



Muncaster  
Environmental  
Planning Inc.

September 10, 2018

Ms. Melanie Riddell, P. Eng.  
Senior Project Manager, Land Development  
NOVATECH  
Suite 200, 240 Michael Cowpland Drive  
Kanata, Ontario  
K2M 1P6

Dear Ms. Riddell:

**RE: Notting Hill Subdivision, Phases 1 - 5**  
**Tree Conservation Report and Environmental Impact Statement - Revised**

This Environmental Impact Statement (EIS) and Tree Conservation Report (TCR) assesses an urban residential development for Phases 1 - 5 of Notting Hill Subdivision (formerly called the Legault Lands) in the southeast portion of Orleans. The Phase 1 – 5 lands are composed of two parcels; Phase 1 is a 3.4 hectare west parcel west of Portobello Boulevard and north of Aquaview Drive, while Phases 2 – 5 are within a 24 hectare east parcel between Provence Avenue to the west and Trim Road to the east, north of Arrowgrass Way (Map 1). This report has been updated to reflect September 7<sup>th</sup> comments from City staff.

Urban residential subdivisions are proposed for the site. Five hundred and thirty-five (535) units are proposed for the Phase 1 - 5 lands that include detached dwellings, townhouses and back-to-back townhouses. Access for the Phase 1 lands will be via a new crescent north of Aquaview Drive, while access for the Phase 2 - 5 lands will be south off Salzburg Drive, east of Provence Avenue, and a completion of the west portion of the traffic circle at the intersection of Trim Road and Millennium Boulevard. Land will be dedicated for the required parkland dedication and one new 0.4 hectare parkette to be built in Phase 3 in the central portion of the east parcel. The Southeast Transitway will be in the south portion of the Phase 2 - 5 lands and the north portion of the Phase 1 lands. The urban residential developments will be on full municipal services. As detailed by NOVATECH (2018), the development will be required to attenuate post development flows to an equivalent release rate of 70 L/s/ha to the existing storm sewer within Portobello Boulevard and Provence Avenue for all storms up to and including the 100-year storm event. This will be facilitated through a combination of inlet control devices and surface ponding (NOVATECH, 2018). Water quality will be provided by the downstream city-owned Cardinal Creek Stormwater Management Facility.

### ***Site Context***

The general area is dominated by urban residential land use in the southeast portion of Orleans, within the urban area of the City of Ottawa. A portion of the Nantes Street Woods Urban Natural Area between Portobello Boulevard and Provence Avenue north of Nantes Street is designated Urban Natural Features on Schedule B of the Official Plan. All other lands in the general area, including the Phase 1 – 5 lands, are designated General Urban Area. No environmental constraints are shown for the Phase 1 - 5 lands on Schedule K of the Official Plan and there are no Provincially Significant Wetlands or Areas of Natural and Scientific Interest in this area of Orleans.

No components of the City's Natural Heritage System are on the Phase 1 - 5 lands, as shown on the Schedule L1 overlay, with the Nantes Street Woods to the east of the west parcel part of the Natural Heritage System. The closest Urban Natural Area to Nantes Street Woods is along the Cardinal Creek corridor, about 2.3 kilometres to the northeast of the site. In addition to the urban residential units, several schools and associated playing fields are in proximity to the Phase 1 – 5 lands, including Avalon Public School, Des Sentiers Public Elementary School, St. Theresa School, École élémentaire catholique De La Découverte, École secondaire publique Gisèle-Lalonde and Cumberland Millenium Sports Park, and École secondaire catholique Béatrice-Desloges.

At its closest point the Nantes Street Woods Urban Natural Area is approximately 150 metres east of the Phase 1 lands (Map 1). This 3.6 hectare Natural Area was assigned a low overall environmental rating in the Urban Natural Areas Environmental Evaluation Study, scoring below average for all nine evaluation criteria (Muncaster and Brunton, 2005). The Urban Natural Area was assigned the lowest score for the significant flora and fauna, natural communities, connectivity and wildlife habitat. The site summary for Nantes Street Woods concludes that the natural area is a small, isolated, very dry woodland fragment with minimal potential to support significant natural environment values. Significant features of the Urban Natural Area are one regionally uncommon plant species, small skullcap in the woodland habitat and atypical presence of wetland species Canada bluejoint and small skullcap in dry upland woods. Invasive species, including Manitoba maple and swallow-wort have had only a modest impact. No connectivity or interior habitat is associated with the Urban Natural Area. Disturbances noted within the Urban Natural Area include heavily used informal trails, dumping of yard waste along the south edge, tree forts and edge effect through the area.

The Phase 1 - 5 lands are open and have been in agricultural use for an extended time. The land use in the vicinity of the site is dominated by urban residential developments in the southeast portion of Orleans.

### ***Methodology***

This report includes an assessment of the natural environment features, including the potential for specimen trees and Species at Risk. Colour aerial photography (1976-2017) was used to assess the natural environment features in the general vicinity of the site. A survey of the site and adjacent lands was completed on June 20<sup>th</sup>, 2018 from 08:25 to 10:45. Weather conditions

during the June survey included a light breeze, an air temperature of 21 ° C, and partly cloudy skies. Another field review was completed on July 4<sup>th</sup>, 2018 from 08:35 to 09:50. Weather conditions during the July survey included a light breeze, an air temperature of 23 ° C, and sunny cloudy skies. All hedgerows were walked and thoroughly searched for butternut and other features and are fields not in agricultural use were systematically walked to ensure all areas of the site were observed. The periphery of the agricultural fields were walked.

The field survey and this report were completed by Bernie Muncaster, who has a Master's of Science in Biology and over thirty years of experience in completing natural environment assessments. The purpose of the Tree Conservation Report component is to establish which vegetation should be retained and protected on the site and to assess adjacent trees. The site is currently owned by Notting Hill Realty Investments Inc. It is proposed to remove the woody vegetation not proposed for retention in 2018 after the breeding bird period.

For the purposes of this report Portobello Boulevard and Trim Road are considered to be in a north-south orientation.

### ***Potential Species at Risk***

The Ministry of Natural Resources and Forestry (MNR) 's Make a Map: Natural Heritage Areas website was reviewed on June 10<sup>th</sup>, 2018 ([www.giscoeapp.lrc.gov.on.ca/web/MNR/NHLUPS/NaturalHeritage/Viewer/Viewer.html](http://www.giscoeapp.lrc.gov.on.ca/web/MNR/NHLUPS/NaturalHeritage/Viewer/Viewer.html)). This site allows for a search of Threatened and Endangered species covered by the 2008 *Endangered Species Act*, as well as other species of interest. A search was conducted on the 1 km squares including the Phase 1 and adjacent lands (18VR63 – 33, - 34 and - 44). No Species at Risk or Species of Special Concern were reported for these squares.

The Breeding Bird Atlas results for the 10 km square 18VR63 were reviewed, with the threatened bobolink, eastern meadowlark, barn swallow, bank swallow, and chimney swift reported for the overall 10km square that includes the Phase 1 - 5 lands and this area of Orleans. Bobolink and eastern meadowlark utilize larger areas of grasslands, including hay fields. The cultivated fields on the site do not represent suitable nesting habitat for these grassland Species at Risk. An area of cultural meadow in the central-east portion of the east parcel, adjacent to Trim Road, was about 0.3 hectares. This size of meadow is much less than the five hectare minimum area of continuous suitable habitat identified as required for bobolink and eastern meadowlark in the General Habitat Descriptions for these species. The largest adjacent cultural meadow habitat that is not a playing field is in the range of 1.7 hectares, south of the Phase 5 lands and east of Provence Avenue. No structures are present on the site that may be used for nesting by barn swallow (barns, garages, and other structures with access to open rafters) or chimney swift (open unlined chimneys). Bank swallow is a colonial nester; burrowing in eroding silt or sand banks and sand pit walls; habitat also not observed on or adjacent to the site.

In a May 1<sup>st</sup>, 2018 response to an information request (Appendix A), the Kemptville District Office of the MNR indicated that other potential Species at Risk in the general area include butternut, Henslow's sparrow, little brown myotis, northern long-eared bat, and tri-colored bat. No large cavity trees that may be used by bats for summer maternal colonies were observed on

or adjacent to the Phase 1 - 5 lands. Henslow's sparrow utilizes unmaintained tall weedy fields (Ehrlich et al., 1988). This bird has not been reported in the overall City of Ottawa for several years. There were no observations of this bird in Ottawa during the 2001 -2005 breeding bird atlas field work. As discussed below, the habitat in the area of the Phase 1 – 5 lands is suitable for butternut.

Many other endangered and threatened species have historically been reported in the overall City, including butternut, American ginseng, eastern prairie fringed-orchid, wood turtle, spiny softshell, Blanding's turtle, musk turtle, loggerhead shrike, little brown myotis, northern long-eared bat, olive hickorynut, bald eagle, golden eagle, cerulean warbler, least bittern, eastern cougar, lake sturgeon, and American eel.

Based on the habitat present on and adjacent to the site, a potential Species at Risk for the site and adjacent lands is butternut. No butternuts were observed on or within 50 metres of the Phase 1 - 5 lands.

### ***Existing Conditions***

Paterson (2018) described the surficial soils on the Phase 1 - 5 lands as a thin layer of topsoil layer underlaid by a sensitive firm-to-soft brown-to-grey silty clay. The overburden thickness ranges from 15 to 50 metres over interbedded limestone and shale bedrock. The site is generally flat with a gentle slope to the northeast in many areas. The farmed fields are tiled drained with outlets to existing swales described below.

Expected long-term groundwater levels were noted by Paterson (2018) to range between three and five metres below ground elevation. Grade raise restrictions for the site of 0.7 to 1.5 metres were identified by Paterson (2018).

No channels with aquatic habitat potential were identified on or adjacent to the site. There are north-south swales along the west and east edges of the Phase 1 lands and the north edge of the Phase 2 and 3 lands in the east parcel. Some standing water, but no flow, was observed in these swales on June 16<sup>th</sup>, with the swales dry on July 4<sup>th</sup>. The swales connect to the existing urban infrastructure along the Aquaview Drive and Trim Road corridors and are not connected directly to potential downstream natural aquatic habitat.

The Phase 1 – 5 lands were dominated by cultivated fields, with the fields planted in soybeans in 2018 (Photos 1, 6 and 7). Cultural meadow vegetation along the periphery of the cultivated fields included reed canary grass, orchard grass, June meadow grass, common burdock, red clover, white clover, wild carrot, common milkweed, Canada goldenrod, tall goldenrod, common strawberry, lady's thumb, white bedstraw, heal-all, bird's-foot trefoil, cow vetch, common dandelion, ox-eye daisy, bladder campion, mouse-eared chickweed, common mullein, and wild grape. Slender willow, Bebb's willow, staghorn sumac, and tartarian honeysuckle shrubs were also present along the edges of the agricultural fields.

Phases 2 – 5 (East Parcel)

Several deciduous trees were along the north edge of the east parcel. Many were white elms up to 30cm diameter at breast height (dbh) (Photo 2). The larger elms were dead or had greatly reduced leaf-out. Eastern cottonwoods up to 24cm dbh appeared to be in better condition. A coppice 18cm dbh red maple also appeared to be in better condition, but grey birch in the 15cm dbh range were dead. Chokecherry shrubs and regenerating poplar and red maple stems were among the deciduous trees.

No trees were along or adjacent to the west edge of the east parcel, or most of the south edge. A few white elm up to 25cm dbh were to the south of the east portion of the south edge of the east parcel. Some of these elms had very poor leaf-out. White cedar up to 25cm dbh were adjacent to the southeast corner of the east parcel, in the rear yard of 2170 Trim Road (Photo 3). A 35cm Norway spruce was approximately five metres east of the property line.

A small area, about 0.3 hectares, of cultural meadow was along the east property line to the northwest of the turning circle at Millennium Boulevard (Photo 4). This area was identified as an unevaluated wetland on geoOttawa. No wetland habitat was observed and the area was elevated slightly compared to the adjacent fields. Orchard grass dominated the cultural meadow, with staghorn sumac shrubs common. Reed canary grass, field horsetail, Canada anemone, cow vetch, common dandelion, ox-eye daisy, Philadelphia fleabane, red clover, common mugwort, wild grape, common mullein, bladder campion, lamb's quarter, lady's thumb, Canada thistle, bull thistle, common milkweed, Canada goldenrod, white bedstraw, bird's-foot trefoil, and regenerating poplar stems were also in the cultural meadow. A short, approximately 40 metres, row of trembling aspen up to 32cm dbh were between the meadow and the west side of Trim Road (Photo 4). Two white spruce up to 37cm dbh were among the trembling aspens. These trees appeared to be in generally good condition.

The last trees on or adjacent to the east parcel were trembling aspen and coppice red maples (Photo 5) up to 30cm and 25m dbh respectively in the northeast corner at the rear of 2072 and 2088 Trim Road. These trees had generally good leaf-out with some damaged branches and fungus on some of the poplar. Poplar regeneration was common among these trees, along with a few Manitoba maple saplings.



*Photo 1 – East parcel, looking southwest from the northeast corner,  
with Nantes Street Woods in the background*



*Photo 2 – Deciduous hedgerow along the north edge of the east parcel.  
View looking west*



*Photo 3 – Trees along the southeast edge of the east parcel at the rear of 2170 Trim Road.  
View looking south*



*Photo 4 – Small area of cultural meadow and poplar hedgerow along the central-east edge of  
the east parcel. View looking northeast*



*Photo 5 – Red maple along the north part of the east edge of the east parcel, at the rear of 2088 Trim Road. View looking north*

#### Phase 1 (West Parcel)

No trees or shrubs are to the east of the Phase 1 lands, west of Portobello Boulevard. Some staghorn sumac and red raspberry shrubs are along the west portion of the south site edge, along with recently planted hackberry saplings. The plantings are to the north of a new asphalt pathway (the Trans Orleans Pathway) north of Aquaview Drive.

There is also a portion of the Trans Orleans Pathway west of the Phase 1 lands, east of the rear yards along the east portion of Clermont Crescent (Photo 10). Remaining trees to the east of the pathway, along the west edge of the Phase 1 lands, included grey birch and trembling aspen up to 25cm dbh. The trees appeared to be in generally good condition. Slender willow, Bebb's willow, tartarian honeysuckle, red raspberry, and Japanese knotweed shrubs were among the deciduous trees. Trees were much less common along the west edge of the Phase 1 lands further to the north of Aquaview Drive, with the willow shrubs dominant (Photo 11) and Canada goldenrod and purple loosestrife well established among the woody vegetation. A few dead white ash stems were in the north portion of the west edge of the west parcel. Broad-leaved cattails were scattered in portions of the north-south swales along the west and east edges of the west parcel.

More deciduous trees were along the north boundary of the Phase 1 lands (Photos 8 and 9). This area is along the Transitway alignment and will not be disturbed at this time. Again, trembling aspen was dominant, with the largest trees in the 25cm dbh range. Dead white elms were among

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the poplars, along with Bebb's willow, red raspberry, glossy buckthorn, staghorn sumac, and nannyberry shrubs.

Wildlife observed on adjacent to the Phase 1 - 5 lands included American crow, ring-billed gull, killdeer, mourning dove, downy woodpecker, European starling, red-winged blackbird, common grackle, brown-headed cowbird, black-capped chickadee, blue jay, American robin, song sparrow, savannah sparrow, chipping sparrow, American goldfinch, northern cardinal, eastern cottontail, and grey squirrel. No stick nests or other evidence of raptor use were observed. No large trees with cavities for potential summer bat roosts or woodpecker cavities were observed on or adjacent to the Phase 1 - 5 lands.



*Photo 6 – Phase 1 lands, looking north from the south-central edge,  
with hedgerow along the Transitway corridor in the background*



*Photo 7 – Another view of the Phase 1 lands, looking southwest from the northeast corner*



*Photo 8 – East portion of the deciduous hedgerow along the north edge of the Phase 1 lands within the Transitway corridor. View looking west*



*Photo 9 – West portion of the deciduous hedgerow along the north edge of the Phase 1 lands within the Transitway corridor. View looking west*



*Photo 10 – New pathway to the west of the west edge of the Phase 1 lands. View looking north from Aquaview Drive*



*Photo 11 – Shrubs along the north portion of the west edge of the Phase 1 lands.  
View looking north*

### ***Significant Woodlands and Valleylands***

The criteria for significant woodlands in the urban area of Ottawa are found in Official Plan Amendment 179. There are no forests on or adjacent to the Phase 1 – 5 lands, with the Nantes Street Woods representing a significant woodlands in the urban area approximately 150 metres east of the Phase 1 lands.

The Natural Heritage Reference Manual (OMNR 2010) provides criteria for identifying significant valleylands. No significant valleylands were present on or adjacent to the Phase 1 – 5 lands.

### ***Significant Wildlife Habitat***

The potential for significant wildlife habitat was assessed using the guidance in OMNR (2010) and MNR (2015). No flora, fauna or ecological conditions identified in the background review or field survey that would trigger a Significant Wildlife Habitat designation with respect to the ELC communities present were observed on the site. For example, the cultural habitats do not support waterfowl stopover or staging areas, colonial nesting bird breeding habitat or other examples of seasonal concentration areas, rare vegetation communities as noted in MNR (2015), or rare or specialized habitats including seeps or springs.

No forest interior habitat is present and thus potential nesting of species of special concern such as wood thrush and eastern wood-pewee is not expected. No evidence of raptor wintering areas

was noted and old growth forests are not present. Areas of broken and fissured rock for potential use by snakes were not observed.

The site is isolated from an environmental perspective by the adjacent urban residential developments of Orleans and associated transportation network and other servicing infrastructure.

### ***Impact Analysis and Recommendations***

#### **Species at Risk and other Significant Natural Heritage Features**

No Species at Risk were observed and none are anticipated to utilize the Phase 1 - 5 lands other than butternut. No butternuts were observed on or with 50 metres of the Phase 1 - 5 lands. No potential structures for chimney swift or barn swallow were present. Forests were not present and significant wildlife habitat is not anticipated. No channels with aquatic habitat potential were observed or are mapped for the Phase 1 – 5 lands. In summary, no significant natural heritage features are on or adjacent to the Phase 1 - 5 lands.

#### **Tree Retention**

No trees of significance were observed on or adjacent to the Phase 1 – 5 lands. In order to meet stormwater management overland flow routes and similar to typical developments in the area, NOVATECH (2018) anticipate grade raises for the whole site in the range of 1 to 1.5 metres. Thus, no tree retention potential is anticipated for the site and there is no ‘Map 2 – Proposed Conserved Vegetation’ included in this report. Where possible based on grading and other urban servicing constraints determined at the detailed design stage, trees will be retained along the site periphery. Note the tree removal along the north portion of the Phase 1 lands will not occur until the Transitway is constructed and will not be removed as part of this Application.

In terms of planting sensitivities, tree and shrub species that have a high water demand are not recommended for the site due to the clay soils. These species include willows, poplars, and elm. It is important that native trees from a local seed stock be used whenever possible, however the landscape architect may choose species that are less sensitive to an urban environment. Recommended species for planting include a mix of coniferous and deciduous trees such as sugar maple, red maple, basswood, bur oak, red oak, white pine, and white spruce, along with nannyberry, elderberry, and dogwood shrubs.

Due to the sensitive clay soils, Paterson (2018) identified tree planting setback recommendations for the site including large trees (mature height over 14 metres) can be planted provided a tree to foundation setback equal to the full mature height of the tree can be provided (e.g. in a park or other green space). Paterson (2018) noted that the tree planting setback limits may be reduced to 4.5 metres for small (mature tree height up to 7.5 metres) and medium size trees (mature tree height 7.5 to 14 metres) provided that the conditions with respect to available soil volume, mature tree size, local grading, and reinforced foundation walls are met as outlined in Section 6.8 of Paterson (2018).

The following important additional mitigation measures are to be properly implemented:

1. To protect breeding birds, no tree removal should occur between April 15<sup>th</sup> and August 15<sup>th</sup>, unless a breeding bird survey conducted by a qualified biologist within five days of the woody vegetation removal identifies no active nests in the vegetation to be removed;
2. Trees to be retained are to be protected with sturdy temporary fencing at least 1.2 metres in height installed from the tree trunk a distance of ten times the retained tree's diameter where possible. Signs, notices, or posters are not to be attached to any tree. No grading, heavy machinery traffic, stockpiling of material, machinery maintenance and refueling, or other activities that may cause soil compaction are to occur within the critical root zones of the trees to be retained and protected. The root system, trunk, or branches of the trees to be retained are to be protected and not damaged. If any roots of trees to be retained are exposed during site alterations, the roots shall be immediately reburied with soil or covered with filter cloth, burlap or woodchips and kept moist until the roots can be buried permanently. A covering of plastic should be used to retain moisture during an extended period when watering may not be possible. Any roots that must be cut are to be cut cleanly to facilitate healing and as far from the tree as possible. Overhanging branches from retained trees that may be damaged during construction are to be pruned by a qualified arborist prior to construction. Exhaust fumes from all equipment during construction will not be directed towards the canopies of retained trees.

All of the supports and bracing for the protective fencing should be placed outside of the protected area and should be installed in such a way as to minimize root damage. Also, since the desired effect of the barrier is to prevent construction traffic from entering the tree's critical root zone, the barrier should be kept in place until all site servicing and construction has been completed;

3. Where the critical root zones (ten times the trunk diameter) of the shared trees along the west edge of the Phase 1 (west parcel) lands may be impacted, discussions are required with the City Planning forester to determine if these trees should be retained or given their condition, replaced with new plantings post-construction. The tree removal along the north edge of the Phase 1 lands will not occur until the Transitway is constructed. At that time removal of any co-owned trees should be discussed with the applicable adjacent landowners to the north. Discussions should also be undertaken with the adjacent landowners to the Phase 2 and 4 lands in the east parcel where the critical root zones of trees along and adjacent to the property line in the rear of the residences on the west side of Trim Road may be impacted by adjacent excavation;
4. Where required seepage barriers such as silt fencing, straw bale check dams, and other sediment and erosion control measures will be installed to OPSD requirements in any temporary drainage ditches, around disturbed areas during construction, and stockpiles of fine material. These control measures must be properly maintained to maximize their function during construction and will be removed at the completion of construction once the site has stabilized. Any dewatering of groundwater is to be properly treated before release or directed to the sanitary system;

5. The contractor is to be aware of potential Species at Risk in the vicinity of the site including butternut. Appendix 1 of City of Ottawa (2015) describes these species. Appendix 1 should be modified for this development project to include the contact information of the project biologist. Any Species at Risk sightings are to be immediately reported to the project biologist and the MNRF, and activities modified to avoid impacts until further direction by the Ministry;
6. As recommended in City of Ottawa (2015) prior to beginning work each day, wildlife is to be checked for by conducting a thorough visual inspection of the work space and immediate surroundings. See Section 2.5 of City of Ottawa (2015) for additional recommendations on construction site management with respect to wildlife. It is the responsibility of the contractor to be familiar with all components of City of Ottawa (2015). Any turtles, snakes, or other sensitive wildlife in the work area are to be relocated to the Nantes Street Woods between Portobello Boulevard and Provence Avenue. Animals should be moved only far enough to ensure their immediate safety. See Appendix 1 and the links in Section 4 of City of Ottawa (2015) for suggestions on how to effectively relocate turtles and snakes;
7. Municipal by-laws and provincial regulations for noise will be followed and utilities will be located in the vicinity of the site prior to construction; and,
8. Waste will be managed in accordance with provincial regulations. The contractor will have a spill kit on-hand at all times in case of spills or other accidents.

### ***Schedule of Proposed Works***

It is proposed to remove the woody vegetation not identified for retention in 2018 after the breeding bird period. City of Ottawa staff (Forester – Planning) is to be contacted at least two business days prior to any tree removal so that staff have the opportunity to verify that the protective fencing has been properly constructed. A Tree Cut Permit will be required for all trees greater than 10cm dbh.

### ***Conclusion***

Urban residential developments are proposed for the Phase 1 - 5 lands in the southeast portion of Orleans west of Portobello Boulevard and between Provence Avenue and Trim Road in the City of Ottawa. The Phase 1 - 5 lands were dominated by cultivated agricultural fields with scattered trees on portions of the periphery. No significant natural heritage features were observed on the Phase 1 - 5 lands, with the closest such feature the significant woodlands in the Nantes Street Woods Urban Natural Area. This Urban Natural Area is approximately 150 metres east of the west parcel of the Phase 1 - 5 lands and will not be impacted by the proposed residential development providing the mitigation measures outlined in this report are properly implemented.

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TREE CONSERVATION REPORT and ENVIRONMENTAL IMPACT STATEMENT**

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Due to grading and other urban servicing requirements no tree retention is anticipated for the site. Planting of native trees throughout the site will add to the features and functions of the general landscape.

**References**

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NOVATECH. 2018. Notting Hill Subdivision, 2128 Trim Road, Site Servicing and Stormwater Management Design Brief. June 29<sup>th</sup>, 2018.

Ontario Ministry of Natural Resources. 2010. Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition. March 2010. 233 pp.

Ontario Ministry of Natural Resources and Forestry. 2015. Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E. January, 2015. 38 pp.

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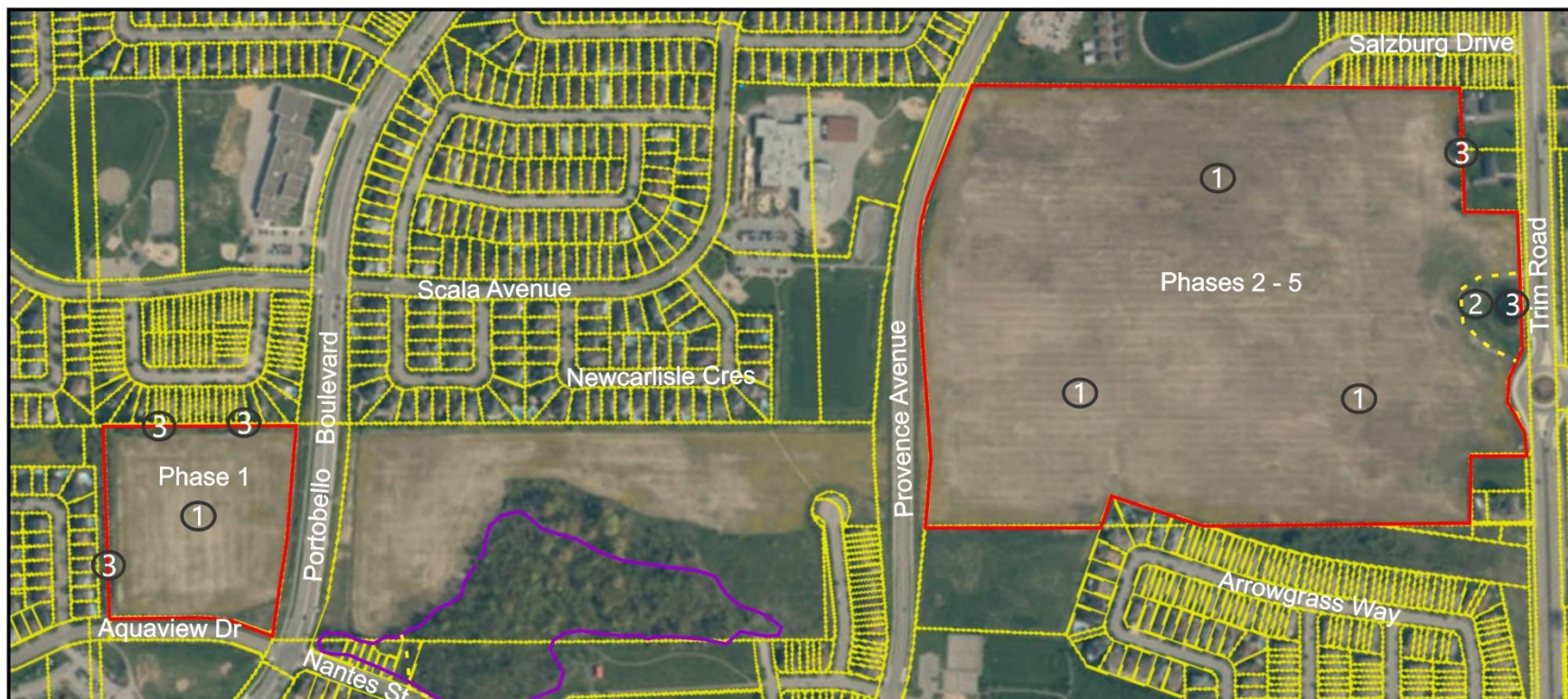
Please call if you have any questions or comments on this revised Environmental Impact Statement and Tree Conservation Report.

Yours Sincerely,  
**MUNCASTER ENVIRONMENTAL PLANNING INC.**



Bernie Muncaster, M.Sc.  
Principal

Legault Phase 1 EISTCR



2017 air photo from geoOttawa

### Legend

- Phases 1 - 5 Lands
- Nantes Street Woods UNA

### Vegetation Communities

- ① Cultivated fields
- ② Cultural meadow
- ③ Deciduous hedgerow



Approx. Scale 1:6,600



## Map 1

FILE: 17 - 26

July 4, 2018

Prepared for:

Notting Hill  
Realty Investments Inc.

Prepared by:



NOTTING HILL SUBDIVISION  
CURRENT VEGETATION

Orleans, City of Ottawa

CONCEPT PLAN

Unit Breakdown / Phase						
Phase #	50' Singles	42' Singles	35' Singles	31' Singles	Street Towns	Total
Phase 1		8	23	6	24	59
Phase 2	1	5	44	35	90	175
Phase 3	24	23	36	36	30	149
Phase 4		4	12	11	27	54
Phase 5	10	20			28	58
Total	35	58	115	88	199	495

Multi-Unit Count	
Phase #	Multi-Unit
Phase 4	40



- LEGEND:
- SINGLES
  - SINGLES
  - SINGLES
  - SINGLES
  - PARK / WALKWAY BLOCK



**APPENDIX A**

**MINISTRY of NATURAL RESOURCES and FORESTRY**

**CORRESPONDENCE**

**Ministry of Natural  
Resources and Forestry**

**Kemptville District**

10 Campus Drive  
Postal Box 2002  
Kemptville ON K0G 1J0  
Tel.: 613 258-8204  
Fax: 613 258-3920

**Ministère des Richesses  
naturelles et des Forêts**

**District de Kemptville**

10, promenade Campus  
Case postale, 2002  
Kemptville ON K0G 1J0  
Tél.: 613 258-8204  
Télééc.: 613 258-3920



Tue. May 1, 2018

Bernie Muncaster  
Muncaster Environmental Planning Inc  
491 Buchanan Crescent  
Ottawa  
K1J 7V2  
(613) 748-3753  
bmuncaster@rogers.com

Attention: Bernie Muncaster

**Subject: Information Request - Developments**  
**Project Name: Legault Lands, Orleans**  
**Site Address: 2128 Trim Road, City of Ottawa**  
**Our File No. 2018\_CUM-4514**

#### **Natural Heritage Values**

The Ministry of Natural Resources and Forestry (MNRF) Kemptville District has carried out a preliminary review of the above mentioned area in order to identify any potential natural resource and natural heritage values.

The following Natural Heritage values were identified for the general subject area:

- Unevaluated Wetland (Not evaluated per OWES)

Municipal Official Plans contain information related to natural heritage features. Please see the local municipal Official Plan for more information, such as specific policies and direction pertaining to activities which may impact natural heritage features. For planning advice or Official Plan interpretation, please contact the local municipality. Many municipalities require environmental impact studies and other supporting studies be carried out as part of the development application process to allow the municipality to make planning decisions which are consistent with the Provincial Policy Statement (PPS, 2014).

The MNRF strongly encourages all proponents to contact partner agencies and appropriate municipalities early on in the planning process. This provides the proponent with early knowledge regarding agency requirements, authorizations and approval timelines; Ministry of the Environment and Climate Change (MOECC) and the local Conservation Authority may require approvals and permitting where natural values and natural hazards (e.g., floodplains) exist.

As per the Natural Heritage Reference Manual (NHRM, 2010) the MNRF strongly recommends that an ecological site assessment be carried out to determine the presence of natural heritage

features and species at risk and their habitat on site. The MNRF can provide survey methodology for particular species at risk and their habitats.

The NHRM also recommends that cumulative effects of development projects on the integrity of natural heritage features and areas be given due consideration. This includes the evaluation of the past, present and possible future impacts of development in the surrounding area that may occur as a result of demand created by the presently proposed project.

#### **Wildland Fire**

MNRF woodland data shows that the site contains woodlands. The lands should be assessed for the risk of wildland fire as per PPS 2014, Section 3.1.8 *"Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards"*. Further discussion with the local municipality should be carried out to address how the risks associated with wildland fire will be covered for such a development proposal. Please see the Wildland Fire Risk Assessment and Mitigation Guidebook (2016) for more information.

#### **Significant Woodlands**

Section 2.1.5 b) of the PPS states: *Development and site alteration shall not be permitted in significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.* The 2014 PPS directs that significant woodlands must be identified following criteria established by the Ontario Ministry of Natural Resources and Forestry, i.e. the Natural Heritage Reference Manual (NHRM), 2010. Where the local or County Official Plan has not yet updated significant woodland mapping to reflect the 2014 PPS, all wooded areas should be reviewed on a site specific basis for significance. The MNRF Kemptville District modelled locations of significant woodlands in 2011 based on NHRM criteria. The presence of significant woodland on site or within 120 metres should trigger an assessment of the impacts to the feature and its function from the proposed development.

#### **Significant Wildlife Habitat**

Section 2.1.5 d) of the PPS states: *Development and site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.* It is the responsibility of the approval authority to identify significant wildlife habitat or require its identification. The MNRF has several guiding documents which may be useful in identification of significant wildlife habitat and characterization of impacts and mitigation options:

- Significant Wildlife Habitat Technical Guide, 2000
- The Natural Heritage Reference Manual, 2010
- Significant Wildlife Habitat Mitigation Support Tool, 2014
- Significant Wildlife Habitat Criteria Schedule for Ecoregion 5E and 6E, 2015

The habitat of special concern species (as identified by the Species at Risk in Ontario list) and Natural Heritage Information Centre tracked species with a conservation status rank of S1, S2 and S3 may be significant wildlife habitat and should be assessed accordingly.

### **Species at Risk**

A review of the Natural Heritage Information Centre (NHIC) and internal records indicate that there is a potential for the following threatened (THR) and/or endangered (END) species on the site or in proximity to it:

- Bobolink (THR)
- Butternut (END)
- Eastern Meadowlark (THR)
- Henslow's Sparrow (END)
- Little Brown Bat (END)
- Northern Long-eared Bat (END)
- Sensitive Species (END)
- Tri-Colored Bat (END)

All endangered and threatened species receive individual protection under section 9 of the ESA and receive general habitat protection under Section 10 of the ESA, 2007. Thus any potential works should consider disturbance to the individuals as well as their habitat (e.g. nesting sites). General habitat protection applies to all threatened and endangered species. Note some species in Kemptville District receive regulated habitat protection. The habitat of these listed species is protected from damage and destruction and certain activities may require authorization(s) under the ESA. For more on how species at risk and their habitat is protected, please see: <https://www.ontario.ca/page/how-species-risk-are-protected>.

If the proposed activity is known to have an impact on any endangered or threatened species at risk (SAR), or their habitat, an authorization under the ESA may be required. It is recommended that MNRF Kemptville be contacted prior to any activities being carried out to discuss potential survey protocols to follow during the early planning stages of a project, as well as mitigation measures to avoid contravention of the ESA. Where there is potential for species at risk or their habitat on the property, an Information Gathering Form should be submitted to Kemptville MNRF at [sar.kemptville@ontario.ca](mailto:sar.kemptville@ontario.ca).

The Information Gathering Form may be found here:

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&ENV=WWE&NO=018-0180E>

For more information on the ESA authorization process, please see:

<https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization>

One or more special concern species has been documented to occur either on the site or nearby. Species listed as special concern are not protected under the ESA, 2007. However, please note that some of these species may be protected under the Fish and Wildlife Conservation Act and/or Migratory Birds Convention Act. Again, the habitat of special concern species may be significant wildlife habitat and should be assessed accordingly. Species of special concern for consideration:

- Snapping Turtle (SC)

If any of these or any other species at risk are discovered throughout the course of the work, and/or should any species at risk or their habitat be potentially impacted by on site activities, MNRF

should be contacted and operations be modified to avoid any negative impacts to species at risk or their habitat until further direction is provided by MNRF.

Please note that information regarding species at risk is based largely on documented occurrences and does not necessarily include an interpretation of potential habitat within or in proximity to the site in question. Although this data represents the MNRF's best current available information, it is important to note that a lack of information for a site does not mean that additional features and values are not present. It is the responsibility of the proponent to ensure that species at risk are not killed, harmed, or harassed, and that their habitat is not damaged or destroyed through the activities carried out on the site.

The MNRF continues to strongly encourage ecological site assessments to determine the potential for SAR habitat and occurrences. When a SAR or potential habitat for a SAR does occur on a site, it is recommended that the proponent contact the MNRF for technical advice and to discuss what activities can occur without contravention of the Act. For specific questions regarding the Endangered Species Act (2007) or SAR, please contact MNRF Kemptville District at [sar.kempton@ontario.ca](mailto:sar.kempton@ontario.ca).

The approvals processes for a number of activities that have the potential to impact SAR or their habitat have recently changed. For information regarding regulatory exemptions and associated online registration of certain activities, please refer to the following website: <https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization>.

Please note: The advice in this letter may become invalid if:

- The Committee on the Status of Species at Risk in Ontario (COSSARO) re-assesses the status of the above-named species OR adds a species to the SARO List such that the section 9 and/or 10 protection provisions apply to those species; or
- Additional occurrences of species are discovered on or in proximity to the site.

**This letter is valid until: Wed. May 1, 2019**

The MNRF would like to request that we continue to be circulated on information with regards to this project. If you have any questions or require clarification please do not hesitate to contact me.

Sincerely,

Dom Ferland  
Management Biologist  
[dominique.ferland@ontario.ca](mailto:dominique.ferland@ontario.ca)

Encl.\  
-ESA Infosheet  
-NHIC/LIO Infosheet