



Environmental Assessments & Approvals

OWEN SOUND

OCT 11 2017

COMMUNITY SERVICES



May 4, 2017

AEC 13-303

Redhawk Construction Co. Ltd.
17 Dean St.
Brampton, Ontario
L6W 1M7

Attention: Roger Howard

Re: **Development Plan for 1905 8th Street East, City of Owen Sound, County of Grey**

Dear Mr. Howard:

Azimuth Environmental Consulting Inc. (Azimuth) was retained to complete a Environmental Impact Study (EIS) for the development of a multi-density residential subdivision at the address noted above (Figure 1). Through species at risk (SAR) screening and site assessment, Azimuth confirmed the presence of breeding populations of Bobolink and Eastern Meadowlark. Both of these species are listed as Threatened under Ontario's Endangered Species Act, 2007 (ESA). The ESA provides protection for threatened species and their habitat, meaning that unauthorized removal of the habitat associated with the proposed development would result in a contravention of this legislation.

Ontario Regulation 242/08 provides a list of exemptions under the ESA for activities that frequently occur in habitat for SAR. The proposed activity satisfies the prerequisite condition of exemption under Section 23.2 (1) 1. of O.Reg 242/08 (Development - Bobolink, Eastern Meadowlark) as the development proposed is located within "an area of settlement in an official plan of a municipality approved under the Planning Act before January 1, 2013". The property is located within the city limits of Owen Sound (Ecoregion 6E), as indicated in Schedule A of the Official Plan (Official Plan Amendment No. 4, By-Law Number 2012-112). As a result, development could be permitted within habitat of Bobolink and Eastern Meadowlark without a contravention of



Section 10 of the ESA, which prohibits damage to habitat, provided that all conditions laid out within that section are met. Prior to site alteration, a Development Plan must be submitted to the Ministry of Natural Resources and Forestry (MNRF). Please accept this letter as the Development Plan for submission to the MNRF (Midhurst District).

1.0 CONTACT INFORMATION

Roger Howard
Redhawk Construction Co. Ltd.
7735 Kennedy Rd. South,
Brampton ON
L6W 0B9

Tel: 905-796-3630 ext 236
Fax: 905-796-6360

2.0 DESCRIPTION OF EASTERN MEADOWLARK HABITAT TO BE REMOVED

2.1 Onsite Landuse

The property is located within the City of Owen Sound (Ecoregion 6E) is currently vacant and partially under cash crop production (Figure 1 and 2). The remainder of the property is vegetated with upland and wet meadow vegetation communities. Numerous hedgerows transect the property. The property is bisected by a permanent watercourse that flows north towards Georgian Bay.

2.2 Vegetation

The Ecological Land Classification for Southern Ontario (ELC; Lee *et al.* 1998) was utilized to identify and map vegetation communities on the property during field surveys completed in 2014 (Figure 2). It was determined that the study area is comprised of graminoid dominated meadow habitat (CUM1-1), Cultural Thicket (CUT) and Reed Canary Grass Meadows and Marshes (MAMM1-3 and MEGM3-8) as well as cash crop areas and hedgerows.

2.3 Habitat for SAR

Suitable habitat for Meadowlark and Bobolink is comprised of graminoid dominated meadow habitat such as pastures, hayfields, old or abandoned fields, and native prairies and savannahs. Habitat within 300m of an active Bobolink/Meadowlark nest, or, the



central portion of the species territory, is considered to be General Habitat by MNRF and is protected under the ESA, as per the *General Habitat Description for the Bobolink and Eastern Meadowlark Technical Document*. For this property, the extent of the General Habitat has been quantified by delineation of the observed individuals' territories, as confirmed during two survey events in June 2014 (Figure 2) within continuous suitable habitat (i.e. continuous meadow vegetation communities). Thicket, hedgerow and cash crop areas of the property were not included within area calculations. Based on this definition, approximately 3.45ha of habitat for Bobolink and Eastern Meadowlark is present within the development footprint (Figure 4) and will be removed as a result of the proposed development.

3.0 PROPOSED DEVELOPMENT

A mixed density residential subdivision composed of single family detached dwellings, apartments and townhouses is proposed for the study area. The development also proposes the inclusion of amenity park space and a storm water wet pond (Figure 3). The development will be serviced with municipal water and sewer.

As stated above, the proposed activity satisfies Section 23.2 (1) 1. of O.Reg 242/08 as the development is located within "an area of settlement in an official plan of a municipality approved under the Planning Act before January 1, 2013". Phasing of the proposed development activity is outlined in Table 1 below.

4.0 DESCRIPTION OF EASTERN MEADOWLARK HABITAT TO BE CREATED/ENHANCED.

A 4.19ha area for habitat enhancement has been identified within the subject property limits (Ecoregion 6E), within the Regional Floodplain of the riparian corridor and the eastern portion of the property (Figure 4). Borehole information for lands within the proposed development revealed that the soils of the subject property are deep (>100cm) and comprised of sandy silt and silty clay within the biologically active layers. Similar conditions were observed east of the riparian corridor, within the habitat compensation lands, as confirmed through the completion of soil auger test holes.

At the time of submission, approximately 75% of the compensation area is covered with suitable graminoid habitat. That is, all existing areas identified as cultural meadow (CUM1-1) are a graminoid dominated vegetation community. The hedgerow, cultural thicket (CUT) and the Reed Canary Grass Graminoid Meadow (MEGM3-8) communities



Table 1. Proposed Development Stages and Phasing.

Activity	Start Date	Location
Initiation of Archeological Studies, Vegetation Removal and Site Clearing	October 2015	Entire development footprint (See Figure 3 attached) - COMPLETED
Enhancement/Maintenance of CUM compensation habitat	Spring and Fall 2016	CUM area identified for habitat compensation (Figure 4) - ONGOING
Development Approval Acquisition	Summer 2018	NA
Project Initiation	Summer 2019	NA
Site Grading	Summer 2019	Entire development footprint (See Figure 3 attached)
Initiation of Remaining Bobolink/Meadowlark Habitat Enhancement Activities	September 2019	CUT, Hedgerow and MEGM3-8 communities within the Regional Floodplain Limit, as identified on Figure 2.
Construction and Phased Build out	January 2018 - January 2028	Entire development footprint (See Figure 3 attached)
Completion of Bobolink/Meadowlark Habitat Management Commitment	October 2024	Within habitat compensation area identified on Figure 4

will require enhancement and management works to achieve the habitat requirements outlined within Paragraph 5 of Section 23.2, which states that:

1. 50 to 80 per cent of the habitat must be covered with at least three different grass species and the remainder of the habitat must be covered with forbs or legumes.
2. Among the grass species referred to above, at least one must grow greater than 50 centimetres high under normal growing conditions.

These conditions must be achieved within 12 months of the commencement of the development activity.

5.0 SUMMARY OF EXEMPTION CONDITIONS

The following is a summary of the conditions laid out within Section 23.2 of O.Reg 242/08 and how they are being met at this time:

- A development plan as outlined within Subsection 23.2 (2) of O.Reg 242/08 must be submitted to the MNRF.
 - This document is intended to full fill the requirement for the submission of a development plan to the MNRF.



- Replacement habitat must be located in the same ecoregion as the removals.
 - The replacement habitat is located within the limits of the same land parcel as the proposed development.
- The minimum size of the area must be equal to the size of the habitat for Bobolink or Eastern Meadowlark that the development activity is likely to damage or destroy.
 - The area of the habitat to be removed is 3.25ha. The replacement habitat will be 4.19ha.
- Within 12 months of the commencement of the development activity 50 -80% of the habitat must be covered with at least three different grass species (as least one of which grows greater than 50cm high under normal growing condition) and the remainder of the habitat must be covered with forbs and legumes.
 - Seventy-five percent of the replacement habitat is currently comprised of graminoid meadow. Habitat enhancement activities within the remainder of the area will be initiated in spring 2016.
- If habitat is used for pasture, grazing animals must be excluded from at least 50% of the habitat from September 16 of any given year until July 31 of the following year for a five-year period after the habitat is created or enhanced.
 - No pasturing of animals will occur within the compensation habitat.
- In each of the five years following the creation of enhancement of the habitat, actions must be taken to maintain the appropriate composition of vegetation within the habitat.
 - Compensation habitat will be assessed yearly by a qualified professional to ensure that the habitat is meeting the species composition requirements outlined above.

6.0 CONCLUSION

Redhawk Construction Co. Ltd. is proposing the creation of a mixed density residential subdivision within the City of Owen Sound. A portion of the development is proposed within confirmed habitat for Bobolink and Eastern Meadowlark. As per Section 23.2 of Ontario Regulation 242/08, the development may proceed, provided that a Development Plan that satisfies the conditions of the Regulation, is circulated to the MNRF prior to the initiation of site works. That is, this correspondence must be circulated to MNRF Midhurst District prior to the initiation of site works. If the proposed site plan or scheduling changes from that described herein, this correspondence must be updated and forwarded to the MNRF for inclusion within their project file.



If you have any questions or concerns regarding the information presented in this report, please do not hesitate to contact us.

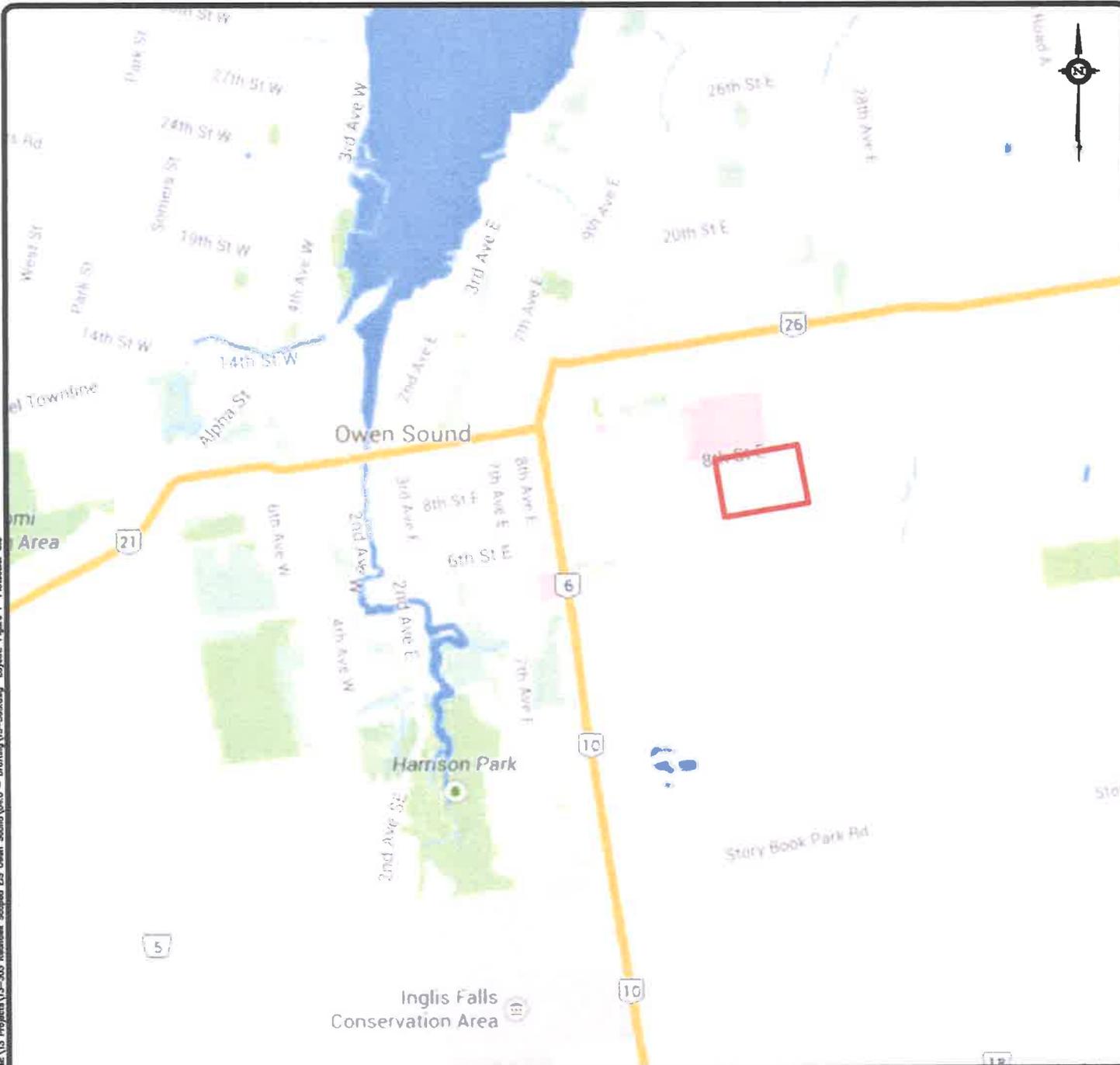
Yours truly,
AZIMUTH ENVIRONMENTAL CONSULTING, INC.

A handwritten signature in cursive script that reads "Melissa Fuller".

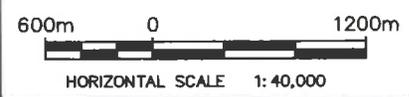
Melissa Fuller, (H) B.Sc.
Terrestrial Ecologist

cc: Kim Benner - District Planner, Ministry of Natural Resources and Forestry Midhurst District (by email)

Prepared by JMCARTNEY on November 12, 2014 at 3:19pm
 File: M:\13 Projects\13-303 Redhawk Scoped EIS Owen Sound\04.0 - Drafting\13-303.dwg Layout: Figure 1 Plotcode: 0.5



LEGEND:
 — Approx. Property Boundary



Study Area Location

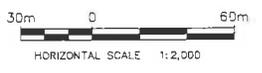
**8th Street East,
 Owen Sound, ON**

DATE ISSUED: November 2014	Figure No. 1
CREATED BY: JLM	
PROJECT NO.: 13-303	
REFERENCE: Google Maps	



- LEGEND:**
- Approx. Property Boundary
 - Watercourse
 - Regulatory Floodline (Crozier and Associates)
 - Wetland
 - B Bobolink Nest (white)
 - Em Eastern Meadowlark Nest (white)
 - 300m Nesting Buffer (white)
 - ▨ Bobolink/Meadowlark Habitat Compensation
 - ▨ Bobolink/Meadowlark Habitat Lost

Bobolink/Meadowlark Habitat Compensation	
Habitat Lost	Habitat Compensation
3.45ha	4.19ha



Bobolink/Meadowlark Compensation Lands

8th Street East,
Owen Sound, ON

DATE ISSUED:	April 2016	Figure No.
CREATED BY:	JLM	4
PROJECT NO.:	13-303	
REFERENCE:	First Base Solutions	