

August 31, 2021

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Stacey Laughlin
Senior Policy Planner
Planning, Urban Design and Building Services
1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Laughlin

**Re: Clair-Maltby Secondary Plan Natural Heritage Comments
2007 Victoria Road South, Guelph**

On behalf of Natural Resource Solutions Inc. (NRSI) and the owners of 2007 Victoria Road South, we are pleased to provide a number of comments related to the natural heritage system mapping and policies based on the most recent documents prepared by the City of Guelph for the Clair-Maltby Secondary Plan (June 2021).

Members of the consulting team, including NRSI, attended the public open house webinars on June 24, 2021 where the Draft Secondary Plan was presented along with supporting documents. NRSI has also reviewed the Clair-Maltby Draft Secondary Plan and the Comprehensive Environmental Impact Study (CEIS): Phase 3 Impact Assessment, both dated June 16, 2021.

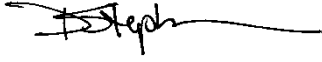
Based on a detailed review of the above noted documents, we have provided a number of comments on the environmental policies and mapping created by the City as part of the most recent Clair-Maltby Secondary Plan update (2021). In general, these comments relate to the following items:

- **Draft Secondary Plan policies** – requiring clarification/refinement
 - Significant Landform
 - Significant Wildlife Habitat/Ecological Linkages
 - Halls Pond
 - Clair-Maltby Monitoring Plan
 - Moraine Ribbon
- **Natural Heritage System mapping**
 - Official Plan Amendment (OPA) 42 settlement mapping – NHS mapping components do not appear to be in compliance with the agreed upon boundaries for the settlement
 - Candidate Significant Wildlife Habitat (Bat Maternity Colonies)

A table detailing these comments is attached to this letter.

We are happy to discuss any of our comments with City staff, should you have any questions or comments.

Sincerely,
Natural Resource Solutions Inc.



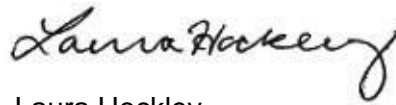
David Stephenson
Senior Terrestrial and Wetland Biologist



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Nyssa Hardie
Ecohydrologist



Laura Hockley
Environmental Analyst

Draft Secondary Plan Comments		
Page Number and Policy Reference	Text	NRSI Comments
pg. 10 11.3.3.2.	<p>New development will be guided by detailed technical studies. Studies completed in support of development, site alteration and/or capital works shall:</p> <ul style="list-style-type: none"> a. be consistent with the recommendations of the Clair-Maltby CEIS and MESP; b. assess potential impacts to the Natural Heritage System and <i>water resource system</i> in an integrated manner using the most current integrated groundwater-surface water models available; and, c. notwithstanding the width of adjacent lands specified in Table 4.1 of the Official Plan, assess wildlife movement and ecological functions in the broader landscape based on 240 metre adjacent lands to appropriately identify significant wildlife habitat (including ecological linkages) that meet the criteria for protection policies of the Official Plan. 	<p>As specified, Table 4.1 of the OP (2021) currently lists 50m adjacent lands for assessing Significant Wildlife Habitat (including ecological linkages).</p> <p>Clarity is required in terms of what this section is referring to. Does this strictly apply to wildlife movement and ecological linkages or does it also apply to assessing Significant Wildlife Habitat (i.e. within 240m)? The 50m adjacent land width should be used for Significant Wildlife Habitat within the Clair-Maltby Secondary Plan Area. The 240m adjacent land width to identify ecological linkages is not necessary because the City has already determined the ecological linkage locations. As such, no further analysis of additional linkages is necessary.</p>

Draft Secondary Plan Comments		
Page Number and Policy Reference	Text	NRSI Comments
pg. 10 11.3.3.2.4	In addition to the requirements of 11.3.3.2.3, and as established in the CEIS and MESP, development and site alteration within adjacent lands to significant wetlands shall be required to address the protection of the subject wetland's water balance and hydrologic functions demonstrated through the application of area-specific stormwater management targets.	<p>Adjacent lands to Significant Wetlands according to the OP is 120m. Any development within 120m of a significant wetland will require a study of the water balance specific to the wetland feature.</p> <p>Policy 11.3.3.1.6 specifies that EISs must consider impacts to downstream receivers, but no mention of distances in the context of adjacent lands is provided. A distance of 120m should be included in this policy, consistent with the adjacent land width.</p>
pg. 11 11.3.3.2.8	Where <i>development</i> is proposed adjacent to Halls Pond or Neumann's Pond, a full bathymetric survey of Halls Pond and Neumann's Pond is required based on appropriate guidelines and standards, to the satisfaction of the City in consultation with the GRCA.	<p>The wording associated with policy 11.3.3.2 (pg. 13) mentions that this work is to be completed for lands within the 'catchment area'. Whereas policy 11.3.3.2.8 refers to lands adjacent to Halls Pond and Neumann's Pond. Consistency in the use of 'catchment area' and 'adjacent lands' is needed. In the context of Hall's Pond and Neumann's Pond, 'catchment area / catchment' is the most appropriate term.</p> <p>The City should be responsible for carrying out this study rather than the development proponents. Some landowners only have partial access to Halls Pond, while others within the catchment area will not have any direct access, preventing them from completing this work.</p>

Draft Secondary Plan Comments		
Page Number and Policy Reference	Text	NRSI Comments
pg. 12 & 13 11.3.3.2.13	<p>13. Within the adjacent lands to significant landform, the environmental impact study and/or environmental assessment prepared for proposed development, site alteration and/or capital projects must demonstrate that the proposed development design:</p> <ol style="list-style-type: none"> a. maintains ecological and hydrologic functions of the significant landform; b. maintains linear continuity of the significant landform; c. respects natural contours to the extent feasible; d. minimizes the use of retaining walls; e. minimizes the extent and intensity of grading; f. maximizes the extent of permeable surfaces; g. decreases in density and height in the direction of the significant landform; h. incorporates roads that approach, and are not parallel to, the significant landform to the extent feasible; and, i. incorporates single-loaded roads where roads that run parallel to the significant landform are identified as required through the subdivision process, and are feasible. 	<p>The term 'adjacent lands' is not appropriate when discussing significant landform because it is not an ecological feature. Additionally, significant landform was not delineated based on ecological or hydrological concepts and, as such, these functions should not have to be considered when proposing development adjacent to significant landform. An EIS or EA is not necessary in this regard; the design criteria listed ('c' through 'i') are not associated with ecological principles. Single loaded roads adjacent to NHS features have the potential to encourage unauthorized access, trail creation, and dumping of garbage/waste. The existing wording indicates that single loaded roads are a mitigation measure, which is not always the case. In some cases, rear yards of residential houses have greater protection of NHS features in this context</p>
pg. 13 11.3.3.2	<p>2. The bathymetry and sediment depths of Halls Pond must be confirmed using approved field methods as part of <i>environmental impact study</i> requirements for <i>development</i> and <i>site alteration</i> located within the Halls Pond catchment.</p>	<p>The City should be responsible for carrying out this study rather than the development proponents. Some landowners only have partial access to Halls Pond, while others within the catchment area will not have any direct access, preventing them from completing this work.</p>

Draft Secondary Plan Comments		
Page Number and Policy Reference	Text	NRSI Comments
pg. 13 11.3.3	<p>1. The bathymetry and sediment depths of Halls Pond must be confirmed using approved field methods as part of environmental impact study requirements for development and site alteration located within the Halls Pond catchment.</p> <p>2. The bathymetry and sediment depths of Halls Pond must be confirmed using approved field methods as part of <i>environmental impact study</i> requirements for <i>development</i> and <i>site alteration</i> located within the Halls Pond catchment.</p> <p>3. When development is proposed adjacent to Halls Pond, a management plan shall be prepared for Halls Pond to establish appropriate access, recreational use, and restoration, consistent with the preservation and protection of ecological and hydrologic features and functions.</p>	<p>The City should be responsible for carrying out this study rather than the development proponents. Some landowners only have partial access to Halls Pond, while others within the catchment area will not have any direct access, preventing them from completing this work.</p> <p>Since the management plan will focus on an area largely owned by the City as part of the NHS and parks, it is appropriate for the City to prepare this plan, with input from respective landowners.</p> <p>The bathymetry studies referenced above should be included as part of this management plan rather than through an EIS process.</p>
pg. 13 11.3.3.2.15	<p>Where an ecological restoration opportunity is confirmed, it shall achieve one or more of the following:</p> <ul style="list-style-type: none"> a. improve ecological and/or hydrologic functions; b. enhance Natural Heritage System connectivity; c. establish natural vegetation communities through the planting of indigenous species compatible with local site conditions; and, d. improve wildlife habitat. 	<p>NRSI has had recent verbal conversations with the City regarding restoration activities within plantation vegetation communities inside the NHS, such as tree thinning, invasive species management, garbage removal, etc.</p> <p>The following ecological restoration activity should be included within the list:</p> <ul style="list-style-type: none"> e. management of vegetation within NHS features (e.g., invasive species removal, plantation thinning)

<p>pg. 28-29 11.3.7.4</p>	<ol style="list-style-type: none"> 1. The Moraine Ribbon will be comprised of a series of generally continuous linear open spaces that will be established adjacent to the Natural Heritage System and may include interconnected park areas, <i>stormwater management capture areas</i>, <i>cultural heritage resources</i>, naturalized areas, and the Active Transportation network as identified on Schedule C. 2. The Moraine Ribbon will accommodate a trail, or its equivalent, throughout in accordance with the policies of Section 11.3.3.3 of this Secondary Plan. 3. <i>Active Transportation</i> routes may be accommodated in the Moraine Ribbon in locations identified on Schedule C. The Moraine Ribbon should generally provide an east-west <i>active transportation</i> route across Clair-Maltby. 4. Where the road system abuts or traverses the Natural Heritage System, enhanced pedestrian and cycling facilities within the Right of Way will be provided in-lieu of the Moraine Ribbon, as identified on Schedule C. 5. Resting and/or gathering areas, or other amenities, as well as opportunities to provide views of the natural environment and the <i>Paris Galt Moraine</i>, will be incorporated into the Moraine Ribbon. 6. The Moraine Ribbon will not be located in the identified Natural Heritage System, including its buffer, within Clair-Maltby, unless an <i>environmental impact study</i> or <i>environmental assessment</i> has demonstrated that there will be no <i>negative impacts</i> 	<p>The policies related to the Moraine Ribbon in the Draft Secondary Plan are unclear in terms of what this feature is and how it fits into the context of the other components of the Clair-Maltby Secondary Plan (i.e. it is not considered part of the NHS, buffers, or parkland). The Moraine Ribbon has been proposed as an additional 12m wide swath of land that largely encircles the Natural Heritage System. Although not considered part of the NHS, it appears to function as an additional buffer above and beyond what has been deemed to be necessary for the protection of the NHS features. It has no technical basis and does not provide an ecological function as it relates to the protection or enhancement of NHS features.</p> <p>In item 6 the reference of the moraine ribbon being potentially located in the NHS, should be revised to clarify that trails may be located in the NHS pending an EIS etc.</p>
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	<p>on the protected <i>natural heritage features and areas</i> or their associated <i>ecological functions</i>.</p> <p>7. The construction of a multi-use overpass over Gordon Street to provide an east-west connection via the Moraine Ribbon and Natural Heritage System for humans and wildlife will be explored in the location identified on Schedule C in accordance with policy 11.3.6.1.7.</p> <p>8. To ensure continuity of the Moraine Ribbon, it will be integrated, where possible, with:</p> <ul style="list-style-type: none">a. land that is acquired for stormwater management purposes/<i>stormwater management capture areas</i>;b. a neighbourhood or community park;c. a potential future school block; andd. a road right-of-way and therefore acquired as part of the road. <p>9. Priority for acquisition will be given to those sections of the Moraine Ribbon that connect residents to amenities as well as recreational opportunities. The priority areas are identified on Schedule D as “Preferred Moraine Ribbon Locations”, while secondary areas are identified as “Other Potential Moraine Ribbon Locations”.</p> <p>10. The width of the Moraine Ribbon will be approximately 12 metres - the width will be flexible to respond to the unique features of the area and will be determined through the detailed design of the</p>	
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	<p>Moraine Ribbon through the subdivision design process and/or at the time of acquisition.</p> <p>11.The City will pursue ownership of the Moraine Ribbon, however, other securement options that achieve the objective of permanent public access may be considered.</p>	
<p>pg. 43 11.3.9.3.2</p>	<p>In accordance with guidance of the CEIS and MESP, a comprehensive Clair-Maltby-wide Natural Heritage System monitoring program will be developed by the City to meet the objectives and policies of this Secondary Plan:</p> <ol style="list-style-type: none"> a. Proponents of future development will be required to participate in and contribute to the comprehensive Clair-Maltby-wide Natural Heritage System monitoring program to ensure that mitigation measures are functioning as anticipated; and, b. Monitoring requirements will be determined as part of area-specific environmental impact studies, environmental implementation reports and/or environmental assessments prepared for proposed development, site alteration and/or capital projects. 	<p>Ongoing monitoring is proposed but details on duration and monitoring techniques have not been specified. More detail is required regarding the purpose, scope, monitoring methodologies and frequency. Landowners and consultants should have an opportunity to comment on the proposed monitoring program. The monitoring program should be site-specific and should not be a secondary plan-wide undertaking involving cost sharing, as there is potential for certain landowners to have to pay for monitoring that is not occurring on or specific to their property.</p>

Comprehensive EIS Impact Study (2021) Mapping Comments		
Map Reference	Description	NRSI Comments
Map NH-14B	Comparison of OPA 42 Approved NHS and Refined NHS	<p>Significant Natural Area appears to have been added in in some areas along the edges of Significant Woodland on the eastern portion of the subject property. As per the approved OPA 42, the NHS mapping for this property is to be shown as per the agreed upon settlement. As such, this area should be removed.</p> <p>In addition, other areas have been added to the mapping as Natural Areas Overlay in addition to the OPA 42 mapping. This is related to candidate SWH (as described below).</p>
Maps NH-9 and NH-10	Detailed SWH Mapping, SWH Mapping	<p>Candidate Bat Maternity Colonies SWH has been broadly delineated throughout the Clair-Maltby study area in locations where deciduous or mixed-deciduous woodland is identified. As per the Ecoregion Criteria Schedules (MNR 2015), Candidate SWH for this habitat type requires the completion of detailed bat cavity tree (snag) assessments and the confirmation of >10 snags/ha. This field work has not been completed in these areas, and as such, these 'candidate' habitats should be removed from mapping until such time as this information has been confirmed. The corresponding Natural Area Overlays that correspond to these features should also be removed.</p>