the planning policies and regulations related to natural heritage that apply to the proposed development.

2.1 PROVINCIAL POLICY STATEMENT (2020)

Ontario's *Planning Act* requires that planning decisions shall be consistent with the PPS. Section 2.1 of the PPS specifies policy related to protection of natural heritage features and functions.

According to Section 2.1.4 of the PPS, development and site alteration shall not be permitted in the following features:

- a) Significant wetlands in Ecoregions 5E, 6E, and 7E; and,
- b) Significant coastal wetlands.

Section 2.1.5 of the PPS states that, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, development and site alteration shall not be permitted in:

- a) Significant woodlands in Ecoregions 6E and 7E;
- b) Significant valleylands in Ecoregions 6E and 7E;
- c) Significant wildlife habitat (SWH);
- d) Significant areas of natural and scientific interest (ANSI); and,
- e) Coastal wetlands in Ecoregions 5E, 6E, and 7E that are not subject to policy 2.1.4(b).

Sections 2.1.6 and 2.1.7 state that development and site alteration is not permitted in fish habitat or habitat of endangered and threatened species except in accordance with federal and provincial requirements.



Section 2.1.8 extends protection of those features defined above in policies 2.1.4, 2.1.5 and 2.1.6 to adjacent lands, typically those within 120 m of the potential impact. Section 2.1.8 states that development and site alteration shall not be permitted on adjacent lands to natural heritage features identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological function.

While many of these features are mapped and direction is available to allow for candidate features and functions to be identified, it remains the responsibility of the province and/or the municipality to designate areas identified within Section 2.1.4 and 2.1.5 of the PPS as significant. The Natural Heritage Reference Manual (MNR, 2010) and Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E (MNRF, 2015) were used within this report to identify candidate features and functions not currently identified by the province and/or municipality.

2.2 ENDANGERED SPECIES ACT (2007)

Ontario's ESA provides regulatory protection to Endangered and Threatened species, prohibiting harassment, harm and/or killing of individuals (Section 9) and destruction of their habitats (Section 10). Habitat of the species is defined as follows:

1. As the habitat features prescribed by O. Reg. 242/08 of the ESA, or,
2. Areas on which the species depends, directly or indirectly, to carry on its life processes, as described within reference documents (*i.e.* species status reports and recovery strategies, technical reports, scientific articles) and based on internal data available from applicable agencies.

Ontario Regulation (O. Reg). 230/08 of the ESA identifies Species at Risk in Ontario and includes species listed as Extirpated, Endangered, Threatened, and Special Concern. As noted above, only species listed as Endangered and Threatened receive species and habitat protection through the ESA. Species designated as Special Concern may receive protection under the Significant Wildlife Habitat (SWH) provisions of the PPS. The ESA is regulated by the Ministry of Environment Conservation and Parks (MECP).

2.3 FISHERIES ACT (1985)

The purpose of the federal *Fisheries Act*, 1985 is in part, to provide a framework for the conservation and protection of fish and fish habitat through the various regulations that protect against serious harm to fish by death or any permanent or temporary harmful alteration, disruption or destruction (HADD) to their habitat. Fish habitat is defined within the *Fisheries Act*, 1985 as "spawning grounds and any other areas, including nursery, rearing, food supply and migration areas, on which fish depend directly or indirectly in order to carry out their life processes". The fish and fish habitat protection provisions of the *Fisheries Act*, 1985 include:

- A prohibition against causing the death of fish, by means other than fishing (section 34.4);



- A prohibition against causing the harmful alteration, disruption or destruction of fish habitat (section 35);
- Establishment of Standards and Codes of Practice in relation to works, undertakings and activities during any phase of their construction, operation, modification, decommissioning or abandonment for the avoidance of death to fish, HADD, and for the prevention of pollution (Section 34.2); and,
- Ministerial powers to ensure the free passage of fish or the protection of fish or fish habitat with respect to existing obstructions (section 34.3).

The interpretation and application of the regulations of the *Fisheries Act*, 1985 is overseen by Fisheries and Oceans Canada (DFO). Under the direction of DFO, projects that have potential to affect fish and fish habitat are to be screened using their online guidance platform, 'Projects Near Water' to determine if the project will require review under the *Fisheries Act*, 1985. Projects that can not implement measures to mitigate impact to fish and fish habitat, and do not qualify under the current Standards and Codes of Practice, require review by DFO prior to any site disturbance or alteration, including vegetation removal and grading.

2.4 CONSERVATION AUTHORITIES ACT (1990)

Ontario's Conservation Authorities fall under the jurisdiction of the *Conservation Authorities Act*, 1990 which was reviewed and modernized in 2017 and again in 2019. The purpose of *Conservation Authorities Act* is to "provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario". Section 28 of the *Conservation Authorities Act* states that a Conservation Authority may make the following regulations applicable in the area under its jurisdiction:

- Restricting and regulating the use of water in or from rivers, streams, inland lakes, ponds, wetlands and natural or artificially constructed depressions in rivers or streams;
- Prohibiting, regulating or requiring the permission of the authority for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- Prohibiting, regulating or requiring the permission of the authority for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development; and,
- Provide for the appointment of officers to enforce any regulation made under this section or section 29.

An authority may issue a permit to a person to engage in an activity specified in the permit that would otherwise be prohibited by Section 28, if, in the opinion of the authority, the activity is not likely to:

- a) affect the control of flooding, erosion, dynamic beaches or pollution or the conservation of land;



- b) the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; and,
- c) any other requirements that may be prescribed by the regulations are met.

The Study Area falls within the jurisdiction of SVCA and is regulated due to the presence of wetlands and associated watercourses (Appendix A).

2.5 COUNTY OF GREY OFFICIAL PLAN (2019)

County of Grey Official Plan Schedule A Map 2 - Land Use shows the Study Area designated as Agricultural and Hazard Lands (Appendix B). Appendix B Map 3 - Constraint Mapping further illustrates Stream/River and Significant Woodlands within the Study Area (Appendix B).

The Agricultural land use type includes traditional Class 1, 2 or 3 agricultural land classifications as well as larger blocks of agricultural lands under active production. Permitted uses in the Agricultural area include all types of agricultural uses, agricultural related uses, on-farm diversified uses, forestry and conservation, marijuana/cannabis production (in accordance with Federal laws), licensed aggregate operations, institutional uses serving those whose primary means of transportation is via horse and buggy and active transportation (Grey County, 2019, Section 5.2.1).

Lot creation shall be permitted only via consent applications in accordance with the conditions and policies of Section 8 (transportation and services), 9 (the Official Plan and planning and development approvals), and 5.4.3 (consent policies) of the Grey County Official Plan. Lot size shall be determined by the zoning by-law of the local municipality (Grey County, 2019, Section 5.4.2).

No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated that there will be no negative impacts on the feature or its functions (Grey County, 2019, Section 7.4.1). The County of Grey generally encourages development be setback from wetlands, streams and rivers by at least 30 m. In some cases, this 30 m distance can be reduced based on site specific circumstances or through the completion of an EIS.

2.6 TOWNSHIP OF SOUTHGATE (2006)

Township of Southgate Official Plan Schedule A - Land Use illustrates the Study Area as Hazard Lands and Agricultural (Appendix C). As per Section 5.1.1 of the Township's Official Plan, permitted uses within the Agricultural designation include :

- All agricultural uses and related buildings and structures;
- Forestry and conservation, the raising of animals, fowl and fish;
- Sales of produce grown on local farms, market nurseries, home occupations, bed and breakfast establishments;



- Small scale commercial and industrial uses directly supportive and relation to the agricultural operation (including woodworking shops, metal workshops, transportation of agricultural products or livestock);
- Wayside puts, quarries, portable asphalt pits; and,
- Limited non-farm land uses.

The hazard lands designation identifies lands having environmental hazards such as floodplains, steep slopes, organic or unstable soils, evaluated non-provincially significant wetlands and any other physical conditions to pose a risk to property or potential loss of life in the lands were to be developed (Township of Southgate, 2006, Section 6.2). Buildings and structures are generally not permitted in the Hazard lands designation.

3 STUDY APPROACH

The following activities and assessments were undertaken to fulfill the objectives of this study.

3.1 BACKGROUND DATA REVIEW AND SOURCES

Background documents provide information on site characteristics, habitat, wildlife, rare species and communities, and other aspects of the Study Area. For the purpose of this EIS, the following sources were considered:

- Land Information Ontario (LIO; NDMNRF, 2022)
- Natural Heritage Information Centre (NHIC; NDMNRF, 2022)
- AgMaps (Ministry of Agriculture, Food and Rural Affairs, 2021)
- Ontario Reptile and Amphibian Atlas (Ontario Nature, 2022)
- Aquatic Species at Risk Map (DFO, 2019)
- Species at Risk in Ontario List (MECP, Consolidated e-law August 1, 2018 - October 18, 2021)

3.2 FIELD SURVEY

Natural heritage features and functions within the Study Area were characterized through completion of two site visits on June 18, 2021 and August 10, 2021. The following sections outline the methods used at the time of the site visit, including specific provincial protocols. Incidental wildlife, plant and habitat observations were considered during all surveys. Searches were also conducted to document the presence or absence of suitable habitat, based on habitat requirements of Threatened or Endangered species with habitat ranges overlapping the property.

3.2.1 Vegetation Community Mapping and Surveys

As a first step in identifying and assessing natural heritage features on the property, the vegetation communities were assessed using Ecological Land Classification (ELC). The ecological community boundaries were determined through a review of aerial photography and then further refined during



the site visit. The ELC system for Southern Ontario (Lee *et al.*, 1998) was used with modifications. In early 2007, the NDMNRF refined their original vegetation type codes to encompass the vast range of natural and cultural communities across Southern Ontario. These updated ELC codes have also been used for reporting purposes where they are more representative. The resulting mapping is illustrated in Figure 2.

Vegetation surveys beyond the proposed areas of impact where development would be focused was limited to cursory site reconnaissance to determine wetland presence and potential for rare or protected vegetation species. Formal species lists were not collected because the development will be focused in an agricultural area with appropriate setbacks from the neighbouring woodland and wetlands.

3.2.2 Wildlife Surveys

A wildlife assessment within the property was completed through incidental observations while on site. Wildlife habitat functions were evaluated according to provincial criteria outlined in the Significant Wildlife Habitat Criterion Schedule for Ecoregion 6E (MNRF, 2015).

3.2.3 Fish Habitat Assessment

A characterization of fish habitat was completed through assessment of feature morphology, water quality, flow regime and vegetation on August 10, 2021. Though queried during the assessment, background information from the NDMNRF, LIO and SVCA was not available for data pertaining to the fish community of the reach, or Study Area.

Fish habitat identified within the Study Area was assigned one of the following designations:

- Permanent direct fish habitat: a feature where flowing or standing water is present year-round and connected to known fish habitat;
- Seasonal direct fish habitat: a feature that provides direct habitat for fish under elevated water levels (during spring freshet and large storm events), but not under low water conditions, due to insufficient open water and refuge habitat or anoxic water quality conditions; and
- Indirect fish habitat: a feature where there is sufficient water to sustain aquatic invertebrates and plants and that discharges to direct habitat downstream. Fish cannot directly access the area as a result of a barrier to upstream fish movement (*i.e.* steep channel grade, low water levels, perched culvert).

Direct fish habitat is defined as habitat used by fish for spawning, rearing, feeding or migration. Indirect fish habitat is aquatic habitat that is generally not used by fish, but provides an additional source of water and food for direct fish habitats.



3.3 SPECIES AT RISK

The Species at Risk assessment included an analysis of the habitat requirements of Species at Risk reported to occur in the region to identify those having potential to occur within the Study Area.

Birks NHC staff reviewed data obtained through desktop review and the site visits related to potential habitat for provincially designated species, notably Species at Risk listed under O. Reg. 230/08 of the ESA as Threatened or Endangered.

4 EXISTING CONDITIONS

The following sections present an examination our findings as they relate to natural heritage features and functions in the study area.

4.1 GENERAL SITE OVERVIEW

The property is a rural residential farm property measuring approximately 82 hectares (ha). The majority of the property is utilized for active agriculture, specifically cash crop production. The property currently has no residential structures associated with it but evidence of an old homestead in the form of an old foundation and structural remains are present within the forested area to the north of the agricultural lands within vegetation community 2 in Figure 2. A large portion of the property is maintained as a mix of forest and wetland habitat which extends to the north beyond the Study Area and comprises approximately 70% of the total property cover.

4.2 VEGETATION COMMUNITIES AND PLANTS

The Study Area contains open agricultural field areas, riparian mixed meadow, and woodland communities. All plants observed on the property are considered common provincially and locally. No Species at Risk or provincially rare plant species were documented.

Vegetation communities and their respective locations are illustrated on Figure 2. The vegetation communities that occur on the property in the Study Area are as follows:

- AG: Agricultural
- MEMM4: Fresh-Moist Mixed Meadow
- FOMM10-2: Fresh-Moist White Spruce-Hardwood Mixed Forest
- FOD5: Dry-Fresh Sugar Maple Deciduous Forest
- SWMM5: Conifer-Hardwood Mixed Swamp



Dufferin, Grey County, Maxar, Microsoft

Southgate Road 14

Bouwmeister Drainage Works Municipal Drain

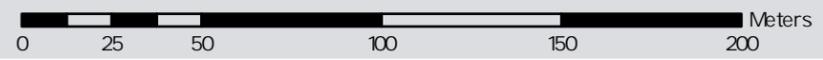
Concession 11, Lot 33
Township of Southgate, Grey County

- | | | |
|----------------------------|--|---|
| Property Limit | <u>Vegetation Communities</u> | 4) SWMM5 - Conifer-Hardwood Mixed Swamp |
| Development Area (approx.) | 1) AG - Agricultural | 5) MEMM4 - Fresh-Moist Mixed Meadow |
| Watercourse (LIO) | 3) FOMM10-2 - Fresh-Moist White Spruce-Hardwood Mixed Forest | |
| Intermittent Feature | 2) FOD5 - Dry-Fresh Sugar Maple Deciduous Forest | |

Figure 2:
Existing Conditions



MAP DRAWING INFORMATION:
DATA PROVIDED BY: LIO
MAP CREATED BY: SB
MAP CHECKED BY: BB
MAP PROJECTION: NAD 1983 UTM ZONE 17N



FILE LOCATION:
Path: C:\Users\S_Brady\Birks\NHC\Birks NHC Team for all - Documents\Project Folders\SBrady Projects\ArcGIS - Projects here\Projects - here\Southgate\Sideroad 14
PROJECT: 02-017-2021 STATUS: DRAFT DATE: 25/02/2022



4.3 WILDLIFE HABITAT

Birds

The Study Area comprises a matrix of agricultural fields, riparian meadow, and woodlands (mixed and deciduous). While the woodlands continue in a larger expanse to the north, the Study Area does not contain interior forest habitat for area-sensitive breeding birds.

The woodlands in the Study Area are presumed however to support bird species that nest in forest habitats and forest edges. Bird species which are common throughout the larger planning area within rural agricultural settings are expected to utilize the habitats in the Study Area. Given the active agricultural use on the property, the habitat present was not appropriate for grassland breeding birds at the time of the site assessment.

Mammals

Typical mammals observed in rural settings are expected to utilize habitats within the Study Area. These include Gray Squirrel, Raccoon, White-tailed Deer, and small rodents. Based on available background mapping from LIO, no area on the property is mapped as winter deer habitat.

Bats may utilize habitats within the Study Area; potential bat foraging habitat would be associated with areas providing water or an abundance of flying insects; deciduous woodlands present within the Study Area may contain standing dead and dying trees with suitable bat roost features.

Amphibians and Reptiles

During spring, amphibians gather to mate and lay eggs in water. Once hatched and grown, the amphibians emerge as adults. Some adult amphibians will remain in or near the water, while others will move to terrestrial habitats. Amphibians are presumed to utilize the watercourses and mapped wetlands within the Study Area. Given the habitats present, species range maps, and observations in the general area (Ontario Nature, 2021), the following amphibians and reptiles could be expected to be present within the wetland habitat associated with the Study Area: Spring Peeper, Green Frog, Gray Treefrog, Wood Frog, Western Chorus Frog, Eastern Gartersnake, and Snapping Turtle.

4.4 FISH AND FISH HABITAT

The property is located within the Saugeen Valley watershed, specifically within the headwaters of the Upper Main Subwatershed. Land use within this subwatershed is predominantly agricultural with some woodland (22% coverage) and wetland (17% coverage) habitat present within the headwaters (SVCA, 2018). Generally, surface water quality is good, though there is opportunity for enhancement, specifically within agricultural areas.

The Bouwmeister Drainage Works Municipal Drain bisects the Study Area, traversing the lands east to west and flowing north-westerly. The feature was flowing when observed during the August field assessment, a time of year during which one would expect temporal features to be dry or exhibiting trickle flow. As such, it is very likely that the feature is permanent on the landscape. The vegetated



riparian corridor of the feature was approximately 30 m wide. Bankfull was observed in the field to be approximately 6 m, with wetted width and depth varying between 1 – 2 m and 50 – 100 cm respectively.

There are no known barriers to fish associated with the feature, and thus for the purpose of this report, it has been classified as permanent direct fish habitat. At this time, no fish community sampling has been undertaken.

A second mapped feature was confirmed to be present within the Study Area, along the eastern property limit. The feature was dry during both the June and August site visits, and thus is presumed to convey seasonal drainage during periods of high flow.

5 NATURAL HERITAGE FEATURES AND FUNCTIONS

In the following sections we summarize the natural heritage features and functions associated with the Study Area based on existing designations/delineations by agencies and as revealed through the application of provincial guidelines for identification of significant natural heritage features and functions.

5.1 PROVINCIALY SIGNIFICANT WETLAND

No Provincially Significant Wetlands are mapped in the Study Area.

5.2 OTHER WETLANDS

Background mapping (*i.e.*, LIO, NHIC) identifies the presence of Ventry Swamp non-provincially significant wetland and un-evaluated wetlands within the Study Area. Birks NHC has characterized and mapped mixed swamp and Fresh-Moist White Spruce-Hardwood Mixed Forest in those areas (Figure 2).

5.3 SIGNIFICANT WOODLAND

The woodlands within the Study Area are mapped by Grey County as Significant Woodlands (Appendix B).

5.4 SIGNIFICANT WILDLIFE HABITAT

The Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E (MNR, 2015) was reviewed as part of this study to determine whether any portions of the Study Area would meet the criteria. The following presents those SWH functions potentially occurring within the Study Area:

- Bat Maternity Colonies
- Reptile Hibernaculum
- Amphibian Breeding Habitat and Movement Corridors
- Special Concern and Rare Wildlife Species



5.4.1 Bat Maternity Colonies

For many bat species in Ontario, natural maternal roosting habitat is comprised of roost trees that are in early stages of decay and contain features such as cavities or crevices, or loose, peeling bark. During the summer, female bats often roost in large maternity colonies while males tend to roost in small groups or individually. According to the Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E (MNR, 2015), candidate maternity colonies SWH are located in mature deciduous or mixed forest stands with greater than 10 large diameter (greater than 25 cm DBH) wildlife trees per ha. Bat maternity colonies for Silver-haired Bat and Big Brown Bat are identified as candidate SWH because known locations of forested bat maternity colonies are extremely rare in Ontario. It remains extremely difficult to confirm this SWH designation as it requires confirmation of use by more than ten Big Brown Bats or more than five Silver-haired Bats.

Bat roosting habitat is not present within the proposed development footprints given the open agricultural nature however, the deciduous woodlands present within the Study Area may contain hardwood trees that may have suitable bat roost features such as cavities and crevices.

5.4.2 Reptile Hibernaculum

Snakes overwinter in Ontario by accessing underground hibernation sites below the frost line. They will utilize rock crevices, rodent burrows, tree root systems and structures such as old building foundations to access areas below ground. Because of the variability in features that snakes will use for hibernation, snake hibernaculum may be found in almost any habitat (except for very wet ones). Since features associated with this function appear to be common in the landscape, Reptile Hibernaculum SWH may be present within the Study Area, particularly in the woodlands. Reptiles may gain access to below the frost line for hibernation through rodent burrows and tree root systems.

5.4.3 Amphibian Breeding Habitat and Movement Corridors

During spring amphibians will congregate in woodland ponds, wetlands and other aquatic habitats to reproduce. Amphibian Breeding Habitat SWH is being considered due to the presence of mapped wetlands outside of the proposed development limits but within the Study Area. Animal Movement Corridors SWH is also to be considered where amphibian breeding habitat has been identified. For amphibians, movement corridors between terrestrial and aquatic breeding habitat are important for local populations. The Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E (MNR, 2015) indicates that corridors may be found in all ecosites associated with water. Corridors unbroken by roads, waterways or bodies and undeveloped areas are most significant. Thus, it is possible that any amphibians utilizing the habitats within the Study Area travel within the wetlands and drainage features.

5.4.4 Special Concern and Rare Wildlife Species

Habitat of all Special Concern and provincially Rare (S1-S3, SH) plant and animal species is considered SWH. When a NHIC element occurrence is identified within a survey grid square for a Special Concern or provincially rare species, the potential for candidate habitat to occur within the Study Area must be



considered. The following species has been identified and may have suitable habitat within the Study Area:

Snapping Turtle (Special Concern)

The Snapping Turtle occurs in almost any freshwater habitat including small wetlands, ponds, and ditches. This species has recent occurrences within the survey grid squares which encompass the Study Area (NHIC squares 17NJ4585, 17NJ4586, 17NJ4486, 17NJ4485; Ontario Reptile and Amphibian Atlas square 17NJ48). While it is unlikely that this turtle species would be found within the open agricultural areas of the Study Area due to the lack of suitable habitat, this turtle has potential to utilize the drainage features in the Study Area.

5.5 AREAS OF NATURAL AND SCIENTIFIC INTEREST

No Areas of Natural and Scientific Interest are located within 1 km of the property.

5.6 FISH AND FISH HABITAT

Bouwmeister Drainage Works Municipal Drain was identified within the property. The permanent flow regime of the feature and lack of obstructions qualifies the feature as permanent direct fish habitat. A second mapped feature was confirmed on site, but no flow was observed within the feature during the two site assessments.

5.7 HABITAT OF THREATENED AND ENDANGERED SPECIES

The habitat requirements of those species listed as Threatened and Endangered under the ESA were considered in relation to the habitat features noted within the Study Area. Based on habitat use, site knowledge and data available, it was determined that potential habitat for the following Endangered species may be present in the Study Area:

Little Brown Myotis, Northern Myotis, and Tri-colored Bat (Endangered)

Important habitat functions for Little Brown Myotis, Northern Myotis, and Tri-colored Bat could include hibernacula, maternity roost, day roosts, and foraging habitat. Of these habitat types, no features with potential to function as hibernacula exists within the Study Area. Potential foraging habitat would be associated with any areas of the Study Area providing water or an abundance of flying insects. Foraging habitat is widely available within wetland and forest edges common throughout the general area and Grey County.

Day roosts are those that are used by males and non-reproductive females as they move across the landscape and can take the form of any tree with appropriate snag features such as loose bark, cracks or crevices. There is no indication that there is any fidelity to specific day roost sites. The loss of potential day roost habitat is unlikely to result in a contravention of the ESA. Thus, maternity roost habitat is the only habitat function considered in detail on the property.



Females establish summer maternity colonies, often in buildings or large diameter trees in early stages of decay with cracks, crevices or cavities. There are no structures within the proposed development area however deciduous woodlands present within the Study Area may contain standing dead and dying trees with suitable bat roost features.

5.8 NATURAL HERITAGE FEATURES AND FUNCTIONS SUMMARY

The results of the site visit, review of background information and analysis indicate both confirmed and candidate natural heritage features and functions associated within the Study Area. Our impact assessment will consider potential impacts only to features and functions summarized in Table 1 below.

Table 1: Natural Heritage Features and Functions Summary

Natural Heritage Feature and Function	Within Proposed Development Area	Within 120 m of Proposed Development Area	Actions Required
Provincially Significant Wetland	None	None	No actions required.
Other Wetland	None	Ventry Swamp evaluated non-provincially significant wetlands and un-evaluated wetlands are mapped in the north and west portions of the Study Area.	Evaluation for potential indirect impacts required.
Significant Woodlands	None	Woodlands adjacent to the proposed development area are mapped by Grey County as Significant Woodlands	Evaluation for potential indirect impacts required.
Significant Valleylands	None	None	No actions required.
Significant Wildlife Habitat	None	<u>Potential</u> <ul style="list-style-type: none"> • Bat Maternity Colonies • Reptile Hibernaculum • Amphibian Breeding Habitat and Movement Corridors • Special Concern and Rare Wildlife Species (Snapping Turtle) 	Evaluation for potential impacts required.



Table 1: Natural Heritage Features and Functions Summary

Natural Heritage Feature and Function	Within Proposed Development Area	Within 120 m of Proposed Development Area	Actions Required
Provincial Areas of Natural and Scientific Interest	None	None	No actions required.
Fish Habitat	Bouwmeister Drainage Works Municipal Drain	South Saugeen subwatershed features	Evaluation for potential impacts required
Habitat of Threatened or Endangered Species	None	<u>Potential</u> <ul style="list-style-type: none"> Endangered bat species 	Evaluation for potential indirect impacts required.

6 IMPACT ASSESSMENT

The intent of this study is to identify natural heritage features and functions associated with the Study Area and determine if potential impacts could arise from the proposed severance and future development. Impacts are evaluated based upon current knowledge of the property as acquired through data collected in 2021 by Birks NHC ecologists.

6.1 DEVELOPMENT PLAN

The proposal involves the adjustment of a lot line shared between two merged lots back to their original orientation. Lot 33 will be 40.61 ha and have 540.5 m frontage on Southgate Road 14. Lot 34 will have approximately 40.61 ha with a frontage of 269.8 m on Southgate Road 14.

Development of workshops in the southern portion of the lots is proposed within the agricultural fields. The workshop development areas allow for 30 m setback from the Bouwmeister Municipal Drain and the swamp lands in the western portion of the area. A 15 m setback is proposed for the seasonal drainage feature along the eastern property limit. A driveway and drainage feature crossing (3 sided box culvert) is proposed to access the northern workshop. The Site Plan is presented in Figure 3.



Concession 11, Lot 33

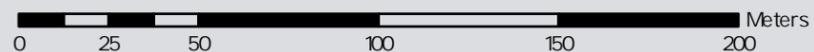
Township of Southgate, Grey County

- | | | | |
|----------------------------|---------------------------------|--|---|
| Property Limit | Proposed Lot Adjustment | Vegetation Communities | 4) SWMM5 - Conifer-Hardwood Mixed Swamp |
| Development Area (approx.) | Development Envelopes (Approx.) | 1) AG - Agricultural | 5) MEMM4 - Fresh-Moist Mixed Meadow |
| Watercourse (LIO) | Feature Setback | 3) FOMM10-2 - Fresh-Moist White Spruce-Hardwood Mixed Forest | |
| Intermittent Feature | | 2) FOD5 - Dry-Fresh Sugar Maple Deciduous Forest | |
| Proposed Crossing | | | |

Figure 3:
Proposed Site Plan



MAP DRAWING INFORMATION:
DATA PROVIDED BY: LIO
MAP CREATED BY: SB
MAP CHECKED BY: BB
MAP PROJECTION: NAD 1983 UTM ZONE 17N



FILE LOCATION:
Path: C:\Users\S_Brady\Birks\Birks NHC Team for all - Documents\Project Folders\SBrady Projects\ArcGIS - Projects here\Projects - here\Southgate\Sideroad 14
PROJECT: 02-017-2021 STATUS: DRAFT DATE: 25/02/2022



6.2 DIRECT IMPACTS

Direct impacts are those that are immediately evident as a result of a development. Typically, the adverse effects of direct impacts are most evident during the site preparation and construction phase of a development. Potential impacts of the proposed development of the workshops and laneway crossing are the following:

- Potential for changes to the hydrology
- Erosion and sedimentation into natural heritage features
- Temporary alteration of fish habitat

6.2.1 Changes to the Hydrology

The proposed development areas are currently agricultural fields which allow water to drain freely. Therefore, there is an expectation that these areas contribute surface water run off to the drainage features, and adjacent wetlands. The development of workshop areas may result in an increase in impervious surfaces which could alter the hydrology of the area. Given the relatively small development footprint combined with the use of gravel yards instead of paved areas, water balance can be maintained provided that run off from the developed areas is directed to vegetated lands for infiltration rather than directly into receiving water bodies. This will further serve as a treatment of runoff to ensure that water contributions from the developed areas do not contribute to degradation of water quality within the municipal drain.

The Study Area is regulated by SVCA and is partially mapped as hazard lands by Grey County and the Township of Southgate due to the presence of the wetland and drainage features. The development areas are proposed with a setback of approximately 30 m from the municipal drain, 15 m from the seasonal drainage, and approximately 30 m from the mapped swamp community to the west of the development area. Further, a three-sided box culvert is proposed as the laneway crossing. Jones Consulting Group Ltd. indicates that the box culvert would not impact flooding on upstream or downstream properties and would allow 25-year flood to flow unimpeded (TJCG, 2020). The open bottom nature of the culvert will permit the continuation of ground water interaction and fluvial processes within the reach.

6.2.2 Erosion and Sedimentation into Natural Heritage and Hydrologic Features

As discussed, no works are proposed within the identified key features and functions. However, construction activities can increase the availability of sediment for erosion and transport via surface drainage. Mitigation measures for erosion and sediment control are required around the construction sites to reduce potential of adverse environmental impacts caused by the release of sediment-laden runoff into aquatic habitats.

Any potential direct impacts to habitats which could result from sedimentation can be mitigated through the application of erosion and sediment control along the boundary of the



woodland/wetland/drainage features, and edges of the proposed soil disturbances. Erosion and sediment control measures will be implemented prior to and during the development and maintained until the site is stabilized.

6.2.3 Temporary Alteration of Fish Habitat

One workshop is proposed within the agricultural fields north of the Bouwmeister Drainage Works Municipal Drain (Figure 3) which has limited access to Southgate Road 14. Thus, the proposal will require the construction of a crossing sufficient to withstand traffic from vehicles that are accessing this workshop. Jones Consulting Group Ltd. (Jones) has undertaken a floodplain analysis of the drainage, and has proposed a 6 m wide, three-sided, open bottom structure that has been designed for the 100 year flood and will span the 1:2 year flood elevation (ordinary high water mark) and fish habitat within the above ground built limits of the crossing. Footings supporting the structure will be installed within the banks of the municipal drain, below the ordinary high water mark. Installation of the footings will require excavation within the stream bank, however, the stream bed will not be disturbed during construction and the stream bank below the ordinary high water mark can be restored such that the provision of habitat not permanently disrupted as result of installation of the crossing. Design details relating to the crossing can be found in Appendix E. Impact to fish during construction can be eliminated through a variety of standard mitigation measures including the timing of construction such that works occur under low flow conditions and outside of the in-water work window for the drainage feature (October 15 to July 15 of the following year), implementing sediment and erosion controls to prevent migration of disturbed sediments into the feature, and ensuring that equipment maintenance and refueling occurs more than 30 m from the drainage features. Additional mitigation measures to protect fish and fish habitat are outlined in Section 7.4 below.

Provided that mitigation measures outlined within this section are implemented, there is no expectation that the project will negatively impact fish and their habitat as a result of the proposed development. The development will require a DFO Request for Review, as temporary alteration of fish habitat is required.

6.3 INDIRECT IMPACTS

Indirect impacts are those that do not always manifest in the core development area but in the lands adjacent to the development. Indirect impacts of the proposed development include:

- Disturbance to wildlife and wildlife habitat;
- Increased potential for invasion of non-native species.

6.3.1 Disturbance to Wildlife and Wildlife Habitat

Typical wildlife species observed in rural settings are expected to utilize the habitats within the Study Area. Additionally, woodland and wetland habitats within the Study Area may function as SWH for bat maternity colonies, reptile hibernaculum, amphibian breeding, and/or Special Concern wildlife species (*i.e.*, Snapping Turtle). Direct impacts to wildlife and SWH functions however are not expected to occur



as a result of the proposed workshop and laneway developments as the proposed area of disturbance is within the open agricultural areas of the Study Area and outside of the adjacent habitats. Therefore, no portion of the development areas contains features which would support rare or at risk wildlife species, nor does it contain candidate SWH. Further, given that the development is proposed entirely outside of woodland and wetland habitats and associated setbacks, there is no expectation that the proposed activity would alter the habitat functions associated with those features.

Development is proposed in an established disturbed area (agricultural fields), it is expected that wildlife would continue to access and utilize adjacent habitats and that the proposed development would not result in any direct impacts to wildlife or their habitats. Best management practices should be implemented to protect adjacent habitat features. Following the mitigation measures provided in Section 7, there is no expectation that the proposed development would result in any direct impacts to wildlife or their habitats.

6.3.2 Increased Potential for Invasion of Non-native Species

Site disturbance may increase the likelihood that non-native and/or invasive vegetation species will become established within the retained vegetation communities. Currently, there is no evidence of unusual non-native and invasive species abundance within the Study Area. Site disturbance may increase the likelihood that non-native and/or invasive vegetation will become established within the retained vegetation communities however the development in agricultural fields would have minimal potential to increase the likelihood of new species introductions. Mitigation measures are provided in Section 7 below to control the potential introduction of invasive species.

7 RECOMMENDATIONS AND MITIGATION MEASURES

Mitigation refers to the avoidance or reduction of impacts associated with the proposed works through best practices. As previously discussed, potential impacts were identified which could affect identified natural heritage features and functions associated with the Study Area. Where applied correctly, mitigation is intended to reduce the potential for impacts to ensure that the natural heritage features and functions will continue uninhibited by the proposed development. Thus, mitigation would be required to ensure that there is no negative impact, and the development can proceed in conformity with the relevant planning documents and in compliance with environmental law.

The following recommended mitigation measures are recommended to minimize the above listed potential impacts.



7.1 SPECIES AT RISK

Given the dynamic character of the natural environment, as well as changes to policy (*i.e.*, new species listing), consideration is recommended in the interpretation of potential presence of Threatened or Endangered species as protected under the ESA.

This report was produced based on the most up-to-date policy information however, it is not intended to act as a long-term assessment of potential species at risk. The ESA is recognized as being 'proponent-driven' legislation and therefore it is the responsibility of the landowner/developer to ensure compliance with the regulations made under this act. Should a considerable length of time and/or sudden change in policy occur prior to construction, it is recommended that a review of the assessment provided within this report be undertaken by a qualified ecologist to ensure compliance with the ESA at that time.

All current Threatened or Endangered species listed under O. Reg. 230/08 made under the ESA with a currency date of August 1, 2018 have been considered within this report.

7.2 WOODLAND AND WETLAND HABITAT

The proposal involves development within the agricultural areas of the property. To support the implementation of local policies, mitigation and compensation measures have been proposed to avoid disturbance to the identified Study Area features and functions and provide additional protection. It is recommended that sediment and erosion controls along the limits of the development area be installed prior to all construction activities. Sediment and erosion controls should be maintained throughout construction and until vegetation is established post-construction. No development activities (*i.e.*, material and equipment storage, grading, equipment activity, *etc.*) are permitted within the adjacent natural habitats. Equipment and vehicles should be inspected and cleaned prior to access to the property to prevent the spread of invasive plant species into the site.

7.3 MIGRATORY BIRDS

Migratory birds, nests, and eggs are protected by the *Migratory Birds Convention Act*, 1994 and the *Fish and Wildlife Conservation Act*, 1997. Environment Canada outlines dates when activities in any region have potential to impact nests at the Environment Canada Website (<https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>). Tree removals are not anticipated for the proposed development, however if tree removals are to occur, removals should be avoided between April 1st and August 31st of any given year. If vegetation clearing is required between these dates, screening by an ecologist with knowledge of bird species present in the area should be undertaken to ensure that the vegetation has been confirmed to be free of nests prior to clearing.



7.4 DRAINAGE FEATURE AND FISH HABITAT

Development areas are proposed outside of a 30 m setback to Bouwmeister Municipal Drain and 15 m from the smaller seasonal feature bordering the northern field (Figure 3). Mitigation measures are provided below to ensure that impact to fish and fish habitat can be avoided during construction of the workshops, driveway and crossing:

- Installation of the crossing shall occur under low flow conditions and shall adhere to the appropriate in-water work timing window. For this location, works are not permitted within the feature between October 1st and July 15th of the following year.
- Works should be scheduled to avoid wet, windy and rainy conditions that may result in high flow volumes and /or increase erosion and sedimentation.
- Should temporary dewatering of the feature be required, pumped water should be directed to a sediment filter bag situated within a vegetated area, more than 30 m from the watercourse. The area of work should be isolated and remnant fish removed prior to full dewatering and excavation. In this scenario, installation of the footings should be staged such that flow and fish passage can be maintained during installation of each of the footings and 3-sided structure.
- The crossing will be constructed perpendicular to the drainage feature to minimize loss or disturbance to riparian vegetation and to minimize disturbance of fluvial processes within the active channel.
- Construction maintenance activities shall be performed more than 30 m removed from the drainage feature. Refueling and maintenance shall take place in a manner that prevents any substances from entering the drainage features.
- All equipment shall at all times be free of excess or leaking fuel, lubricants, coolant and any other deleterious substances that could enter the drainage features.
- Only vegetation required to accommodate installation and grading associated with the structure for the crossing structure shall be removed. The limit of vegetation removal and grading shall be clearly identified on-site and heavy duty sediment fence shall be installed along the limit of vegetation removal.
- Equipment travel paths, stockpile areas and staging areas outside of the vegetation riparian setbacks shall be established to negate impacts to riparian vegetation.
- Erosion and sediment control measures shall be in place prior to any work activities, regularly inspected and maintained, and remain effective until the completion of site works, stabilization of soils, and the risk of sedimentation is no longer a concern.
- Altered lands below the ordinary high water mark disturbed during installation of the footings and structure should be restored such that functional fish habitat remains within the footprint of the bridge. Habitat features restoration may include installation of gravel side channels, infilling with a cobble/soil mix that utilizing soil sourced from the excavated stream bank and stabilizing with riverstone, as required and subject to DFO review.
- All disturbed areas should be stabilized and revegetated with native vegetation, prior to removal of erosion and sediment controls. Bare soils shall not be left exposed over the winter



but covered with a biodegradable erosion sediment control blanket, to be removed prior to planting in the spring.

- Access to the northern property may be required prior to installation of the crossing. If necessary, machinery fording may be permitted, provided that it is limited to a one-time event (over and back). Should more than one crossing be required, a Temporary Stream Crossing should be installed as per the DFO Standard and Code of Practice (available: <https://www.dfo-mpo.gc.ca/pnw-ppe/codes/temporary-crossings-traversees-temporaires-eng.html>)
 - If minor rutting is likely to occur, stream bank and bed protection methods (e.g., swamp mats, pads) should be used provided they do not constrict flows or block fish passage.
 - Grading of the stream banks for the approaches should not occur.
 - If the stream bed and banks are steep and highly erodible (e.g., dominated by organic materials and silts) and erosion and degradation are likely to occur as a result of equipment fording, then a temporary crossing structure or other practice should be used to protect these areas.
 - The one-time fording should adhere to fisheries timing window defined above
 - Fording should occur under low flow conditions and not when flows are elevated due to local rain events or seasonal flooding.

7.5 AGENCY APPROVALS

Portions of the Study Area associated with watercourses, wetland habitat, and hazardous lands are regulated under O. Reg. 169/06. Therefore, approval from the SVCA will be required.

As discussed herein, the proposed site plan calls for alteration of permanent direct fish habitat. Thus, a DFO Request for Review submission will be required. Given that the alteration is temporary in nature, it is likely that the works can be completed under a Letter of Advice, and will not require an Authorization under the *Fisheries Act*, 1985.

8 CONCLUSIONS

This EIS was prepared for the proposed severance of two merged lots (Lot 33 and Lot 34) back to the original orientation and future development within the southern portion of the lots. It is our understanding that an EIS has been requested due to the presence of significant woodlands, watercourse, and wetlands. Further, a portion of the proposed development area is regulated by SVCA due to a drainage features. The objective of the EIS is to identify the functions associated with natural heritage features present on the property and determine if potential impacts to those functions could arise from the proposed activity. The assessment is focused on potential ecological impacts which could result from the proposed development as outlined in Section 6 of this report.

The results of this EIS demonstrate that where potential to Significant Natural Heritage Features and the associated ecological functions are identified, there is either no potential or limited potential for



negative impacts. The development is proposed within agricultural fields; no development or site alteration is proposed within a key feature (*i.e.*, woodland, wetland, SWH, habitat of rare, threatened or endangered species). Where potential was identified mitigation, measures recommended in this report have been developed to mitigate potential negative ecological impacts. This includes the requirement to submit a DFO request for review and obtain a permit from the SVCA. Provided the mitigation measures recommended in this report are followed, the proposed development will not impact any identified features negatively. Thus, the proposed development would conform with the Township and County Official Plans and the Provincial Policy Statement and comply with the *Endangered Species Act*.



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Appendix A

Saugeen Valley Conservation Authority Regulation Map

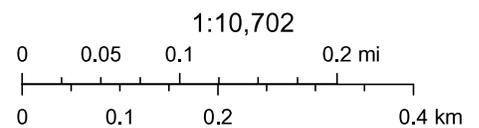


SVCA Approximate Regulated & Approximate Screening Areas



11/19/2021, 4:06:33 PM

-  Property Boundary
-  Saugeen Valley Conservation Authority



Esri Community Maps Contributors, Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCAN, Parks Canada, Dufferin, Maxar, Esri, NASA, NGA, USGS, FEMA, Sources: NRCAN, Esri Canada, and

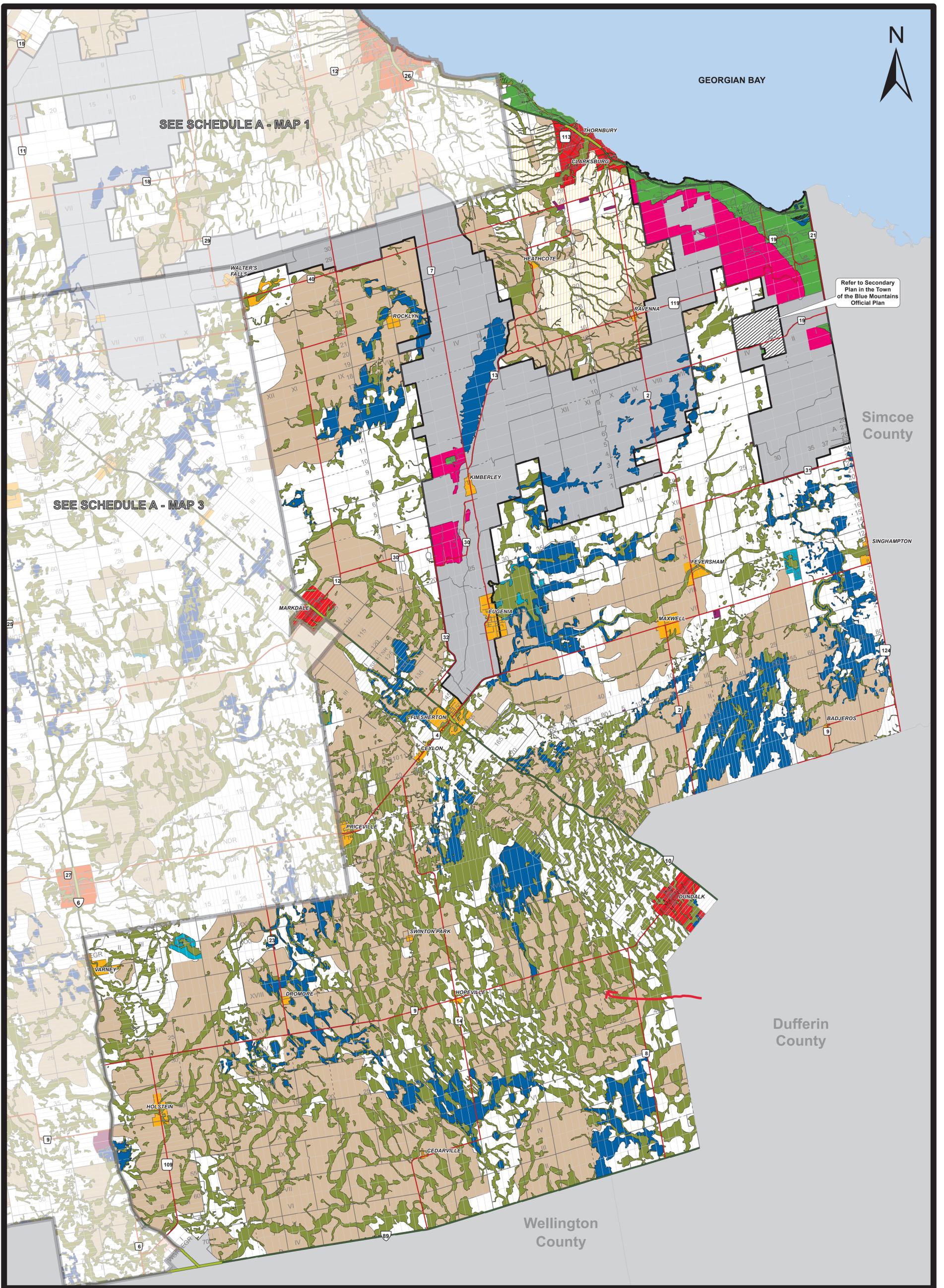
Saugeen Valley Conservation Authority



Appendix B

Grey County Official Plan
Schedule A Land Use Types
Appendix B Constraint Mapping
Significant Woodlands





GEORGIAN BAY

SEE SCHEDULE A - MAP 1

SEE SCHEDULE A - MAP 3

Refer to Secondary Plan in the Town of the Blue Mountains Official Plan

Simcoe County

SINGHAMPTON

Dufferin County

Wellington County



THE COUNTY OF GREY OFFICIAL PLAN

SCHEDULE A Land Use Types

MAP 2

LEGEND

- Provincial Highway Connecting Link
- Provincial Highway
- County Road
- Local Road
- Seasonal Road
- Agricultural
- Special Agricultural
- Rural
- Primary Settlement Area *
- Secondary Settlement Area *
- Inland Lakes & Shoreline
- Recreational Resort Area
- Sunset Strip Area
- Industrial Business Park
- Space Extensive Industrial and Commercial
- Niagara Escarpment Plan Boundary **
- Niagara Escarpment Development Control Area
- Escarpment Recreation Area
- Hazard Lands
- Provincially Significant Wetlands and Significant Costal Lands

* refer to Secondary Schedules for further detail.
 ** certain settlement areas within the Niagara Escarpment Plan Boundary may be subject to Development Control.

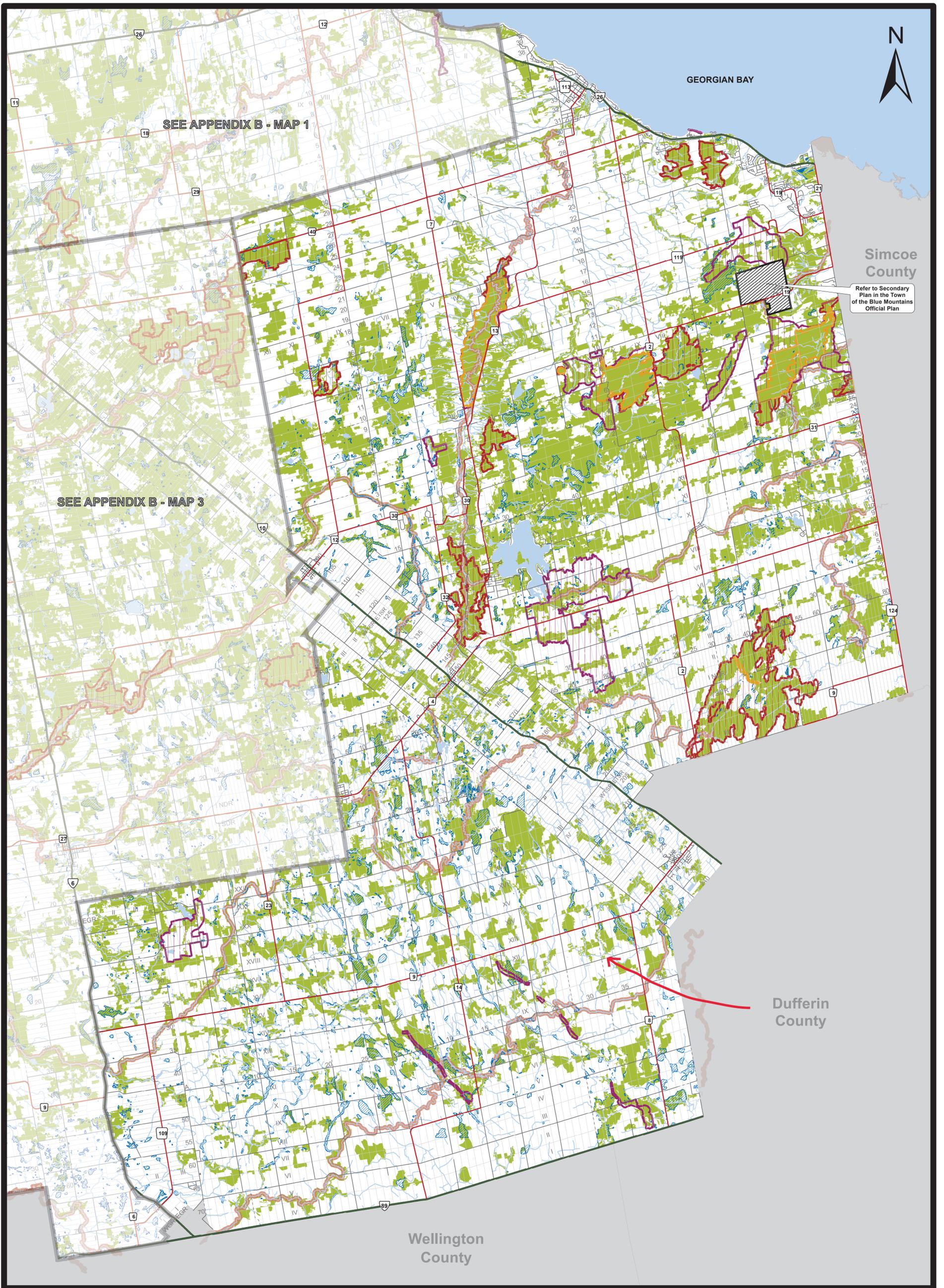
SCALE 1:95,000



AUTHOR: Grey County Planning and Development
 FILE NAME: GR_OP_SchedA_Map2eastX36.mxd
 APPLICATION: ArcMap
 DATE: June 7, 2019
 PROJECTION: UTM zone 17N / NAD83
 SOURCE: Teranet, Ministry of Natural Resources and Forestry

INTERACTIVE MAP: geo.grey.ca
 DOWNLOAD PDF: grey.ca/planning-development

This map is for illustrative purposes only. Do not rely on this map as being a precise indicator of routes, location of features or surveying purposes. This map may contain cartographical errors or omissions.



GEORGIAN BAY

Simcoe County

Refer to Secondary Plan in the Town of the Blue Mountains Official Plan

Dufferin County

Wellington County



THE COUNTY OF GREY
OFFICIAL PLAN

**APPENDIX B
Constraint Mapping**

MAP 2

LEGEND

- Provincial Highway
- County Road
- Local Road
- Seasonal Road
- Stream / River
- Lakes
- Other Wetlands
- Significant Earth & Life ANSI
- Significant Earth ANSI
- Significant Life ANSI
- Significant Valleylands
- Significant Woodlands

SCALE 1:95,000



AUTHOR: Grey County Planning and Development
 FILE NAME: GR_OP_ApdxB_Map2eastX36.mxd
 APPLICATION: ArcMap
 DATE: June 7, 2019
 PROJECTION: UTM zone 17N / NAD83
 SOURCE: Teranet, Ministry of Natural Resources and Forestry

INTERACTIVE MAP: geo.grey.ca
 DOWNLOAD PDF: grey.ca/planning-development

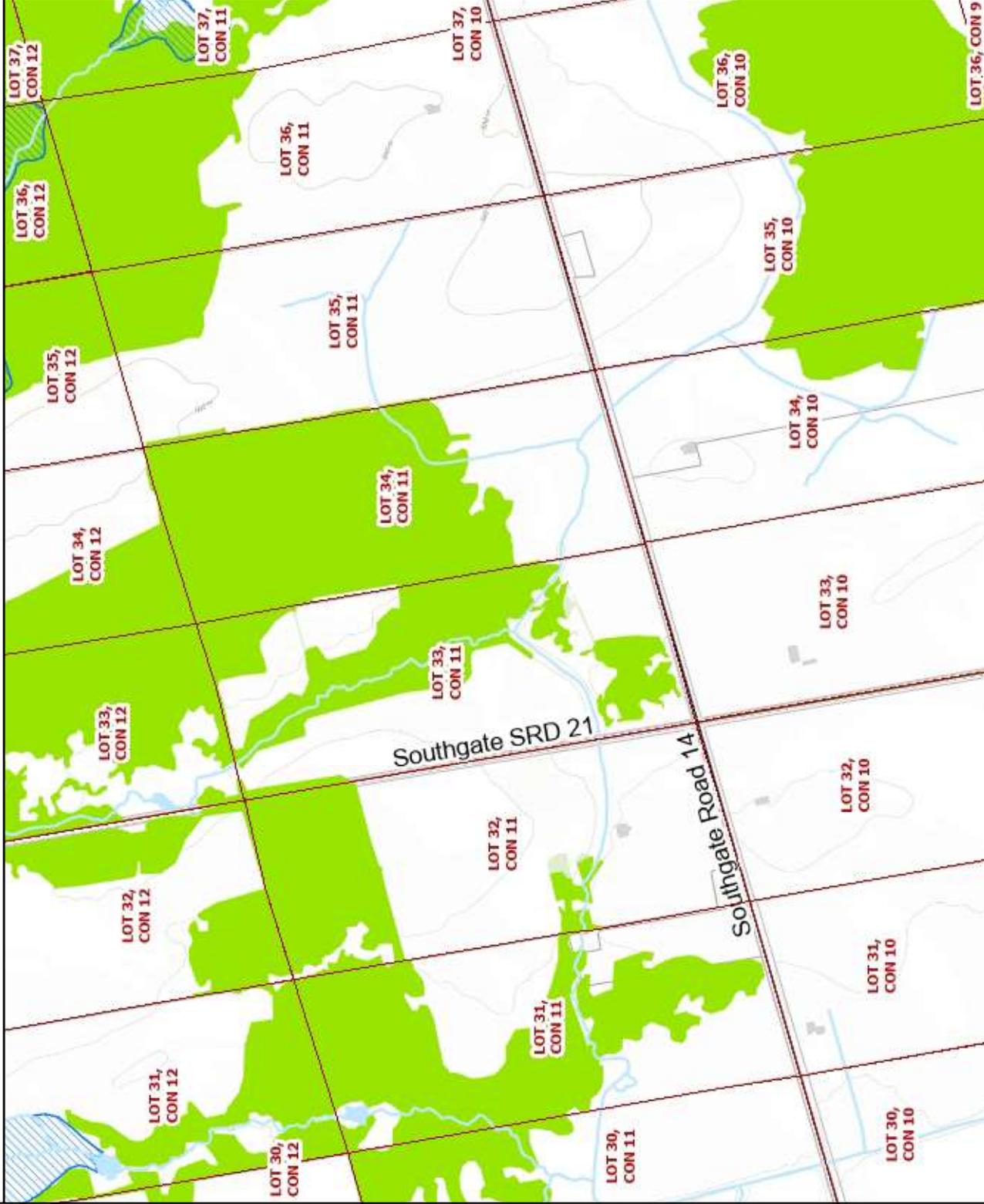
This map is for illustrative purposes only. Do not rely on this map as being a precise indicator of routes, location of features or surveying purposes. This map may contain cartographical errors or omissions.



Grey County Significant Woodlands

Legend

- Lots & Concessions
- ANSI
- ANSI, Earth Life Science
- ANSI, Earth Science
- ANSI, Life Science
- Streams
- Lakes and Rivers
- Other Wetlands
- Significant Valleylands
- Significant Woodlands
- Large Scale Roads
- Provincial Highway
- County Road
- Township Road
- Seasonal Road
- Parcels - Current
- Grey County Boundary



Notes

This map is a user generated static output from an Internet mapping site and is for reference only.
 Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

889 Meters

444

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Appendix C

Township of Southgate Official Plan Schedule A Land Use





TOWNSHIP OF SOUTHGATE
OFFICIAL PLAN
LAND USE

SCHEDULE 'A'
LAND USE

LAND USE DESIGNATIONS

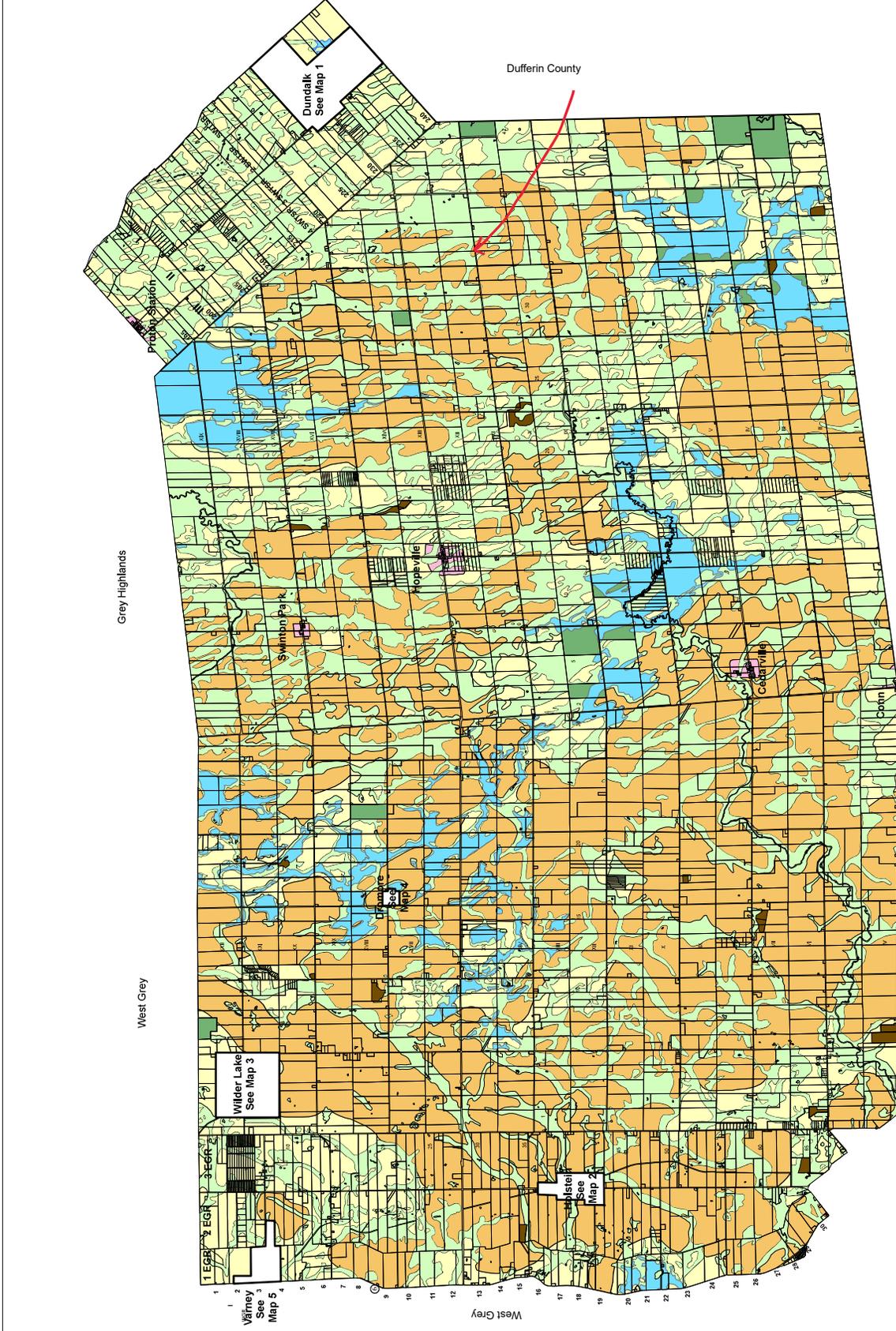
- Neighbourhood Area
- Downtown Commercial
- Arterial Commercial
- Industrial
- Public Space
- Special Policy Area
- Agriculture
- Rural
- Village Community
- Inland Lakes
- Space Extensive Industrial/Commercial
- Hazard Lands
- Mineral Aggregate Extraction
- Wetlands
- Major Open Space

SEE MAP 1 - DUNDALK
SEE MAP 2 - HOLSTEIN
SEE MAP 3 - WILDER LAKE
SEE MAP 4 - DROMORE
SEE MAP 5 - VARNEY



CONSOLIDATED
JANUARY, 2005

DCS D. C. Slade Consultants Inc.
Planning & Development
2-3 HURON PARK STREET, COLLINGWOOD, ON
705.444.1830





Appendix D

Saugeen Valley Conservation Authority Correspondence





1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

November 18, 2021

Township of Southgate
185667 Grey Road 9
RR 1
Dundalk, Ontario N0C 1B0

ATTENTION: Elisha Milne, Administrative & Legislative Coordinator

Dear Ms. Milne,

RE: Consent B7-21 (NB Wood Machining Inc)
unassigned civic address, with frontage on Southgate Road 14, and Southgate Sideroad 21
Lots 33 and 34, Concession 11
Roll Nos.: 420709000405900 and 420709000405800
Geographic Township of Proton
Township of Southgate

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Southgate representing natural hazards, and natural heritage. Furthermore, the application has been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of the application is to sever the two original Township lots being lot 33 and lot 34 which have inadvertently merged, back into to their original lot dimensions. Lot 33 will be 40.61 hectares (ha) and have 540.50 metres (m) of Frontage on Southgate Road 14. Lot 34 will have approximately 40.61ha with 269.78m of frontage on Southgate Road 14.

Background

As part of the pre-submission consultation process, the agent for the landowner contacted the SVCA in December 2020 regarding a proposed severance for the property. SVCA did not provide formal comments at that time, as the SVCA was not requested to do so, however SVCA staff (Michael Oberle) verbally explained that SVCA policies would not support the severance proposal with laneway through the hazard lands without:



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

1. Floodplain assessment to ensure safe access across the watercourse to the build location, and
2. A favorable Environmental Impact Study (EIS) that would support installing a laneway over the watercourse and that would support a development envelope within the adjacent lands to the woodlands and wetlands on the property.

Recommendation

The proposed consent application is NOT acceptable to SVCA staff at this time, as natural hazard and natural heritage policy has not been addressed. It is the understanding of SVCA staff that both an EIS and a flood assessment are being prepared to support the proposal, however SVCA staff have not received any said report at this time. Should the above referenced reports be prepared and be acceptable to the SVCA, then the SVCA may revise our comments accordingly. We elaborate in the following comments.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the Township of Southgate in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

SVCA Hazardous Lands mapping shows large areas of the property to be low in elevation associated with wetlands and/or floodplain of a watercourse. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County OP, and Schedule A of the Southgate OP, and the Environmental Protection (EP) Zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, generally coincide with the Hazardous Lands as plotted by SVCA staff for the property.

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands and hazardous sites. Furthermore, Section 3.1.2 c) of the PPS, 2020 states, in general, that development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard. Proposed development for both the parcel to be severed and the parcel to be retained will directly affect and be located within (for the proposed crossing over the watercourse) or within the lands adjacent to the hazardous lands found on the property. Therefore, it is the opinion of SVCA staff that Sections 3.1.1 and 3.1.2 of the PPS, 2020 have not been addressed at this time.

Township of Southgate Official Plan and Grey County Official Plan

Section 6.2 of the Southgate OP and Section 7.2.3 of the Grey County OP states in part that buildings and structures are generally not permitted in the Hazard Lands land use type. Some of the proposed development (crossing over the watercourse) will directly affect and be located within the hazardous lands found on the

property. Therefore, it is the opinion of SVCA staff that the natural hazard policies of the Southgate OP and the Grey County OP have not been addressed at this time.

Natural Heritage:

SVCA staff's desktop review of the proposal indicated the following natural heritage features affecting the property including significant woodlands, wetlands, fish habitat and its adjacent lands, and significant wildlife habitat.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant woodlands, significant wetlands, fish habitat and its adjacent lands, significant wildlife habitat, and the adjacent lands to the above referenced features except in accordance with the specified policies found in Section 2.1.

Township of Southgate Official Plan and Grey County Official Plan Policies

Significant Woodlands

Significant woodlands are identified as per Appendix B Constraint Mapping of the Grey County OP and are shown to include the woodlands on the property. Section 7.4.1 of the Grey County OP states in part that no development or site alteration may occur within significant woodlands or its adjacent lands unless it has been demonstrated by an Environmental Impact Study (EIS) that there will be no impact on the feature or its ecological functions. Based on the plans submitted with the application, development will not be proposed within the woodlands, but would be within their adjacent lands, therefore the preparation of an EIS to address the woodlands is recommended for this proposal at this time.

Fish Habitat

Part of Bouwmeister Drainage Works Municipal Drian, an open channel watercourse, flows through the property. The watercourse is considered fish habitat by SVCA staff. Section 2.1.8 of the Provincial Policy Statement (PPS 2020) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological functions. Based on the plans submitted as part of the application, the watercourse is proposed to be crossed, and that proposed development for new building or construction is proposed within the adjacent lands to the watercourse. Therefore, in the opinion of SVCA staff the preparation of an EIS to address potential impacts to fish habitat or its adjacent lands is recommended for this proposal at this time.

Other Identified Wetlands

Other Identified Wetlands are shown on the Appendix B Constraint Mapping, of the Grey County OP. SVCA data indicates that part of Ventry Swamp Locally Significant Wetland is located on much of the wooded area. However, the wetland is not included in Appendix B of the Grey County OP, and perhaps should be at the next update to the schedules of the Grey County OP. Section 2.8.6 (6) and (7) of the Grey OP states in part that no development or site alteration may occur within other identified wetlands or their adjacent lands unless it has been demonstrated through an EIS, that there will be no negative impacts on the natural features or their ecological functions. Based on the plans submitted as part of the application, the building envelope appears to be proposed within the adjacent lands to the wetlands. Therefore, in the opinion of SVCA staff the preparation of an EIS to address potential impacts to wetlands is recommended for this proposal at this time.

Significant Wildlife Habitat

While there is no County-wide mapping of significant wildlife habitat, it has come to the attention of SVCA staff that significant wildlife habitat may be located on and/or on lands adjacent to the property. The Grey County OP states in part that development and site alteration shall not be permitted within significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts to the habitat or its ecological functions. Based on the plan submitted with the application, it is the opinion of SVCA staff that the preparation of an EIS to address impacts to significant wildlife habitat is recommended for this proposal at this time.

Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The majority of the property associated with the low areas, floodplain, and wetlands, are within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Screening Area requires the permission (permit) from SVCA, prior to carrying out the work.

"Development" as defined under the *Conservation Authorities Act* means:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) *site grading; or,*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

"Alteration" as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA Approximate Screening Area is located associated with our Regulation on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, and interference with a watercourse and/or wetlands, proposed within the SVCA Approximate Screening Area on the property will require permission (SVCA Permit) prior to those works commencing. Development on the property, including installation of a laneway will require a permit from the

SVCA. Once the EIS and flood assessment have been prepared, the applicant/owner should contact SVCA staff (Michael Oberle: m.oberle@svca.on.ca) at their convenience to continue with the permit review process.

Summary

SVCA staff has reviewed this application in accordance with our MOA with the Township of Southgate, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

Given the above comments, it is the opinion of SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS has not been demonstrated.
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS has not been demonstrated.
- 3) Consistency with Grey County OP and Township of Southgate policies for natural hazards and natural heritage has not been demonstrated.

Please inform this office of any decision made by the Township of Southgate with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: NB Wood Machining Inc (Norman Bowman), owner (via email: norm@nbwood.ca)
Solomon Martin, agent (via email)
Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)



Appendix E

Jones Consulting Group Ltd.
Flood Assessment
Lot 34 Southgate Road 14

