

Hello,

Included are my environmental comments on behalf of Six Nations of the Grand River Elected Council (SNGREC) regarding Guelph Innovation District Block Plans 1 + 2.

SNGREC's Stance

SNGREC believes that the current proposal is greatly improved when compared to previous versions. SNGREC has been involved with some consultation with Fusion Homes and is currently awaiting a meeting with the proponents.

SNGREC supports the increased density of mixed-use buildings as proposed through the OPA/ZBA, but only if bird friendly measures, specifically window treatments, are implemented throughout.

SNGREC strongly encourages the proponent to go above and beyond in all facets of responsible design such as the commitments within the Sustainability Report. SNGREC has additional comments.

Haldimand Tract and 1701 Nanfan Treaty Preamble

Six Nations of the Grand River (SNGR) Territory is within the most highly urbanized land in Canada. Development has occurred on Six Nations' traditional territory without consultation or consent of SNGR. The cumulative effects of this intense development has contributed to significant environmental degradation and, as a result, Six Nations has experienced severe impacts on its ability to exercise Aboriginal and Treaty Rights that are not only set out in the treaties themselves but are also recognized and affirmed in Section 35 of the Constitution Act, 1982. These treaty lands are subject to unresolved litigation and any infringement upon our treaty rights must be fully mitigated by the proponent. The 1701 Nanfan Treaty guarantees SNGR's right to harvest and hunt on this property for perpetuity, but this proposal undermines those rights. SNGR must be accommodated to mitigate any harm to its treaty rights caused by the proponent.

Treaty Rights Accommodation and Compensation

Further development of the land infringes on Six Nations Aboriginal and Treaty Rights by essentially guaranteeing land will not be returned to a natural state and by negatively impacting the environment through emissions and use of resources. Developments on this land fall under the Duty to Consult and Accommodate, meaning Six Nations of the Grand River must be consulted with and accommodated for impacts to their rights.

SNGREC requires that this development is paired with compensation for impacts to these rights and to the environment. Compensation should include environmental enhancement, financial compensation, and other forms of compensation such as increased numbers of affordable units and discounts for housing for Six Nations members.

Paving Clarification

Please clarify, how much of the green area shown in the concept map will be unpaved? SNGREC encourages maximizing the amount of unpaved spaces to keep them

more natural, which improves human health, biodiversity, and reduces local heat absorption from solar heat.

Tree Compensation

SNGREC requires a tree replacement ratio of 10:1 for all trees regardless of DBH and 1:1 for removed dead trees/snags due to their habitat function. The current Tree Protection Plan mentions 802 required tree replacements, which barely exceeds a 1:1 ratio, reaching a ratio lower than most municipalities require. Fusion Homes told SNGREC that the tree requirement based on DBH would require planting 2723 caliper trees back in July, which almost reaches a 4:1 ratio. Please clarify the intent for tree replacements, and SNGREC maintains the 10:1 tree replacement ratio requirement.

To avoid meadow impacts, please maximize planting in other locations such as increasing density of street trees and trees in parks, and pursue additional locations through other owned properties or other agencies' properties. A high tree replacement ratio helps to restore lost ecological function and considers time for regrowth and reduced survivability due to deer browsing and tree die-off. The goal of an increased tree replacement ratio is also to create habitat and strengthen ecological resilience.

Further, the higher tree replacement ratio better compensates for the long lasting, permanent impact of the development on the land that will no longer be able to be used by Indigenous people. The removal of or damage to the natural environment has an immense negative impact to Six Nations of the Grand River Aboriginal and Treaty Rights in this area. Planting additional trees and improving the environment helps make up for the negative impacts from development on these rights.

Planted trees must be site-specific native species and should be planted as close to the site as possible without impacting existing features and ecosystems.

The 10:1 ratio can be achieved by planting plugs or other earlier-growth trees, and they do not all need to be full street-tree size. Planting earlier-growth trees will require protection (i.e. herbivore browsing guards) and minor maintenance. SNGREC requires planting best practices are used and suggests collaboration with Kayanase Plant Nursery for recommendations and guidance.

Please be advised, if tree offset is not feasible onsite, SNGREC expects offset plantings to take place as close as reasonably possible to the impacted site. SNGREC encourages collaboration with the Grand River Conservation Authority, City of Guelph, or RARE to achieve these offset plantings. Lastly, the Six Nations of the Grand River Environmental Levy may be considered should closer sites be unavailable. SNGREC's Environmental Levy is a cash-in-lieu option that is more financially feasible than other cash-in-lieu options as SNGREC will plant trees that are not full caliber, resulting in a cost of about \$40 per tree planted.

SNGREC expects that the tree replacement will be paired with a robust and complete monitoring and maintenance plan complete with contingency actions to ensure successful establishment of the trees for long term success.

Habitat Compensation

SNGREC requires that habitat compensation structures are constructed prior to removal of the original features where feasible.

Green Roofs

SNGREC encourages the use of green roofs whenever feasible. Green roofs reduce the heat island effect, reduce cooling costs in the summer, can benefit stormwater management, and can serve ecological functions.

Landscaping

SNGREC awaits the opportunity to review planting lists for developments within this block plan and to review restoration plans. SNGREC requires that invasive or potentially invasive species are not used in landscaping and that native species are prioritized wherever possible, and only native species (not cultivars) are used in restoration.

SNGREC strongly encourages the creation of pollinator gardens using native plant species in landscaped areas not intended for human movement and beyond the planned meadows. Pollinator gardens can offer food, breeding space, and sanctuary for pollinators that are harmed by human expansion as they lose functional habitat, and their remaining habitat becomes more fragmented. Community gardens could also be implemented alongside pollinator gardens for an added community benefit. Pollinator gardens will also increase the visual attractiveness of the area.

Walkability

SNGREC strongly encourages maximizing walkability in this development. Methods to improve walkability include more pathways within blocks, raised crosswalks, regular benches, and traffic calming methods such as bump-outs at intersections. This will help improve traffic flow, reduce emissions, and improve human health and property values.

Cycling Infrastructure

SNGREC requests that cycling infrastructure is implemented thoroughly to make cycling a safer option and reduce car dependency and traffic issues. This should include protected bike lanes and turning boxes. SNGREC supports the cycling infrastructure commitments in the Sustainability Report and encourages the proponent to go above and beyond.

Snow Storage

SNGREC requires that snow storage is kept away from natural features and spaces to avoid contamination of salts and other roadway pollutants.

Thank you for taking my comments. I look forward to hearing and collaborating more on this project. Please do not hesitate to reach out if you have any questions or concerns.

Níá:wen (thank you),

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