

**CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH CARDINAL  
BY-LAW NO. 2021-13**

**“A BY-LAW TO AUTHORIZE THE EXECUTION OF A DEVELOPMENT  
AGREEMENT WITH RYAN ROBINSON AND CHELSEA BURKERT”**

**WHEREAS** the Council of the Corporation of the Township of Edwardsburgh Cardinal is authorized to enter into a development agreement and register it against the title to the land pursuant to sections 51 and 53 of the Planning Act, R.S.O. 1990; and

**WHEREAS** the Council of the Corporation of the Township of Edwardsburgh Cardinal recommended in favour of Consent to Sever Application B-77-20 conditional upon a scoped environmental impact assessment be completed, which demonstrates to the satisfaction of the Township, that there will be no negative impacts on the woodlands or their ecological functions; and

**WHEREAS** the applicant has provided a scoped environmental impact assessment that recommends a development agreement between the owners and the municipality in order to control development of the site to mitigate potential negative impacts due to the proposed severance; and

**WHEREAS** a satisfactory confirmation of a legal undertaking has been received from Mr. Robinson and Ms. Burkert's solicitor indicating that the development agreement will be registered on the title of the property once the severance is final; and

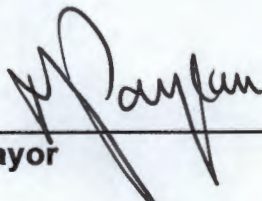
**WHEREAS** it is deemed expedient to enter into such a development agreement with Ryan Robinson and Chelsea Burkert for development of lands described as Part of Lot 23, Concession 4, Geographic Township of Edwardsburgh, Township of Edwardsburgh Cardinal, PT 1, 15R12115.

**NOW THEREFORE** the Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

1. That the Mayor and Clerk are hereby authorized to execute the development agreement attached hereto as Schedule "A" and shall form part of this bylaw.
2. That this bylaw shall come into force and take effect on the date of final passing.

Read a first and second time in open Council this 22 day of March, 2021.

Read a third and final time, passed, signed and sealed in open Council this 22 day of March, 2021.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**THE TOWNSHIP OF EDWARDSBUGH/CARDINAL  
DEVELOPMENT AGREEMENT**

THIS AGREEMENT, made in triplicate, the 24 day of March 2021.

BETWEEN:

**RYAN ROBINSON AND CHELSEA BURKERT**  
(the "Owner")

-and-

**THE CORPORATION OF THE TOWNSHIP OF EDWARDSBUGH/CARDINAL**  
( the "Township")

**FOR LANDS DESCRIBED AS PART OF LOT 23, CONCESSION 4, GEOGRAPHIC  
TOWNSHIP OF EDWARDSBURGH**

RECITALS:

1. The Owner is the owner of the lands described in Schedule "A" to this Agreement and proposes to subdivide it for the purpose of selling, conveying, or leasing it in lots.
2. The said lands are the subject matter of consent application B-77-20 which has received conditional approval from the United Counties of Leeds and Grenville Consent Granting Authority, a copy of which is annexed hereto as Schedule "B";
3. The Township, pursuant to Section 53 of the Planning Act, R.S.O. 1990, as amended, has the authority to enter into an agreement imposed as a condition of the approval consent.
4. This agreement shall be registered at the cost of the Owner against the land to which it applies subject to the Registry Act and the Land Titles Act;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the other good and valuable consideration and the sum of One (\$1.00) Dollar of lawful money of Canada, now paid by each of the parties hereto each of the other parties hereto (the receipt whereof is hereby acknowledged) the Parties hereby covenant, promise and agree with each other as follows:

**DEVELOPMENT AGREEMENT  
BETWEEN RYAN ROBINSON AND CHELSEA BURKERT  
AND THE TOWNSHIP OF EDWARDSBURGH/CARDINAL**

1. This Agreement affects the Lands described in Schedule "A" to this Agreement and shall ensure to the benefit of and be binding upon parties hereto, and their respective successors and assigns, The Owner hereby agrees to the registration of this Agreement by the Township against the title to the Lands, at the sole cost of the Owner.
2. The Owner hereby agrees to obtain all required municipal approvals and comply with all applicable Zoning By-Laws of the Township, the Building Code Act, 1992, S.O. 1992, c.23 requirements and approvals required by applicable government authorities which may be required prior to the development of the lands. Any interference with a watercourse may require a permit the South Nation River Conservation Authority (SNRCA) under the Conservation Authorities Act, R.S.O., 1990 c.27 O. Reg. 170/06, and restrictions may apply. The Township makes no representations with respect to the requirements of SNRCA to obtain a permit or whether a permit is obtainable.
3. The Owner hereby acknowledges that the lands described in Schedule "A" to this Agreement are the subject of a scoped Environmental Impact Study as shown in Schedule "C" to this Agreement, in order to assess the environmental impacts of development on the proposed lot as required by Condition 3 of the Decision of the United Counties of Leeds and Grenville Consent Granting Authority, as shown in Schedule "B".
4. The conditions, facilities and matters as shown on Schedule "D" and described in Schedule "C" shall be provided and maintained by the Owner at the Owner's sole risk and expense and to the satisfaction of the Chief Building Official of the Township, and that in default thereof, the Township may, at the expense of the Owner, enter upon the lands and do all such matters and things as may be required to comply with any Order of the Chief Building Official. Such actual costs incurred by the Township plus an overhead charge of 15%, shall be deemed to be recoverable from the Owner by invoice and may be recovered in like manner as municipal taxes pursuant to the Municipal Act.
5. Any notice to be given hereunto shall be in writing to all other parties and either delivered personally or sent by prepaid registered mail, and in the latter case shall be deemed to have been given three (3) business days following the date upon which it was mailed. The address of the parties for the purpose hereof shall be:

to the Owner at:

Ryan Robinson and Chelsea Burkert  
4149 County Road 44  
Spencerville ON KOE 1X0

to the Township at:

Township of Edwardsburgh/Cardinal  
PO Box 129  
Spencerville ON KOE 1X0



**DEVELOPMENT AGREEMENT  
BETWEEN RYAN ROBINSON AND CHELSEA BURKERT  
AND THE TOWNSHIP OF EDWARDSBURGH/CARDINAL**

IN WITNESS WHEREOF the parties hereto have executed this agreement.

THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

We have authority to bind the  
Corporation.

OWNERS RYAN ROBINSON AND CHELSEA BURKERT

  
\_\_\_\_\_  
Owner

  
\_\_\_\_\_  
Owner

DATED AT Spencerville, ON this 24 day of March, 2021

## **Solicitor's Undertaking**

TO: Corporation of the Township of Edwardsburgh-Cardinal

FROM: Thomas A. Glock, Barrister & Solicitor

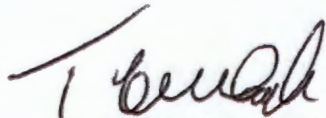
**RE: Robinson, Ryan Severance Application 77-20  
Pt. Lot 23, Concession 4, Edwardsburgh-Cardinal**

---

IN CONSIDERATION OF THE CLOSING OF THE ABOVE NAMED  
TRANSACTION I hereby undertake as follows:

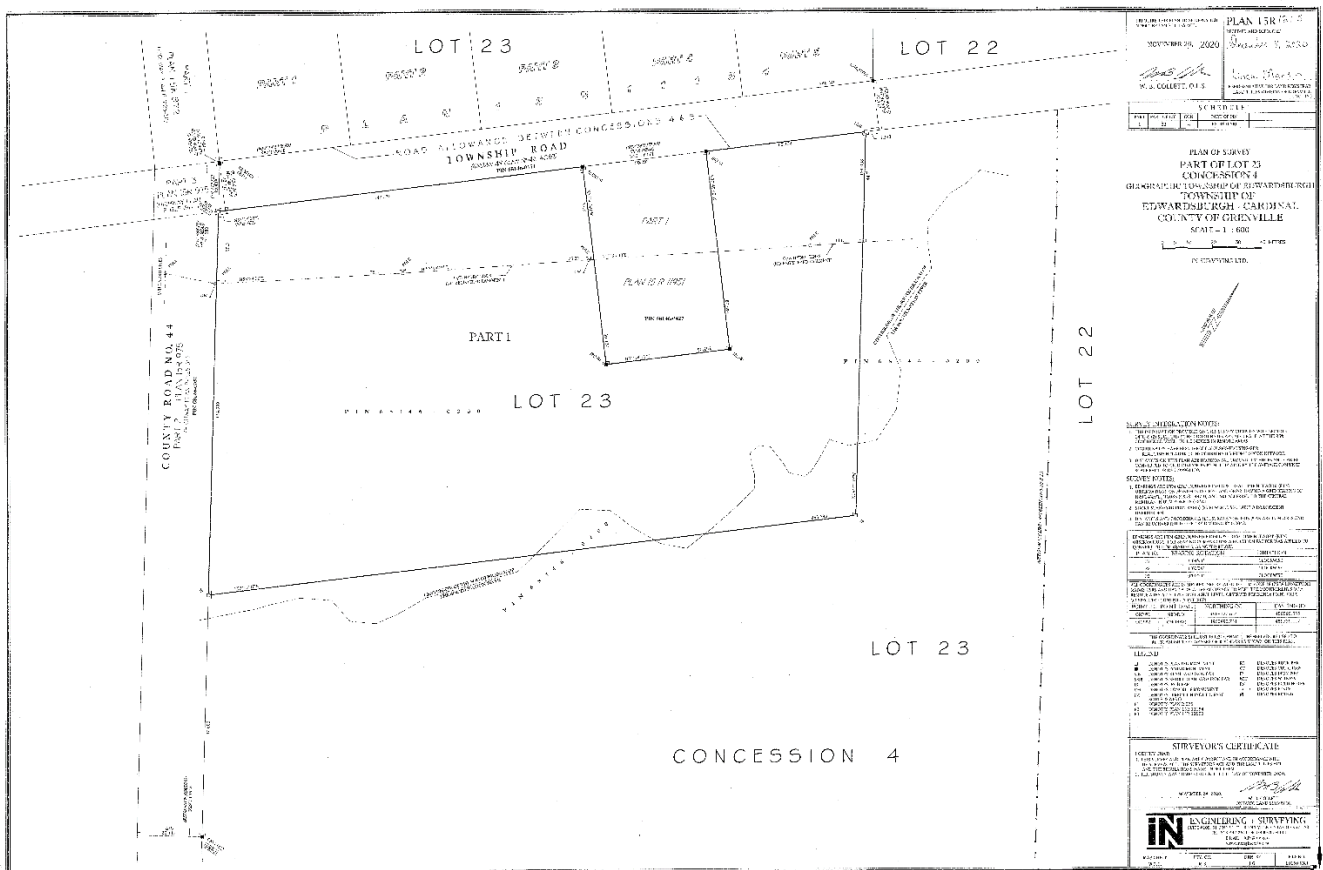
**To have the development agreement between Ryan Robinson -and-  
Chelsea Burkert with The Corporation of the Township of  
Edwardsburgh-Cardinal registered on title once the severance has been  
finalized.**

Dated at the Town of Prescott in the County of Grenville this 9th day of  
March, 2021.



---

Thomas A. Glock  
Barrister & Solicitor



**DEVELOPMENT AGREEMENT  
BETWEEN RYAN ROBINSON AND CHELSEA BURKERT  
AND THE TOWNSHIP OF EDWARDSBUGH/CARDINAL**

**SCHEDULE “B”**

**DECISION OF THE UNITED COUNTIES OF LEEDS AND GRENVILLE  
CONSENT GRANTING AUTHORITY**





## UNITED COUNTIES OF LEEDS AND GRENVILLE CONSENT GRANTING AUTHORITY

### DECISION

### APPLICATION B-77-20

We the undersigned members of the Consent Granting Authority of the United Counties of Leeds and Grenville; do hereby certify that the following is a decision reached by us at a hearing held at the Counties Offices, 25 Central Avenue, Brockville, Ontario on **October 28, 2020**. The said decision was reached on the application of **Ryan Robinson & Chelsea Burkert** to sever a parcel of land being; part of Lot 23, Concession 4; **Township of Edwardsburgh Cardinal** having dimensions of approximately 703.76 feet by 508.53 feet with an area of 9.1 acres.

**DECISION:** **GRANTED** providing the conditions as stated below are met.

#### REASONS:

Division of land is compatible with the intent and purpose of the Official Plan and meets the criteria in Section 51 (24) of the Planning Act providing conditions are met.

#### CONDITIONS:

- (1) That all conditions imposed in the granting of this decision be met and **one (1)** original paper copy and **one (1)** digital copy of the registered reference plan of the subject lands, which conforms substantially with the application as submitted, and the instrument relating to the transaction (deed/transfer, grant of right-of-way, etc.) be presented to the Secretary-Treasurer of the Consent Granting Authority for the Certificate of Consent no later than **October 30, 2021**.
- (2) That the applicant provide a reference plan to the Township.
- (3) The applicant provides a scoped Environmental Impact Statement that confirms the extent of the Significant Woodland, describes a suitable building envelope, and demonstrates that there will be no negative impacts to Significant Woodland or aquatic habitat from the proposed development to the satisfaction of the Township and South Nation Conservation.
- (4) That written release of conditions 2 and 3 from the Township be submitted to the Consent Granting Authority prior to endorsement of consent on the deed for the severed land.
- (5) That written release of condition 3 from South Nation Conservation be submitted to the Consent Granting Authority prior to endorsement of consent on the deed for the severed land.
- (6) That road widening across the severed and retained parcel to 13.1-metres from existing pavement centerline of County Road 44 (if required) be conveyed to the Corporation of the United Counties of Leeds and Grenville. The deed for this road widening is to be registered and submitted to the Consent Granting Authority prior to endorsement on the deed to the severed land.

#### NOTES:

- (1) The Township had no objection providing conditions 2 and 3 are complied with.
- (2) South Nation Conservation Authority had no objection providing condition 3 is complied with.
  - The proposed retained and severed lots contain a section of the South Branch of the South Nation River, a permanent watercourse that supports habitat for fish and other aquatic species.
  - The Township Zoning Bylaw requires buildings to be set back 30 metres from the top of bank or high-water mark, whichever is greater. Any development within this area will require a Minor Variance to the Township's Zoning Bylaw.
  - SNC implements Ontario Regulation 170/06, Development Interference with Wetlands and Alterations to Shorelines and Watercourses, enacted under Section 28 of the Conservation Authorities Act. Any interference with a watercourse may require a permit from SNC, and restrictions may apply.
  - There are Significant Woodlands on both the retained and severed lots as identified on the Township's Official Plan. On the vacant lot to be severed, this includes the eastern half of the property.



- This section of the South Branch of the South Nation River has been identified as having a slope stability factor of  $> 2.5$  in the Slope Stability Study of the South Nation River and Portions of the Ottawa River by Poschmann, Klassen, Klugman and Gooding (1983).
    - Prior to any development or site alteration, a geotechnical inspection by a qualified professional may be required to ensure that any potential risks from these hazards can be adequately addressed.
  - A 1:100-year floodplain analysis has not been completed in this portion of the watershed; consequently, the extent of any potential floodplain on this property is unknown.
- (3) The Health Unit had no objection.
- The proposed severance is large enough to accommodate on-site sewage disposal. Imported leaching bed fill may be required to construct a conforming system. A permit will be required from the Health Unit office prior to constructing a new system.
- (4) The County Roads Department had no objection providing condition 6 is complied with.
- No driveway is permitted on the County Road. If the owner has the option from a local road, owner will need to consult with the Municipality about it.

**I hereby certify this to be a true and exact copy**

Cherie Mills

**Chair**

K Weidenor

**Secretary-Treasurer**

**This Decision was mailed on October 30, 2020**

**The last date for appealing this decision is November 19, 2020**

**DEVELOPMENT AGREEMENT  
BETWEEN RYAN ROBINSON AND CHELSEA BURKERT  
AND THE TOWNSHIP OF EDWARDSBUGH/CARDINAL**

**SCHEDULE "C"**

**SCOPED ENVIRONMENTAL IMPACT STUDY  
PREPARED BY BCH ENVIRONMENTAL CONSULTING INC**

# **Scoped Environmental Impact Study (EIS)**

## **Proposed Lot Severance**

**4149 County Road 44,  
Part of Lot 23, Concession 4,  
Township of Edwardsburgh  
United Counties of Leeds and Grenville**

Prepared By:



**BCH Environmental Consulting Inc.  
20373 Bethune Street,  
South Lancaster, On  
K0C 2C0**



## Table of Contents

1.0.	Introduction .....	3
1.1.	Site Context.....	3
2.0.	Methodology.....	4
3.0.	Field Surveys .....	8
3.1.	Existing Conditions.....	8
3.1.1.	Fresh-Moist Lowland Deciduous Forest (FOD7) .....	8
3.1.2.	Fresh-Moist Ash Lowland Deciduous Forest (FOD7-2) .....	10
3.1.3.	Fresh White Cedar - Hardwood Mixed Forest (FOM7-2).....	10
3.1.4.	Tall Shrub Swamp.....	11
3.1.5.	South Branch South Nation River .....	12
3.1.6.	Cleared Area.....	14
4.0.	Potential Species at Risk .....	14
4.1.	Turtles and Reptiles .....	15
4.2.	Birds .....	16
4.3.	Mammals .....	16
4.4.	Vegetation.....	17
4.5.	Species at Risk Summary.....	17
5.0.	Significant Woodland.....	20
6.0.	South Branch South Nation River and Wetlands .....	22
7.0.	Development Constraints .....	22
8.0.	Recommendations and Conclusion .....	24
	<b>REFERENCE.....</b>	<b>26</b>
	<b>APPENDIX A: LAND INFORMATION ONTARIO MAPPING.....</b>	<b>28</b>
	<b>APPENDIX B: OBSERVED SPECIES LIST.....</b>	<b>30</b>
	<b>APPENDIX C: CA LETTER .....</b>	<b>32</b>

## 1.0. Introduction

As requested by Ryan Robinson a Scoped Environmental Impact Study (EIS) was completed to assess the environmental impacts of the proposed severance at 4149 County Road 44, Part of Lot 23, Concession 4, Township of Edwardsburgh, United Counties of Leeds and Grenville.

James Holland a Watershed Planner with the South Nation Conservation Authority has instructed through communication with Ryan Robinson that the EIS be scoped to confirm the extent of the Significant Woodland, describes a suitable building envelope, and demonstrates that there will be no negative impacts to Significant Woodland or aquatic habitat from the proposed development (Appendix C).

### 1.1. Site Context

The Site is located at 4149 County Road 44, Spencerville, Ontario (Figure 1). The property parcel is approximately 21.49 ha in size and the legal land description is Part of Lot 23, Concession 4, Township of Edwardsburgh, United Counties of Leeds and Grenville. Portions of the parcel are previously developed. A house and shed are present in western side of the parcel. This study is focused solely on the northern portion of the parcel where a severance is proposed, where development is suitable to occur and significant natural heritage constraints can be respected (Figure 2). All further discussions pertain to lands identified as Subject Lands (4.82ha) on Figure 1 and 2.

Significant Woodland and Aquatic Habitat have been identified by the South Nation Conservation Authority (Appendix C) as being potential environmental constraints to future development.

The proposed lands are located in Ecoregion 6E. The Provincial Policy Statement (PPS) states that site development and alteration shall not be permitted in provincially significant woodlands in Ecoregion 6E unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The South Branch South Nation River runs along the southern and eastern edge of the Subject Lands. The Provincial Policy Statement (PPS) states that development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

## 2.0. Methodology

This report is prepared in accordance with the Official Plan for the United Counties of Leeds and Grenville (2016) Section 4.2.14, and the Official Plan of the Township of Edwardsburgh Cardinal (2019) Section 6.10 with guidance from the Natural Heritage Reference Manual (OMNR, 2010). This EIS includes an assessment of the identified environmental constraints and the potential for Species at Risk.

This EIS will provide the methodology to mitigate, as required, negative impacts on significant features and functions. Potential Species at Risk in the general area were identified from Ministry of Natural Resources and Forestry databases, the Department of Fisheries and Ocean databases, the Ontario Breeding Bird Atlas, Ontario Reptile and Amphibian Atlas, iNaturalist and the Global Biodiversity Information Facility.

Colour aerial photography was used to assess the natural environment features in the general vicinity of the proposed building.

A field survey of the subject and adjacent lands was completed by BCH Environmental on October 27, 2020 from 0700h to 1230h (air temperature was 4°C, with a light air and overcast).

The area was extensively walked and surveyed for significant natural areas, potential species at risk (butternut) and their associated habitat (bat tree cavity).

Observed plants were recorded for each individual community, the plants utilized in the descriptions are the most abundant specimens observed. A complete observed species list is provided in Appendix B. Plants that could not be identified in the field were collected for a more detailed examination. Nomenclature used in this report follows the Southern Ontario Vascular Plant List (Bradley, 2013) which aligns with the Integrated Taxonomic Information System (ITIS).



FIGURE 1: PROPERTY PARCEL

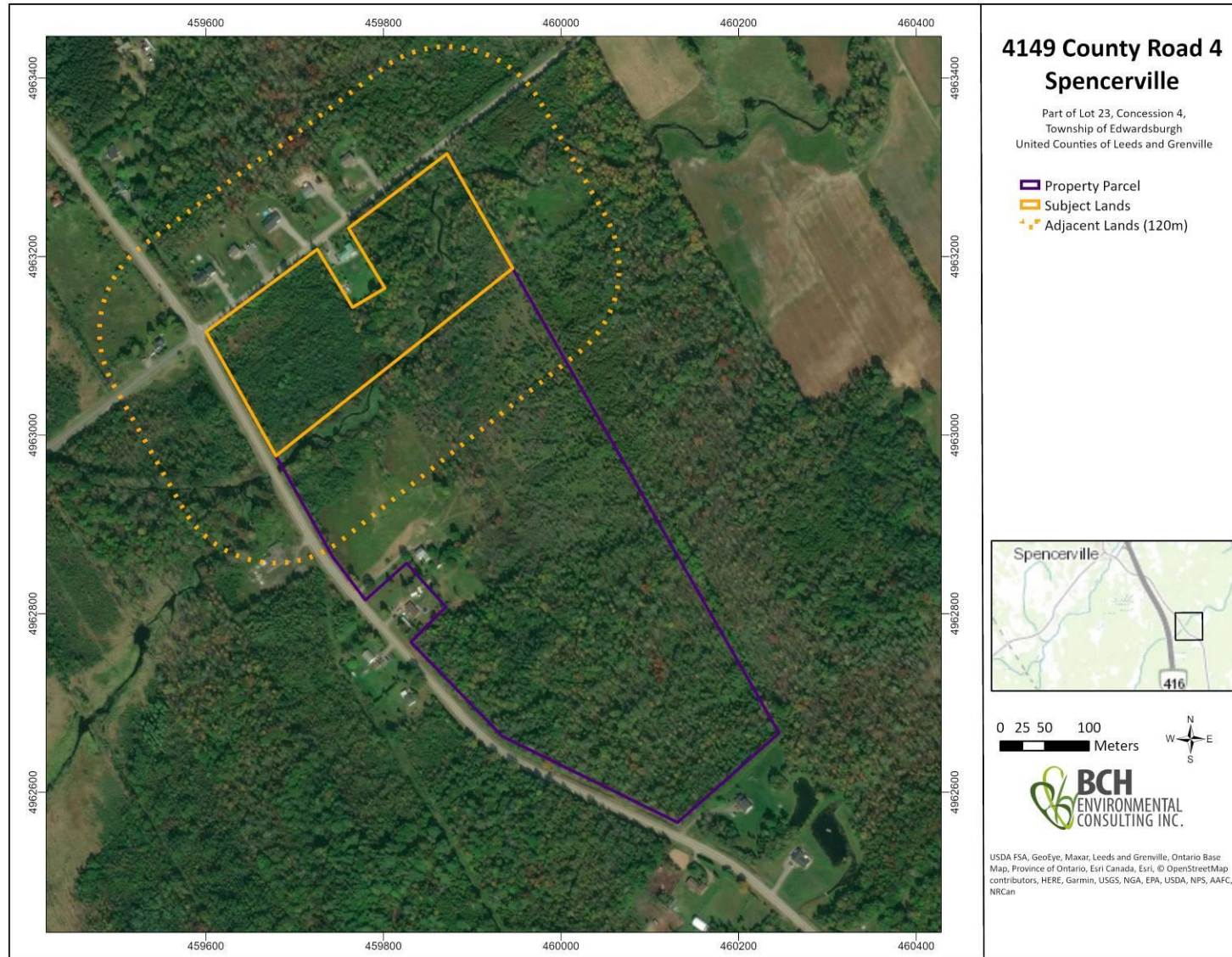




FIGURE 2: SUBJECT LANDS

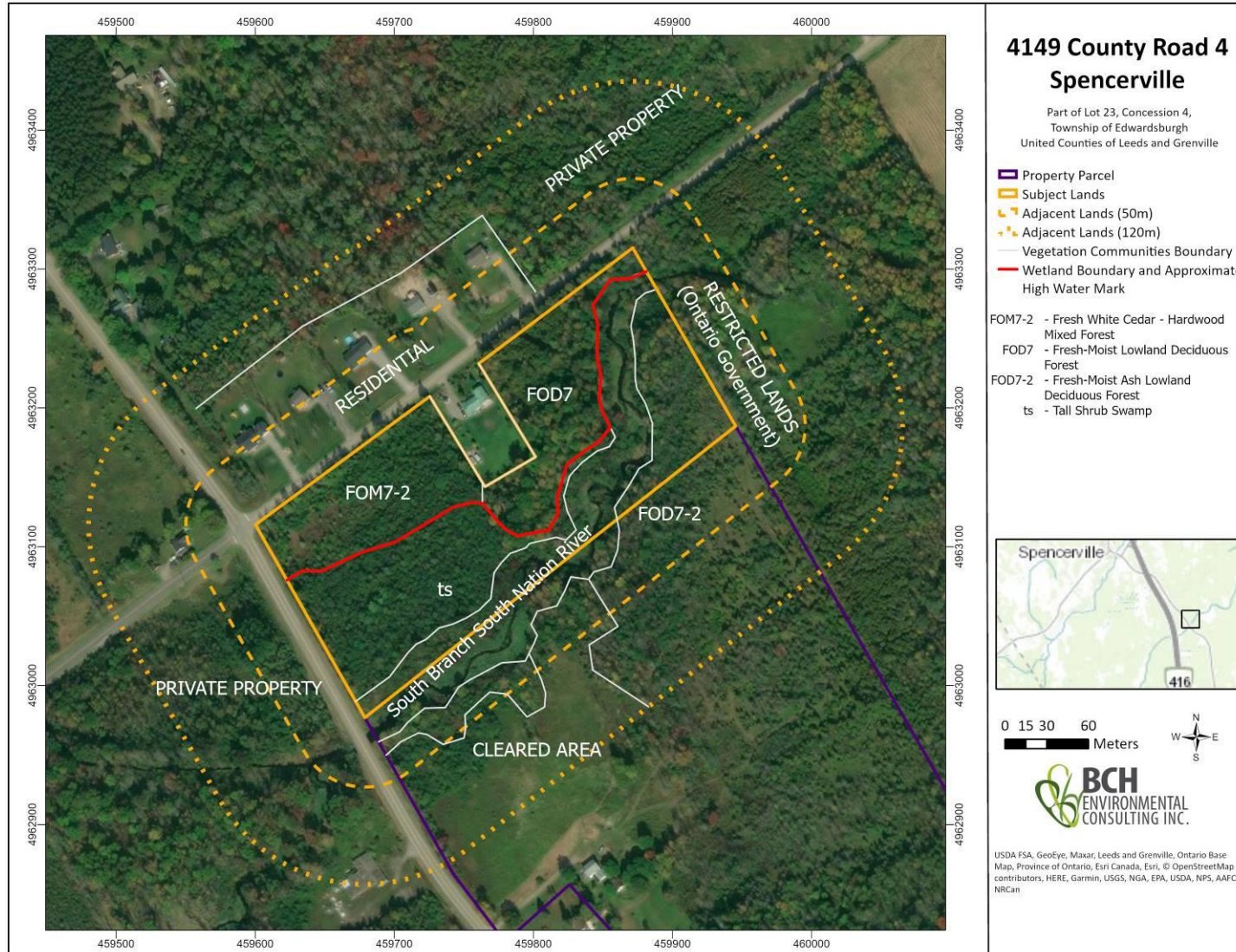
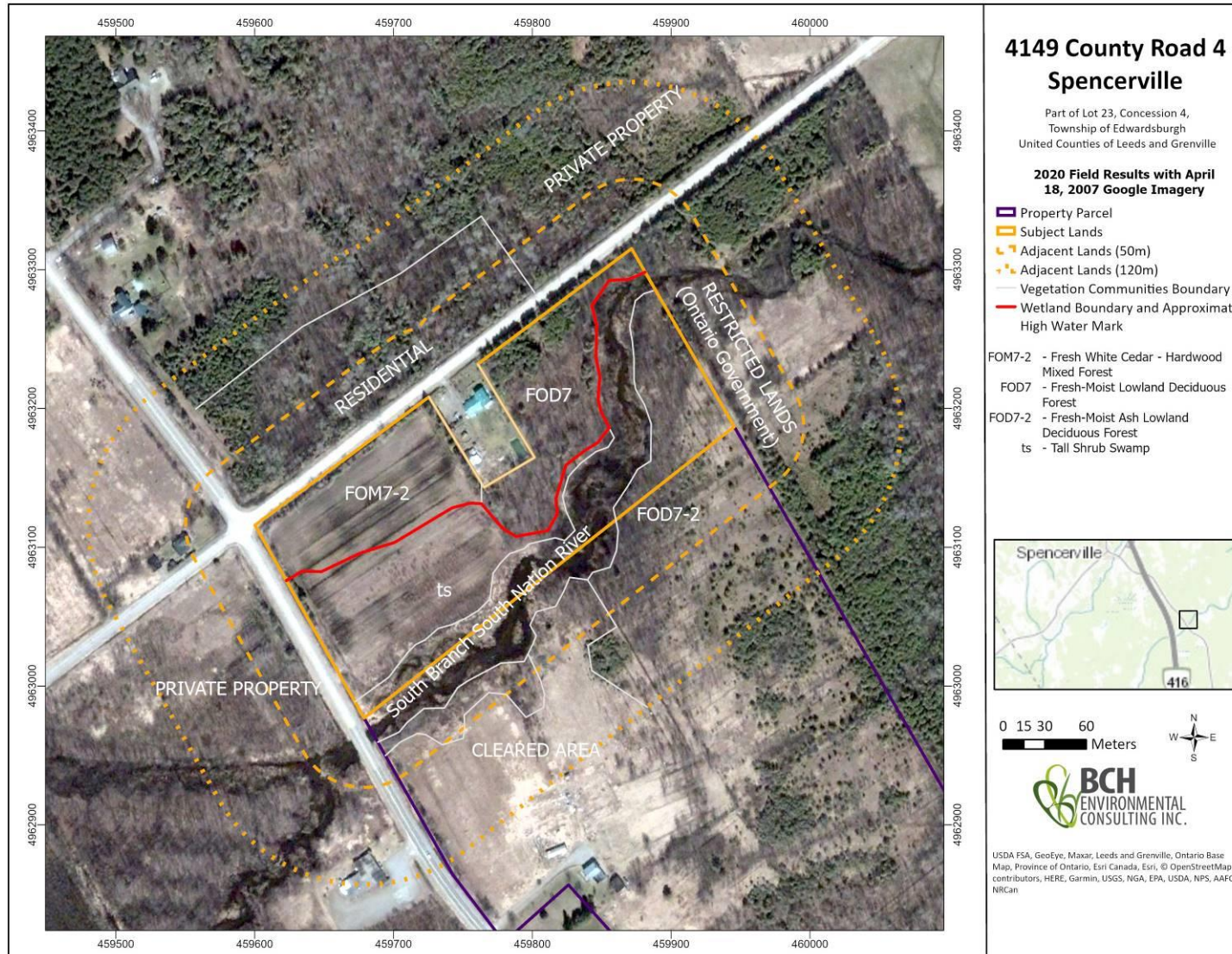




FIGURE 3: 2007 IMAGERY





### 3.0. Field Surveys

A butternut survey was conducted along with a search for cavity trees by systematically moving through the woodland (discussed in section 4.3 and 4.4). Vegetation communities along with the South Branch South Nation River were described (discussed in section 3.1).

#### 3.1. Existing Conditions

The subject lands are within the rural land designation within the Official Plan for the United Counties of Leeds and Grenville (2016). The subject lands consisted of forested areas and a swamp. The South Branch South Nation River runs along the southern and eastern portion of the subject lands (discussed in section 3.15). The majority of the western portion of the site was cleared in 2007 (Figure 3). Powerlines and the associated clearing are present throughout the subject lands traveling east to west.

Within the subject lands the terrain slopes very gently towards the south. The subject lands are shown within the Rubicon Soils Series which is described as having imperfect drainage, on generally undulating to level topography. Additionally, the soils associated with South Branch South Nation River within the subject lands and adjacent lands are shown as being Bottom Land which are described as having variable drainage, on level topography (Richards et al. 1949).

##### 3.1.1. Fresh-Moist Lowland Deciduous Forest (FOD7)

This community is present within the eastern portions of the subject lands and is bordered to the south by the South Branch South Nation River. The tree composition was variable providing on average 75% cover. This community consisted of deciduous trees with a white cedar inclusion along Glen Smail Road. Trees throughout this forest are relatively young. Evidence in the form of stumps was present suggesting historical harvesting has occurred. The canopy was the dominate layer. The average diameter within the canopy was 20-30cm, and 10cm within the sub-canopy. The canopy (10m tall; 75% cover) consisted of maples (red and Freeman's maples; DBH 20-30cm), trembling aspen (DBH 28-35cm), white ash (DBH 20-35cm) and the occasional black cherry (DBH 15-25cm). The sub-canopy (2-4m tall; 30% cover) was dominated by common buckthorn followed by the occasional white cedar. The understory (0.5-2m tall; 30-40% cover) was dominated by common buckthorn, followed by glossy buckthorn, wild red raspberry, and common blackberry. The ground layer provided 30% cover and included ferns (royal fern, maidenhair fern, and northern lady fern), Canada goldenrod, and grasses.

As mentioned, white cedar inclusions were present. This inclusions consisted entirely of white cedar (average DBH 20-25cm), with little to no ground cover (Photo 2).



Photo 1: Fresh-Moist Lowland Deciduous Forest (October 27, 2020).



Photo 2: White Cedar Inclusion (October 27, 2020).



### 3.1.2. Fresh-Moist Ash Lowland Deciduous Forest (FOD7-2)

This community is present within the south eastern portions of the subject lands and continues into the adjacent lands and is bordered to the north by the South Branch South Nation River. The tree composition and cover was variable providing on average 70-80% cover with some small areas dropping down to 50% cover. Trees throughout this forest are relatively young. Evidence in the form of stumps was present suggesting historical harvesting has occurred. The canopy was the dominate layer. The average diameter within the canopy was 10-20cm. The canopy (10m tall; 70% cover) consisted of green ash (10-20cm), Freeman's maples (silver and red maple hybrid; DBH 15cm), trembling aspen (DBH 10-20cm), and the occasional black cherry (DBH 18cm). The sub-canopy (2-4m tall; 30% cover) was dominated by common buckthorn followed by green ash and the occasional white cedar. The understory (0.5-2m tall; 30-40% cover) was dominated by common buckthorn, followed by glossy buckthorn, wild red raspberry, and common blackberry. The ground layer provided 30% cover and included ferns (royal fern, maidenhair fern, and northern lady fern), Canada goldenrod, and grasses.



Photo 3: Fresh-Moist Ash Lowland Deciduous Forest (October 27, 2020).

### 3.1.3. Fresh White Cedar - Hardwood Mixed Forest (FOM7-2)

This community was located within the western side of the subject lands, just south of Glen Smail Road, and north of the tall shrub swamp. Google Imagery dated April 18, 2007 (Figure 3) shows the land that both this community and the tall shrub swamp occupy was cleared and disked in 2007. These activities created long ruts, within these ruts plants with a higher tolerance to moisture thrive. Plants such as speckled alder, and glossy buckthorn were common in the ruts. Tree cover provided 75% cover and consisted of 50% coniferous trees and 50% deciduous trees, species composition was highly variable. The average DBH of the trees was 5-10cm. The dominant layer was the canopy (3-6m tall; 65% cover) which consisted of white cedar, balsam poplar, white pine, white spruce, glossy buckthorn, and trembling aspen.

There was no sub-canopy present. The understory (1-3m tall; 35% cover) consisted of white cedar, glossy buckthorn, speckled alder and wild red raspberry. The ground layer was variable and included common strawberry, Canada goldenrod, late goldenrod, tall goldenrod, and scouring rush. During the field visit the soils moisture regime was determined to be very fresh, which is not considered a wetland soil based on the Ontario Wetland Evaluation System.



Photo 4: Fresh White Cedar - Hardwood Mixed Forest (October 27, 2020).

#### 3.1.4. Tall Shrub Swamp

This community was located within the south western portion of the subject lands. As with the fresh white cedar – hardwood mixed forest the google imagery dated April 18, 2007 (Figure 3) shows the land was cleared and disked in 2007. These activities created long ruts, within these ruts plants with a higher tolerance to moisture thrive. Plants such as speckled alder, and glossy buckthorn were common in the ruts, and there appears to be more ruts within the swamp than the forest. The composition was fairly homogenous throughout this swamp and it presented two forms (Photo 5): the dominate form was tall shrub (speckled alder, glossy buckthorn, pussy willow, and slender willow), followed by herbaceous plant (goldenrod sp., and aster sp.). During the field visit the soils moisture regime was determined to be very fresh, which is not considered a wetland soil based on the Ontario Wetland Evaluation System. Although the moisture regime doesn't indicate wetland the plant composition certainly does. Wetlands are further discussed in section 6.0.





Photo 5: Tall Shrub Swamp- Hardwood Mixed Forest (October 27, 2020).

#### 3.1.5. South Branch South Nation River

The South Branch South Nation River flows east from County Road 44 across the southern and eastern portion of the subject lands. Multiple beaver dams were observed (some old and decommissioned, some newer). The wetted widths were highly variable ranging from 1m to 5m (the widest spots were immediately upstream of beaver dams). Water depth ranged from 10cm to nearly 1m. Substrate was variable with portions consisting of fines and others of rock. Bank erosion was noted where the river bend. The river banks consisted of wide areas (1-4m) of narrow-leaved emergent (common reed, reed canary grass, and other grass sp.) with areas of broad-leaved cattail and spotted joe-pye-weed. The occasional speckled alder clump was also observed. No barriers to fish movement were observed within the subject lands. The river is further discussed in section 6.0.





Photo 6: South Branch South Nation River (October 27, 2020).



Photo 7: South Branch South Nation River (October 27, 2020).

### 3.1.6. Cleared Area

The south western portion of the adjacent lands have been cleared (Photo 8)



Photo 8: Cleared Area (October 27, 2020).

## 4.0. Potential Species at Risk

The Make a Map: Natural Heritage online database (OMNRF) was reviewed on October 26, 2020. This database provides sightings of provincially tracked species including Threatened and Endangered species covered by the 2008 Endangered Species Act in 1 km squares across most of Ontario. A search conducted on the proposed building location and adjacent lands (18VQ5963, and 18VQ5962) revealed the following species:

- Snapping Turtle (Special Concern)

The Ontario Breeding Bird Atlas provides a searchable database in the form of a 10km square grid. A query revealed the following Species at Risk and species of special concern were identified within the 10km square that encompasses the site and adjacent lands (18VQ56, and 18VQ66):

- Common Nighthawk (Special Concern)
- Evening Grosbeak (Special Concern)
- Whip-poor-will (Threatened)
- Chimney Swift (Threatened)
- Eastern Wood-Pewee (Special Concern)
- Bank Swallow (Threatened)

- Barn Swallow (Threatened)
- Wood Thrush (Special Concern)
- Bobolink (Threatened)
- Eastern Meadowlark (Threatened)

Similar to the Ontario Breeding Bird Atlas, the Ontario Reptile and Amphibian Atlas provides a searchable database in the form of a 10km square grid. A query revealed the following species of special concern was identified within the 10km square that encompasses the subject lands and adjacent lands (18VQ56, and 18VQ66):

- Snapping Turtle (Special Concern)
- Blanding's Turtle (Threatened)

iNaturalist and the Global Biodiversity Information Facility provides a searchable database. A query revealed no results for Species at Risk in the area.

The Department of Fisheries and Oceans provide species at risk sightings via their online map tool. A query found no results in the vicinity of the site.

In addition to the above potential Species at Risk, many other endangered and threatened species may potentially occur in the general area:

- Butternut (Endangered)
- Little Brown Myotis (Endangered)
- Northern Myotis (Endangered)
- Tri-coloured Bat (Endangered)

#### 4.1. Turtles and Reptiles

Snapping turtles are designated as special concern under the Ontario Endangered Species Act (ESA). The habitat of species of special concern is not regulated under the Ontario ESA. Blanding's turtles have been designated as threatened and their habitat is provincially regulated.

Blanding's turtles are often observed within clear water eutrophic wetlands and have a strong site fidelity but may use several connected water bodies during the active season. Blanding's turtle was identified as occurring within the 10km search area (Ontario Reptile and Amphibian Atlas). This EIS will recognize the South Branch South Nation River within the subject lands may contain suitable Blanding's Turtle habitat (no study was conducted).

The Ontario Ministry of Natural Resources developed the general habitat description for the Blanding's Turtle (habitat provincially regulated), dividing habitat into three categories:

- **Category 1:** the nest and the area within 30m or overwintering sites and the area within 30m. Suitable nesting habitat occurs in sun-exposed areas with low vegetation cover and loose soils. They may overwinter in permanent or temporary waterbodies (young are also known to hibernate terrestrially), with the reported water depth varying from 0 to >100cm and often show a high site



fidelity. No evidence of this habitat was noted and so Category 1 habitat is not considered to be present on or adjacent to the subject lands.

- **Category 2:** the wetland complex that extends up to 2km from an occurrence, and the area within 30m around those suitable wetlands or waterbodies. As noted, Blanding's turtle was documented within 10km of the subject lands. For the purpose of this report, portions of the South Branch South Nation River will be considered to be Category 2 habitat. The tall shrub swamp present within the subject did not meet the habitat needs of turtles but the South Branch South Nation River does (Figure 4).
- **Category 3:** the area between 30m and 250m around suitable wetlands or waterbodies identified in Category 2, within 2km of an occurrence. As demonstrated in Figure 4, Category 2 habitat is present within the subject lands and the remainder is within 250m of the Category 2 habitat, therefore these lands will be considered Category 3 habitat. Category 3 habitat provides essential movement corridors of up to 500m between wetlands, a function which is essential for carrying out life processes associated with the Category 1 and 2 habitats.

As seen on Figure 4, both Category 2 and Category 3 Blanding's turtle habitat are within the subject lands. The potential clearing for a single proposed residential dwelling within Category 3 habitat is not anticipated to affect turtle movements given the large amount of undisturbed land and the size of the disturbance. No direct impacts on turtles are anticipated, indirect impacts on these species as a result of the proposed residential dwelling can be mitigated provided the mitigation measures in this report are properly implemented.

#### 4.2. Birds

Common nighthawk, eastern wood-pewee, evening grosbeak and wood thrush are designated special concern under the Ontario Endangered Species Act (ESA). The habitat of species of special concern is not regulated under the Ontario ESA.

Chimney swift, whip-poor-will, bank swallow, barn swallow, bobolink, and eastern meadowlark are designated as threatened under the Ontario Endangered Species Act (ESA). Chimney swift are aerial foragers, associated with water where insects are abundant and urban and rural areas where chimneys are available for nesting and roosting (COSEWIC 2007). No chimneys were observed for this species use. Barn swallow nest sites are commonly inside or outside of buildings, under bridges and wharves, and in road culverts (Heagy et al. 2014.). No barn swallow, or barn swallow nest were observed, nor were any nesting structures present within the subject or adjacent lands. Bobolink and eastern meadowlark are associated with native and non-native larger grassland habitats (COSEWIC 2010, and COSEWIC 2011). No hayfields or other suitable habitat were identified in the area. Eastern whip-poor-will are associated with semi-open forests or patchy forests with clearings. Areas with little ground cover are also preferred (COSEWIC 2009). The forest present within the subject and adjacent lands is too thick for whip-poor-will use.

#### 4.3. Mammals

Little brown Myotis, northern Myotis, and tri-coloured bat are designated endangered under the Ontario Endangered Species Act (ESA). All three species overwinter in hibernacula. Maternity colonies are established by females in the summer, often in buildings, or large-diameter trees with suitable cavities

(COSEWIC 2013). No caves, bedrock fissures, mining shafts, abandoned buildings, or other features which may function as bat hibernacula habitat were noted on the site. Larger cavity trees that may be used for summer maternal colonies by bats were not observed within the subject lands or adjacent lands.

#### 4.4. Vegetation

Butternut (designated as endangered by the ESA) tends to reach greatest abundance in rich well-drained mesic loams in floodplains, streambanks, terraces and ravine slopes, but can occur in a wide range of other situations (COSEWIC 2017). No butternut were observed during a detailed survey conducted on the subject lands and the adjacent 50m (Figure 2).

#### 4.5. Species at Risk Summary

In summary, based on the habitat present within the subject lands, no Species at Risk are anticipated to be present. The most likely Species at Risk would be butternut (none found during field visit).

Although no species at risk were identified within/utilizing the subject lands during the field visit, mitigation measures are outlined below to avoid impacting potential species at risk. Indirect impacts on these species as a result of the proposed development can be mitigated provided the mitigation measures in this report are properly implemented.



FIGURE 4: Blanding's Turtle Habitat

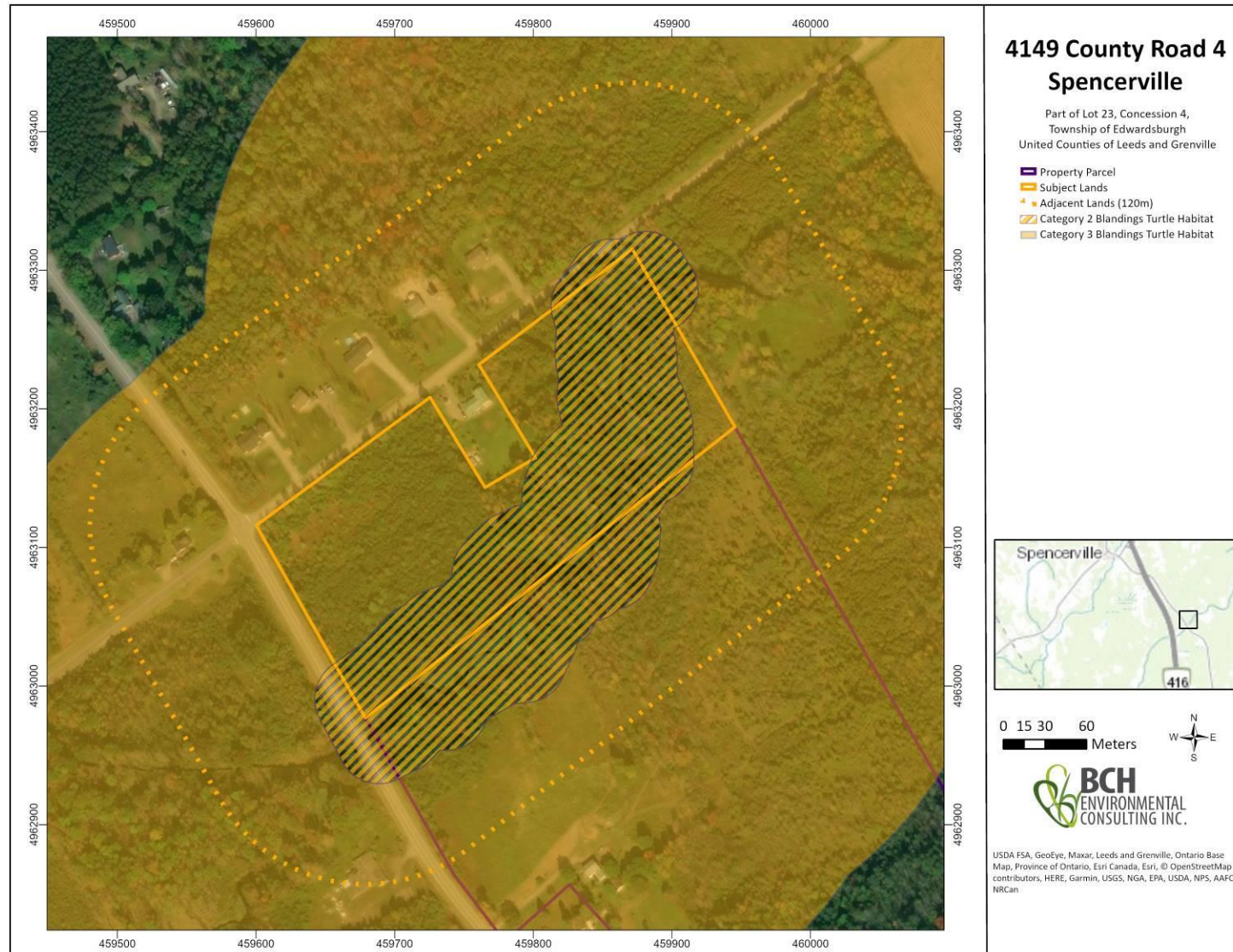
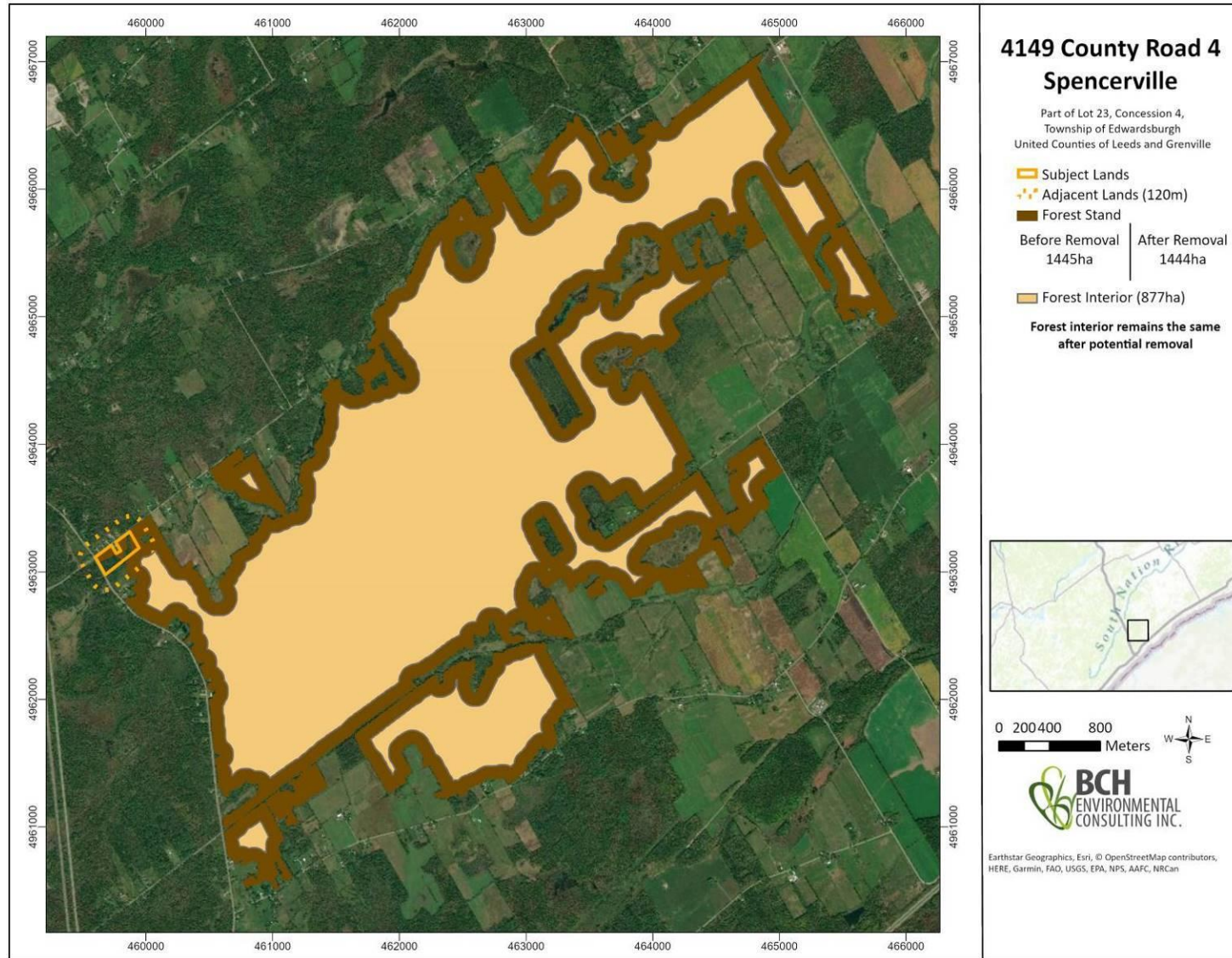


FIGURE 5: Woodland





## 5.0. Significant Woodland

The woodland within the subject lands is part of a larger woodland that totals 1445ha in size. With all environmental constraints taken into consideration (Figure 6), clearing within potential building envelope would result in the removal of 0.95ha. The County Road 44, and Glen Smail Road presented a break in the canopy which excluded the north and western wooded area from being considered contiguous. The significance of this woodland was evaluated using the criteria in the Natural Heritage Reference Manual (OMNR, 2010). The PPS does not permit development in significant woodlands south and east of the Canadian Shield unless it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions. Woodlands are significant if they meet the criteria presented in the NHRM: size, ecological function, uncommon characteristics and economical and social functional values. If the woodland meets any one of these criteria then it could be deemed to be significant. Table 1 demonstrates the factors determining significance pre and post construction as per the NHRM.

Within the portion proposed to be removed there were no seasonal concentration areas of animals, rare vegetative communities, raptor overwintering sites, old growth forest, caves, interior habitat or suitable tree cavities. Base on google imagery dated April 18, 2007 the fresh white cedar – hardwood mixed forest (subject lands) was cleared and disked in 2007. The portion being proposed for removal appears to be younger than 50 years old. Throughout the forests within the subject lands evidence in the form of stumps was present suggesting historical harvesting has occurred.

TABLE 1: WOODLAND ANALYSIS

CRITERIA		PRE CONSTRUCTION	POST CONSTRUCTION	DISCUSSION
<b>WOODLAND SIZE</b>		MEETS THE CRITERIA		Woodland is 1445 ha before potential clearing and 1444 ha after potential clearing
<b>ECOLOGICAL FUNCTION CRITERIA</b>	Woodland Interior	MEETS THE CRITERIA		Woodland Interior is approximately 877ha and will not be affected by potential removal.
	Proximity to other woodlands or other habitats	MEETS THE CRITERIA		A portion of the woodland is located within South Branch South Nation River (fish habitat) and it is likely receiving ecological benefit from the woodland.
	Linkages	DOES NOT MEET THE CRITERIA		Woodland is not located within a defined natural heritage system and does

CRITERIA	PRE CONSTRUCTION	POST CONSTRUCTION	DISCUSSION
			not appear to provide a connecting link between two other significant features.
Water protection	DOES NOT MEET THE CRITERIA		A watercourse present, but is not located within a sensitive or threatened watershed or a specified distance (e.g., 50 m or top of valley bank if greater) of a sensitive groundwater discharge, sensitive recharge, sensitive headwater area, sensitive watercourse or sensitive fish habitat.
Woodland diversity	DOES NOT MEET THE CRITERIA		Within the subject lands this forest did not contain any declining natural communities or a high variety of native diversity through composition or terrain.
<b>UNCOMMON CHARACTERISTICS CRITERIA</b>	DOES NOT MEET THE CRITERIA		Within the subject lands there are no uncommon species composition, cover type, age or structure.
<b>ECONOMIC AND SOCIAL FUNCTIONAL VALUES CRITERIA</b>	DOES NOT MEET THE CRITERIA		Within the subject lands the woodlands did not have high economic or social values through particular site characteristics or deliberate management.

As per the criteria set out in the NHRM this woodland should be considered significant, furthermore the woodland retains this designation of significant even after construction is completed. This woodlands significance was established from the following criteria: size, woodland interior and proximity to other habitats. After removal (0.95ha), the woodland (1444ha after removal) still meets the criteria for significance (Table 1).

No negative impacts to the natural features or the ecological functions of this woodland are anticipated. Woodland significance is retained. Indirect impacts on this woodland as a result of the proposed development can be mitigated provided the mitigation measures in this report are properly implemented.

Although this woodland has been classified by the NHRF as potentially significant, it is important to note that this was attributed in the general vicinity of the site to the size, woodland interior and proximity to other habitats. Other than those three features there is nothing regarding the characteristic of the forest within the subject lands to warrant significance. This is a young forest with low species diversity.

## 6.0. South Branch South Nation River and Wetlands

The South Branch South Nation River (discussed in section 3.1.5), is able to support a multitude of aquatic species, such as: fish, amphibians, reptiles and a multitude of other species. Section 4.37 of the Township Zoning Bylaw requires buildings to be setback 30 metres from the top of bank or high-water mark, whichever is greater. SNC implements Ontario Regulation 170/06, Development Interference with Wetlands and Alterations to Shorelines and Watercourses, enacted under Section 28 of the Conservation Authorities Act. Any interference with a watercourse may require a permit from SNC, and restrictions may apply. The proposed building envelope is located outside of the 30m setback, and no interference with the watercourse is anticipated at this time. If encroachment within the 30m is necessary then a further study may be required to determine the significance of potential impacts.

As mentioned in section 3.1.4, the tall shrub swamp present within the subject land (area cleared in 2007) was most likely caused by clearing activities/disking and the resulting ruts enabled plant with high affinity for water to flourish. This wetland has no significant features with the exception of being adjacent to South Branch South Nation River (which potentially can be utilised by Blanding's Turtle). An evaluation using the Ontario Wetland Evaluation System of said wetland is beyond the scope of this EIS, and would require further study. That being said there is a high probability that this wetland meets the requirement for significance due to the South Branch South Nation River, therefore this EIS recommends respecting a 30m buffer from the edge of the tall shrub swamp. If encroachment within the tall shrub swamp is necessary then a further study during the growing season may be required to determine significance.

## 7.0. Development Constraints

As discussed above, no significant constraints, regulatory requirements, or buffer requirements have been identified in relation to Significant Woodlots. Constraints that have been identified are discussed below (Figure 6):

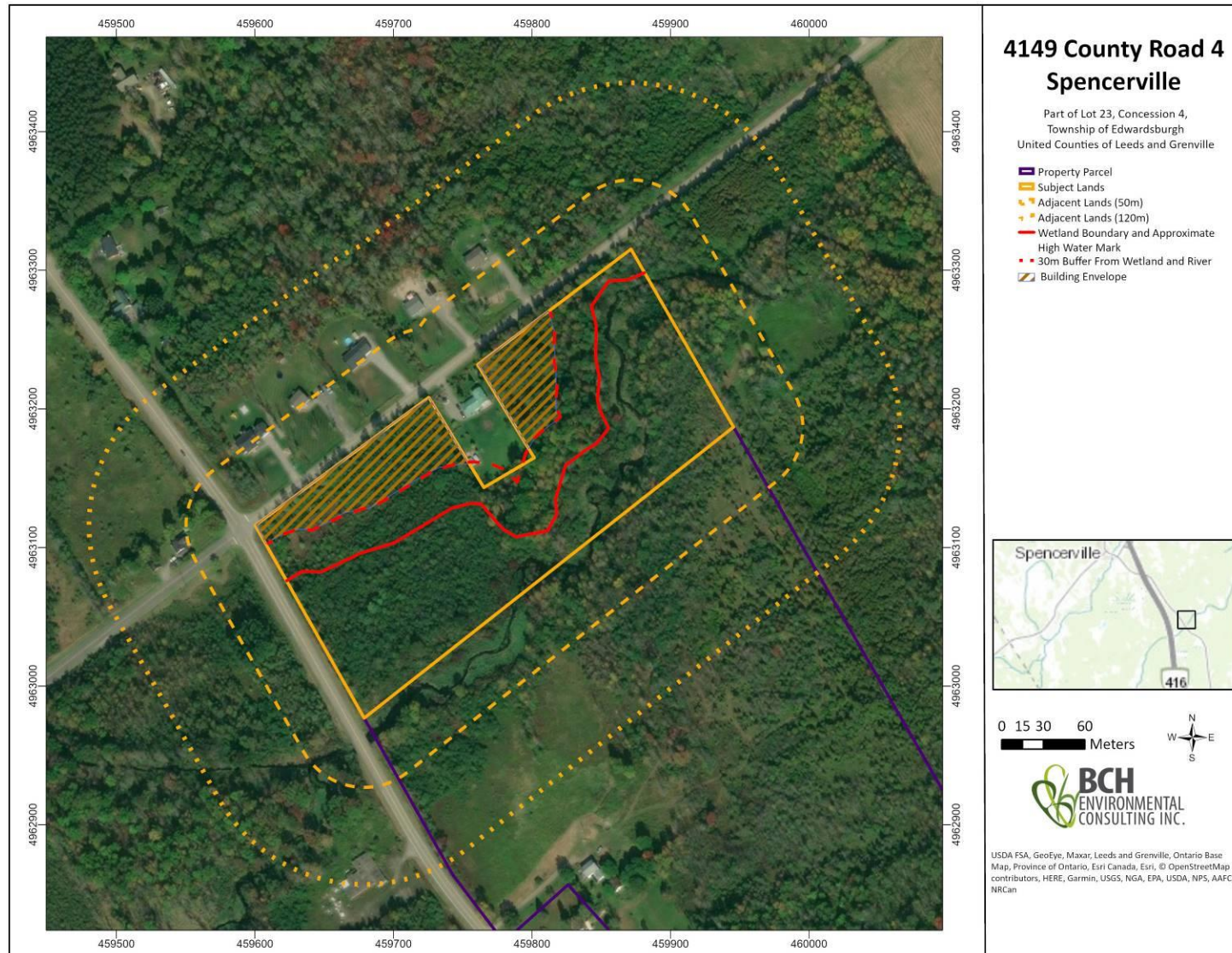
**Wetlands:** As described above, a portion of the subject lands included wetland habitats (tall shrub swamp). All lands within 30m of the wetlands are to be maintained in a natural vegetated state. Potential building envelopes have been identified outside of the 30m buffer (Figure 6)

**Fish Habitat:** South Branch South Nation River will also require a setback. In combination, the setback requirements adjacent to the wetland and the river are such that there is sufficient space to accommodate a potentially viable building envelope. The building envelope is at a distance greater than 30m from fish habitat.

The subject lands after constraints are taken into consideration are likely large enough to accommodate a potential building envelope (Figure 6).



FIGURE 6: Environmental Constraints



## 8.0. Recommendations and Conclusion

This study's recommendations are intended to mitigate potential negative impacts due to the proposed severance and should be implemented through a development agreement between the owners and the municipality in order to control development of the site. Properly implemented controls within this agreement are deemed sufficient to mitigate the potential impacts of the proposed development on the significant woodland, and aquatic habitat.

- 1- All lands within 30m of the wetlands are to be maintained in a natural vegetated state.
- 2- All potential development will occur more than 30 m from the edge of watercourses.
- 3- The extent of any vegetation removal is to be minimized.
- 4- All rules governing septs and wells must be followed and be kept in good operational order.
- 5- No ditches or watercourses are to be created. The site's hydrology is not to be impacted.
- 6- No permanent fencing is to be installed.
- 7- There will be no use of herbicides in clearing of vegetation.
- 8- Municipal by-laws and provincial regulations for noise will be followed.
- 9- To protect breeding birds, no tree or shrub removal should occur between May 1<sup>st</sup> and July 31<sup>st</sup>, unless a breeding bird survey is completed by a qualified biologist within five days of the woody vegetation removal identifies no nesting activity.
- 10- With regard to turtles, clearing of vegetation should be undertaken between October 15th and April 15th, which is outside of the more active season for turtles.
- 11- Construction staff is to be made aware of the characteristics of turtles (especially Banding's turtles) and in the event that these and/or any Species at Risk (SAR) are encountered during site clearing, work in the area will be stopped immediately. Measures will be undertaken to ensure the animal is not harmed and the project biologist and the Ministry of the Environment, Conservation and Parks contacted to discuss how to proceed.
- 12- To discourage wildlife from entering the work areas during construction, the site should be kept clear of food wastes and other garbage. Proper drainage should be provided to avoid accumulation of standing water, which could attract amphibians, birds, and other wildlife to the work areas.

To conclude this EIS, it is the professional opinion of the author that with proper implementation and maintenance of the mitigation measures (see above), the proposed severance will not negatively impact the significant woodland and aquatic habitat. Furthermore, although the overall woodland is considered significant, it is important to note that in the general area of the site this was strictly attributed to the size, woodland interior and proximity to other habitats. Other than those three features there is nothing regarding the characteristic of the forest within the subject lands to warrant significance. Post development the remaining forest will continue to meet the size, woodland interior and proximity to other habitats criteria for significant woodlands.



20373 Bethune Street  
South Lancaster, On  
K0C 2C0  
613.571.8883  
shaunstpierre@hotmail.com

Thank you for the opportunity to work with you and If you have any questions or comments please do not hesitate to contact our office.

A handwritten signature in black ink, appearing to read "S. St. Pierre".

Shaun St.Pierre, B.Sc. Biology

BCH Environmental Consulting Inc.



## REFERENCE

- Bradley, David J. 2013. Southern Ontario Vascular Plant Species List. Ont. Min. Natur. Resour. Science and Information Branch, Southern Sci. and Info., SIB SR-03 78p.
- COSEWIC. 2007. COSEWIC assessment and status report on the Chimney Swift *Chaetura pelagica* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. vii + 49 pp. ([www.sararegistry.gc.ca/status/status\\_e.cfm](http://www.sararegistry.gc.ca/status/status_e.cfm)).
- COSEWIC. 2009. COSEWIC assessment and status report on the Whip-poor-will *Caprimulgus vociferus* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. vi + 28 pp. ([www.sararegistry.gc.ca/status/status\\_e.cfm](http://www.sararegistry.gc.ca/status/status_e.cfm)).
- COSEWIC. 2010. COSEWIC assessment and status report on the Bobolink *Dolichonyx oryzivorus* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. vi + 42 pp. ([www.sararegistry.gc.ca/status/status\\_e.cfm](http://www.sararegistry.gc.ca/status/status_e.cfm)).
- COSEWIC. 2011. COSEWIC assessment and status report on the Eastern Meadowlark *Sturnella magna* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. x + 40 pp. ([www.sararegistry.gc.ca/status/status\\_e.cfm](http://www.sararegistry.gc.ca/status/status_e.cfm)).
- COSEWIC. 2012. COSEWIC assessment and status report on the Eastern Wood-pewee *Contopus virens* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. x + 39 pp. ([www.registrelep-sararegistry.gc.ca/default\\_e.cfm](http://www.registrelep-sararegistry.gc.ca/default_e.cfm)).
- COSEWIC. 2013. COSEWIC assessment and status report on the Little Brown Myotis *Myotis lucifugus*, Northern Myotis *Myotis septentrionalis* and Tri-colored Bat *Perimyotis subflavus* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. xxiv + 93 pp. ([www.registrelep-sararegistry.gc.ca/default\\_e.cfm](http://www.registrelep-sararegistry.gc.ca/default_e.cfm)).
- COSEWIC. 2016. COSEWIC assessment and status report on the Evening Grosbeak *Coccothraustes vespertinus* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. xi + 64 pp. (<http://www.registrelep-sararegistry.gc.ca/default.asp?lang=en&n=24F7211B-1>).
- COSEWIC. 2017. COSEWIC assessment and status report on the Butternut *Juglans cinerea* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. xiii + 74 pp. (<http://www.registrelep-sararegistry.gc.ca/default.asp?lang=en&n=24F7211B-1>).
- COSEWIC. 2018. COSEWIC assessment and status report on the Common Nighthawk *Chordeiles minor* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. xi + 50 pp. (<http://www.registrelep-sararegistry.gc.ca/default.asp?lang=en&n=24F7211B-1>).
- Department of Fisheries and Oceans (DFO). 2019. Aquatic Species at Risk Map Available <https://www.dfo-mpo.gc.ca/species-especes/sara-lep/map-carte/index-eng.html> (Accessed October 26, 2020).
- Heagy, A., D. Badzinski, D. Bradley, M. Falconer, J. McCracken, R.A. Reid and K. Richardson. 2014. Recovery Strategy for the Barn Swallow (*Hirundo rustica*) in Ontario. Ontario Recovery Strategy Series. Prepared for the Ontario Ministry of Natural Resources and Forestry, Peterborough, Ontario. vii + 64 pp.

- Lee, H.T., W.D. Bakowsky, J. Riley, J. Bowles, M. Puddister, P. Uhlig and S. McMurray. 1998. Ecological Land Classification for Southern Ontario: First Approximation and its Application. Ontario Ministry of Natural Resources, Southcentral Science Section, Science Development and Transfer Branch. SCSS Field Guide FG-02.
- Ministry of Municipal Affairs and Housing (MMAH). 2014. Ontario Provincial Policy Statement. Issued under section 3 of the Planning Act.
- Ontario Ministry of Natural Resources (OMNR). 2000. Significant wildlife habitat technical guide. 151p.
- Ontario Ministry of Natural Resource (OMNR). 2013. Blanding's Turtle General Habitat Description.
- Ontario Ministry of Natural Resources (OMNR). March 2010. Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition. Toronto: Queen's Printer for Ontario. 248 pp
- Ontario Ministry of Natural Resources (OMNR). 2020. Land Information Ontario. Available <https://www.ontario.ca/page/land-information-ontario> (Accessed October 26, 2020).
- Ontario Ministry of Natural Resources and Forestry (MNRF). 2015. Significant Wildlife Habitat Criteria Schedules For Ecoregion 6E. 38p.
- Ontario Nature. 2020. Ontario Breeding Bird Atlas. Available <http://www.birdsontario.org/atlas/index.jsp> (Accessed October 26, 2020).
- Ontario Nature. 2020. Ontario Reptile and Amphibian Atlas. Available <https://ontarionature.org/oraa/maps/> (Accessed October 26, 2020).
- Ontario Nature, 2020. Ontario Reptile and Amphibian Atlas: a citizen science project to map the distribution of Ontario's reptiles and amphibians. Ontario Nature, Ontario. Available: <https://www.ontarioinsects.org/herp;> (Accessed October 26, 2020)
- Richards, N.R., B.C. Mathews, and F.F. Morwick. 1949. The Soil Survey of Grenville County. Report No. 12 of the Ontario Soil Survey.
- Species at Risk Ontario (SARO). 2020. Species at Risk Ontario. Retrieved October 26, 2020 at <http://www.ontario.ca/environment-and-energy/species-risk-ontario-list>
- South Nation Conservation Authority. 2020. SNC Public Geoportal (Accessed October 26, 2020).
- Township of Edwardsburgh Cardinal. 2019. Official Plan for the Township of Edwardsburgh Cardinal.
- United Counties of Leeds and Grenville .2016. Official Plan for the United Counties of Leeds and Grenville.



20373 Bethune Street  
South Lancaster, On  
K0C 2C0  
613.571.8883  
shaunstpierre@hotmail.com

## APPENDIX A: LAND INFORMATION ONTARIO MAPPING





## APPENDIX B: OBSERVED SPECIES LIST

COMMON NAME	SCIENTIFIC NAME	SRANK	SARA STATUS	SARO STATUS	COEFF. CONSERVATISM
Royal Fern	<i>Osmunda regalis</i>	S5			7
Common Scouring-rush	<i>Equisetum hyemale</i>	S5			2
Northern Maidenhair Fern	<i>Adiantum pedatum</i>	S5			7
Northern Lady Fern	<i>Athyrium filix-femina</i>	S5			4
Tamarack	<i>Larix laricina</i>	S5			7
White Spruce	<i>Picea glauca</i>	S5			6
Eastern White Pine	<i>Pinus strobus</i>	S5			4
Eastern White Cedar	<i>Thuja occidentalis</i>	S5			4
Broad-leaved Cattail	<i>Typha latifolia</i>	S5			1
Slender Willow	<i>Salix petiolaris</i>	S5			3
Common Reed	<i>Phragmites australis</i>	S4?			0
Balsam Poplar	<i>Populus balsamifera</i>	S5			4
Large-toothed Aspen	<i>Populus grandidentata</i>	S5			5
Trembling Aspen	<i>Populus tremuloides</i>	S5			2
Pussy Willow	<i>Salix discolor</i>	S5			3
Speckled Alder	<i>Alnus incana ssp. rugosa</i>	S5			6
White Birch	<i>Betula papyrifera</i>	S5			2
Gray Birch	<i>Betula populifolia</i>	S4			5
White Oak	<i>Quercus alba</i>	S5			6
Bur Oak	<i>Quercus macrocarpa</i>	S5			5
American Elm	<i>Ulmus americana</i>	S5			3
Common Strawberry	<i>Fragaria virginiana</i>	S5			2
Black Cherry	<i>Prunus serotina</i>	S5			3
Common Blackberry	<i>Rubus allegheniensis</i>	S5			2
Canada Goldenrod	<i>Solidago canadensis</i>	S5			1
Wild Red Raspberry	<i>Rubus idaeus ssp. strigosus</i>	S5			2
Red Maple	<i>Acer rubrum</i>	S5			4
(Acer rubrum X Acer saccharinum)	<i>Acer x freemanii</i>	SNA			6
Spotted Jewelweed	<i>Impatiens capensis</i>	S5			4
Common Buckthorn	<i>Rhamnus cathartica</i>	SNA			
Glossy Buckthorn	<i>Frangula alnus</i>	SNA			
White Ash	<i>Fraxinus americana</i>	S4			4
Black Ash	<i>Fraxinus nigra</i>	S4			7
Green Ash	<i>Fraxinus pennsylvanica</i>	S4			3
Broadleaf Plantain	<i>Plantago major</i>	SNA			

COMMON NAME	SCIENTIFIC NAME	SRANK	SARA STATUS	SARO STATUS	COEFF. CONSERVATISM
Philadelphia Fleabane	<i>Erigeron philadelphicus</i>	S5			1
Spotted Joe Pye Weed	<i>Eutrochium maculatum</i>	S5			3
Oxeye Daisy	<i>Leucanthemum vulgare</i>	SNA			
Early Goldenrod	<i>Solidago juncea</i>	S5			3
Late Goldenrod	<i>Solidago altissima</i> spp. <i>Altissima</i>	S5			1
Broad-leaved Meadowsweet	<i>Spiraea alba</i> var. <i>latifolia</i>	S5			3
Highbush Cranberry	<i>Viburnum opulus</i> ssp. <i>trilobum</i>	S5			5
Reed Canary Grass	<i>Phalaris arundinacea</i> var. <i>arundinacea</i>	S5			0
Aster sp.	<i>Symphyotrichum</i> sp.				

**SRANK DEFINITIONS**

- S4 Apparently Secure, Uncommon but not rare; some cause for long-term concern due to declines or other factors.  
 S5 Secure, Common, widespread, and abundant in the nation or state/province.  
 ? Inexact Numeric Rank—Denotes inexact numeric rank



## Conservation Partners Partenaires en conservation



Via E-mail (Krista.Wiedenaar@uclg.on.ca)

September 24, 2020

Ms. Krista Wiedenaar  
Secretary/Treasurer of Consent Granting Authority  
25 Central Ave. West, Suite 100  
Brockville, ON  
K6V 4N6

**Re: Application for Consent (Robinson and Burkert)**  
**File Number: B-77-20**  
**Lot 23, Concession 4 (Edwardsburgh)**  
**Township of Edwardsburgh-Cardinal**  
**4149 County Road 44**  
**Roll 070170103021000**

Dear Ms. Wiedenaar,

South Nation Conservation (SNC) has received and reviewed the above consent application to create a new vacant residential fronting on Glen Small Road.

We have considered the impact of this severance on the local environment, as outlined under Sections 2.1 (Natural Heritage) and 3.1 (Natural Hazards) of the Provincial Policy Statement (May 2020), issued under Section 3 of the *Planning Act*, 1990. The following natural heritage and natural hazards were considered, based on a desktop review.

Natural Heritage Features (S.2.1 PPS):	Natural Hazards (S.3.1 PPS):	Clean Water Act (2006)
Significant wetlands	Hazardous lands	Source Protection Areas
Significant woodlands	<i>Flooding</i>	
Significant valleylands	<i>Erosion</i>	
Significant wildlife habitat	Hazardous sites	
Significant Areas of Natural and Scientific Interest	<i>Unstable soils</i>	
	<i>Unstable bedrock</i>	
Fish habitat		

In addition, we review the application in accordance with the Source Water Protection Agreement between the Township of Edwardsburgh-Cardinal and SNC.

### **Natural Heritage**

#### *Watercourse*

The proposed retained and severed lots contain a section of the South Branch of the South Nation River, a permanent watercourse that supports habitat for fish and other aquatic species.

Section 4.2.10 of the United Counties of Leeds and Grenville (UCLG) Official Plan requires development and site alteration within 120 metres of a watercourse to complete an environmental impact study (EIS).

In addition, the Section 4.37 of the Township Zoning Bylaw requires buildings to be set back 30 metres from the top of bank or high-water mark, whichever is greater. Any development within this area will require a Minor Variance to the Township's Zoning Bylaw.

SNC implements Ontario Regulation 170/06, Development Interference with Wetlands and Alterations to Shorelines and Watercourses, enacted under Section 28 of the *Conservation Authorities Act*. Any interference with a watercourse may require a permit from SNC, and restrictions may apply.

#### *Significant Woodlands*

Woodland on both the retained and severed lots is identified on Schedule B of the Township's Official Plan as significant woodland. On the vacant lot to be severed, this includes the eastern half of the property.

Section 6.17.5 of the Township Official Plan requires development and site alteration within 120 metres of the woodland to also prepare an EIS. The study must demonstrate that there will be no negative impacts on the natural features or their ecological function from the proposed development. This is consistent with Section 4.2.7 of the UCLG Official Plan.

### **Natural Hazards**

#### *Slope Stability*

This section of the South Branch of the South Nation River has been identified as having a slope stability factor of  $> 2.5$  in the Slope Stability Study of the South Nation River and Portions of the Ottawa River by Poschmann, Klassen, Klugman and Gooding (1983).

Prior to any development or site alteration, a geotechnical inspection by a qualified professional may be required to ensure that any potential risks from these hazards can be adequately addressed.

*Floodplain*

A 1:100-year floodplain analysis has not been completed in this portion of the watershed; consequently, the extent of any potential floodplain on this property is unknown.

**Conclusion**

SNC does not object to the application; however, we request the following condition be included in the decision:

- i. The applicant provides a scoped Environmental Impact Statement that confirms the extent of the Significant Woodland, describes a suitable building envelope, and demonstrates that there will be no negative impacts to Significant Woodland or aquatic habitat from the proposed development.

I trust the above is to your satisfaction. Please feel free to contact our office if there are any questions or concerns.

Kind regards,



James Holland  
Watershed Planner  
South Nation Conservation



**DEVELOPMENT AGREEMENT  
BETWEEN RYAN ROBINSON AND CHELSEA BURKERT  
AND THE TOWNSHIP OF EDWARDSBUGH/CARDINAL**

**SCHEDULE “D”  
DEVELOPMENT REQUIREMENTS**

1. All lands within 30m of the wetlands are to be maintained in a natural vegetated state.
2. All potential development will occur more than 30 m from the edge of watercourses.
3. The extent of any vegetation removal is to be minimized.
4. All rules governing septic and wells must be followed and be kept in good operational order.
5. No ditches or watercourses are to be created. The site's hydrology is not to be impacted.
6. No permanent fencing is to be installed.
7. There will be no use of herbicides in clearing of vegetation.
8. Municipal by-laws for noise will be followed.
9. To protect breeding birds, no tree or shrub removal should occur between May 1st and July 31st, unless a breeding bird survey is completed by a qualified biologist within five days of the woody vegetation removal identifies no nesting activity.
10. With regard to turtles, clearing of vegetation should be undertaken between October 15th and April 15th, which is outside of the more active season for turtles.
11. Construction staff is to be made aware of the characteristics of turtles (especially Banding's turtles) and in the event that these and/or any Species at Risk (SAR) are encountered during site clearing, work in the area will be stopped immediately. Measures will be undertaken to ensure the animal is not harmed and the project biologist and the Ministry of the Environment, Conservation and Parks contacted to discuss how to proceed.
12. To discourage wildlife from entering the work areas during construction, the site shall be kept clear of food wastes and other garbage. Proper drainage should be provided to avoid accumulation of standing water, which could attract amphibians, birds, and other wildlife to the work areas.