

December 3, 2020

OEC 20-036

Celeste Phillips Planning Inc.
85 Bayfield Street
Suite 300
Barrie, Ontario

Attention: Celeste Phillips

**Re: Scoped Environmental Impact Study
Lot 9 Concession 12, Township of Tiny**

Dear Ms. Phillips:

Orion Environmental was retained to undertake a Scoped Environmental Impact Study for the property located at Lot 9 Concession 12 in the Township of Tiny, County of Simcoe. The purpose of the report is to assess the potential impacts associated with the development of the aforementioned parcel for residential development. The location of the property is shown on Figure 1. A copy of the proposed development concept is appended.

1.0 INTRODUCTION

The subject property is forested and is surrounded by rural and country residential development to the north, west and south. The lands to the east of Overhead Bridge Road are forested with no development. The property is approximately 5.6ha in size and is a linear parcel adjacent to Overhead Bridge Road which wraps around two existing residential lots, as shown in Figure 1.

To establish the scope of the Environmental Impact Study (EIS) for the proposed development we reviewed the applicable planning designations and undertook consultation with the Severn Sound Environmental Association (SSEA). Given the site characteristics and the lands are not designated as a natural heritage feature by either the County or the Township the following scope of work was proposed by the SSEA to help facilitate the EIS submission now rather than waiting for spring/summer conditions:

1. vascular plant surveys, map and describe vegetation communities using Ecological Land Classification [for lands identified as Significant Woodlands, ELC must include descriptions of species, composition, and age structure], including a survey for Species At Risk (SAR) vegetation.
2. document the presence and location of any previously unknown or undocumented natural heritage features.
3. address SAR and any candidate or confirmed Significant Wildlife Habitat, taking into consideration any applicable federal or provincial policies/legislation and guidance documents
 - a. undertake a Species at Risk (SAR) screening to assess for potential SAR including reviewing species occurrence records and range maps, and a habitat-based assessment of lands to function as habitat for other SAR based on habitat present and as identified through field studies;
 - b. identify, map and describe all potential SWH within the study area, using the current SWH Ecoregion Criteria Schedules.
4. assess potential direct and indirect impacts of proposal on natural heritage features/functions, provide recommendations to avoid and/or mitigate negative environmental impacts, including establishing appropriate buffers to natural heritage features based on an ecological rationale that will protect the features and their associated functions from anticipated or potential impacts of development
5. map natural features, vegetation communities, and other environmental areas and proposed development on current, high quality aerial imagery.
6. identify appropriate lot size(s) and configuration(s), including appropriate building envelopes for development [Depending on on-site conditions and features, these may or may not differ from initial concept(s)]

SSEA agreed the results of initial SAR screening and preliminary determination of any potential Significant Wildlife Habitat on the subject lands could be submitted to the Township and County now. Based on the findings of this report the SSEA will determine if there is a need for any additional field work or specific surveys in 2021 (e.g., bat snag surveys, breeding bird surveys, other targeted SAR surveys).

2.0 BACKGROUND INFORMATION

2.1 Property Description

The subject property is approximately 5.6ha and is forested. The property is designated Country Residential in Schedule A – Land Use, zoned Future Development and not designated as a natural feature in the Township of Tiny Official Plan and zoning bylaw mapping. The County of Simcoe Land Use Schedule 5.1 designates the lands as Rural. The Township has designated the lands for future development given the adjacent residential development and its proximity to Overhead Bridge Road. Copies of the mapping are appended.

3.0 NATURAL HERITAGE FEATURE ASSESSMENT

To evaluate the impact of the development of the parcel an assessment of the natural heritage features on the property and the surrounding land uses was undertaken.

3.1 Vegetation

The ELC community is Dry Oak – Pine Mixed Forest FOM1 on well drained Tioga Sandy Loam. The site is dominated by Red Oak and Sugar Maple with Red Pine and White Pine present in smaller numbers. White Ash, Beech and White Birch are present but in limited numbers. Both our site review and an arborist report prepared by Peter Wright in 2017 confirmed no Butternut are present on the site, copy attached. Trees ranged in size from 30cm DBH to a few trees up to 130cm DBH. The understory vegetative grow is limited which is typical for a woodlot with a high closed canopy that acts to limit light penetration to promote vegetative growth. Photos of the site conditions are appended.

Herbaceous vegetation could not be assessed due to the time of the site visit (November 30th) and the heavy leaf mat from fallen deciduous leaves.

3.2 Species at Risk

Review of the Ministry of Natural Resources and Forestry (MNR) Natural Heritage Centre Information Centre (MHIC) data base showed Eastern Massasauga Rattlesnake (Threatened), Eastern Meadowlark (Threatened) and Eastern Wood-pewee (Special Concern) within the 1km NHIC grid on the property and the adjacent lands with comparable habitat.

The site lacks significant habitat for Massasauga as it lacks fractured bedrock, wetlands or animal burrows on slopes that would provide hibernation opportunities, nor does the site provide open dry habitats for pregnant females to thermoregulate.

There is no grassland habitat for Eastern Meadowlark on-site.

There is potential habitat for Eastern Wood-pewee and although designated of Special Concern, it is commonly found in forested lands in Simcoe County. Special Concern species are not provided with any legislated habitat protection.

Table 1 provides a SAR assessment based on the current MNR SAR species listing for the County. Based on the site conditions there is no SAR habitat on the property.

3.3 Significant Wildlife Habitat

Table 2 provides our Significant Wildlife Habitat (SWH) evaluation using the MNRF Significant Wildlife Habitat Criteria Schedule for Ecoregion 6E. Based on the criteria and the habitat characteristics on-site there are no significant SWH concerns with the development of the proposed lots. Removal of trees within the lots for house construction would still be expected to retain forest cover on the lots based on the adjacent developed lots retained tree cover. Interior forest habitat would remain within the forested lands between Whip-poor-will Drive and Overhead Bridge Road. It is expected the retained forest cover would continue to provide habitat for Eastern Wood-pewee and other species that would currently use the area.

3.4 Wetlands/Aquatic Habitat

The site does not contain any seeps, ground water discharge, drainage features or watercourses. The Simcoe County GIS mapping shows an unevaluated wetland in the northern limits of the property. Review of the site did not identify any wetland feature which is not unexpected given the sandy nature of the soils. Based on the County topography mapping the site slopes at approximately 3% from south to north and off-site the land continues to slope north downward toward a stream valley approximately 900m to the north. This slope combined with the sandy overburden would not support wetland within the site.

3.5 Significant Woodlands

The significant woodland evaluation criteria recommended in the MNRF Natural Heritage Reference Manual (2010) were reviewed with regard to the subject property compliance to the criteria. The Township of Tiny has 30-60% forest cover so the criteria specific to that factor were applied. The property plus the adjacent undeveloped forest within the existing residential development that surrounds the site is less than 50ha therefore it does not meet the woodland size criteria. Interior habitat is less than 8ha due to the break in forest cover from the surrounding residential development and the break created by Overhead Bridge Road to the east so the land does not meet the woodland interior criteria. The property is not part of, or in proximity to a significant natural feature or fish habitat, it does not provide a linkage function for movement between significant habitats, lacks ground water discharge or seeps, lacks a high diversity of native forest species or habitat, lacks any unique species composition or old growth woodlands and has no significant economic or social values providing economically valuable products, educational, cultural or historic value.

In my opinion based on application of the MNRF criteria the forested lands on the property do not contain any significant woodland functions that would warrant its designation as a Significant Woodland.

4.0 PLANNING CONTEXT

4.1 Provincial Policy Statement

In Ontario, the *Planning Act* provides the legislative basis for land use planning. The *Act* establishes a framework for identifying matters of provincial interest (Section 2) and for the creation of Policy Statements. In particular, Section 3 of the *Planning Act* has enabled the formulation and release of the Provincial Policy Statement (2020).

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS represents a policy-led planning system on matters such as sustainable development, the protection of ecological systems, the conservation of natural resources, the protection of agricultural resources, and the appropriate location for growth and development.

Section 2.1.5 of the PPS (Building Strong Healthy Communities) states the following:

Development and site alteration shall not be permitted in:

- a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
- b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- d) *significant wildlife habitat*;
- e) *significant areas of natural and scientific interest*; and
- f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

The subject lands do not contain any of the above natural heritage features.

Section 2.1.7 states; *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.* The property does not contain habitat for

endangered or threatened species.

4.2 A Place to Grow, Growth Plan for the Greater Golden Horseshoe

A Place to Grow, Growth Plan for the Greater Golden Horseshoe (2019) is a provincial plan issued under the legislative authority of *The Places to Grow Act (2005)*. In general, the Growth Plan provides provincial direction on matters of growth, development and the protection of natural features within the Province. The lands are designated as part of the Natural Heritage System. A map of the NHS is appended.

The Plan under Section 4.2.2. provides municipalities with the ability to refine the Natural Heritage System to reflect the Official Plan policies, more accurately define the natural heritage features while protecting these features in a manner consistent with the PPS.

Section 4.2.2.3 of the Growth Plan states; Within the Natural Heritage System for the Growth Plan:

- a) new development or site alteration will demonstrate that:
 - i. there are no negative impacts on key natural heritage features or key hydrologic features or their functions;
 - ii. connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;
 - iii. the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;
 - iv. except for uses described in and governed by the policies in subsection 4.2.8, the disturbed area, including any buildings and structures, will not exceed 25 per cent of the total developable area, and the impervious surface will not exceed 10 per cent of the total developable area;
 - v. with respect to golf courses, the disturbed area will not exceed 40 per cent of the total developable area; and
 - vi. at least 30 per cent of the total developable area will remain or be returned to natural self-sustaining vegetation, except where specified in accordance with

the policies in subsection 4.2.8; and

Review of the Natural Heritage System (NHS) mapping shows the subject property is in the NHS but also shows the undeveloped portions of the adjacent residential lots have been excluded. The exclusion of the dwellings would indicate the Province is of the opinion that the retained forest on the large residential lots in the area will continue to function as part of the NHS. Review of the mapping also shows residential development included in the NHS which appears to reinforce rural and country residential development in areas of extensive forest cover will not adversely impact the functions of the surrounding natural heritage features. In our opinion development of the property would not compromise the NHS as defined in the area. It is noted as well that the property is designated Country Residential in the Township's Official Plan and zoned Future Development (FD).

4.3 County of Simcoe Official Plan

The subject land is designated Rural in the County Official Plan. Section 3.7.10 States; *Development in rural areas should whenever possible be designed and sited on a property so as to minimize adverse impacts on agriculture and to minimize any negative impact on significant natural heritage features and areas and cultural features.*

Our assessment confirmed the property does not contain any significant natural heritage features. Therefore, the proposed development would be in compliance with the County Official Plan with regard to protection of natural heritage features.

4.4 Township of Tiny Official Plan

As noted above, the property is designated Country Residential on Schedule A – Land Use, zoned Future Development (FD) and not designated as a natural feature in the Township of Tiny Official Plan and zoning bylaw mapping. Review of the criteria for Environmental Protection One and Two confirmed the subject property does not contain any of the natural heritage features or functions listed in the applicable policies. Therefore, the proposed development will be in compliance with the Township natural heritage policies and objectives.

5.0 MITIGATIVE MEASURES

Given the limited diversity of natural features on the property the mitigative measures are limited to the protection of breeding birds and maternity roosting habitat for bats.

No tree or shrub clearing should be undertaken during the breeding bird window. If trees or shrubs are to be cleared prior to construction, clearing should not take place between April 1 and August 31 in order to avoid destruction of active bird nests protected by the

Migratory Bird Convention Act. Alternatively, a nest search should be conducted by a qualified ornithologist in the area designated for clearing and any active nests found are not to be disturbed by site clearing, servicing, and construction activity until the nesting young have fledged. Vegetation clearing will take place no later than three days after the nest search; otherwise the nest search is required to be repeated.

No tree or shrub clearing should be undertaken during the maternity roosting window for bats between April 1st to October 31st. Although the site does not contain any significant maternity roosting habitat, we recommend the timing window for tree removal be adhered to protect the species potential use of the area.

6.0 CONCLUSION

The Subject Property can be developed without any adverse impact on significant natural heritage features. The reasons for our conclusions are the following:

- The lands are not designated by the County or Township as a significant natural heritage feature under the environmental policies of their Official Plans.
- Development of the site can be done in compliance with natural heritage policies of the Growth Plan.
- No Species at Risk reported for the area have potential habitat on site.
- No significant interior habitat for breeding birds based on MNRF criteria.
- Significant Wildlife Habitat is limited to Eastern Wood-Pewee (Special Concern) which is reported to be in the area. The species is common throughout Simcoe County forests and the habitat will remain post development.
- The site does not meet the MNRF criteria for Significant Woodlands.
- No unique forest vegetative communities are present.
- No drainage features/watercourses/wetland/seeps are present.
- No old growth forest cover is present.
- The site does not provide any significant linkage functions to adjacent habitats
- The lands are designated for development in both the Township of Tiny Official Plan and Zoning By-law.

In our opinion, no natural heritage features or functions are present that would require further field study in 2021 to confirm the site suitability for development.

If you have any questions or require further information, please do not hesitate to call.

Yours truly,
ORION ENVIRONMENTAL SOLUTIONS, INC.

A handwritten signature in blue ink, appearing to read "Paul Neals".

Paul Neals, B.Sc. Agr., P.Ag.
Principal

PCN:

Attach:

BACKGROUND INFORMATION

Published Information Sources

A Place to Grow, Growth Plan for the Greater Golden Horseshoe, 2020.

County of Simcoe Official Plan, 2016

Ministry of Natural Resources and Forestry, Natural Heritage Reference Manual, 2010.

Ministry of Natural Resources and Forestry, Simcoe County Species at Risk list, 2017.

Ministry of Natural Resources and Forestry, Natural Heritage Information Centre, data base.

Provincial Policy Statement (2020)

Province of Ontario, A Place to Grow, Growth Plan for the Greater Golden Horseshoe, May 2019.

Township of Tiny Official Plan, February 2015.



LEGEND



Subject Property

FOM1 - Dry Oak - Pine Mixed Forest

Note: 2018 aerial photo from maps.simcoe.ca

ORION ENVIRONMENTAL SOLUTIONS

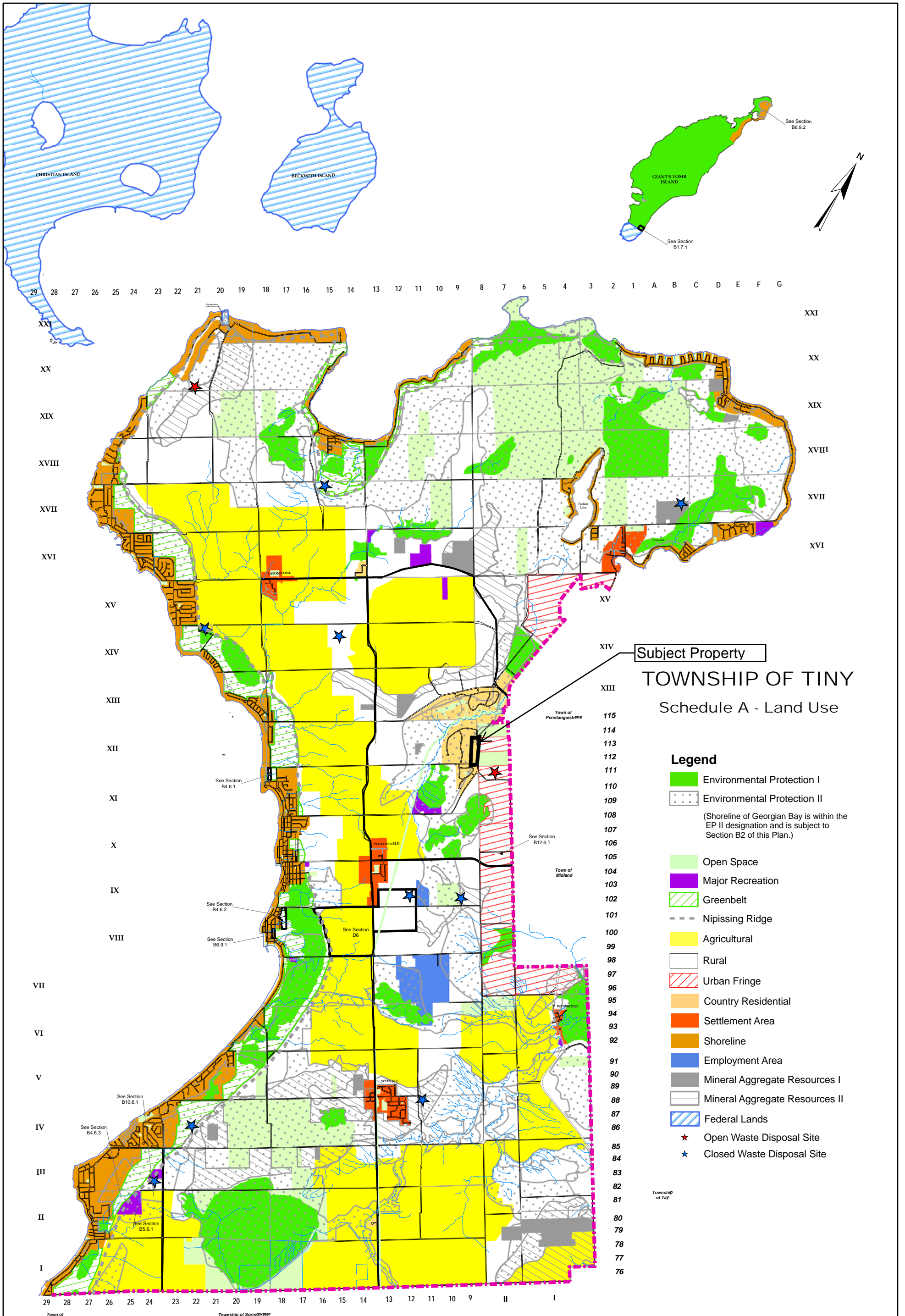
DATE ISSUED: DEC 2020

CREATED BY: PCN

PROJECT NO. - 20-036

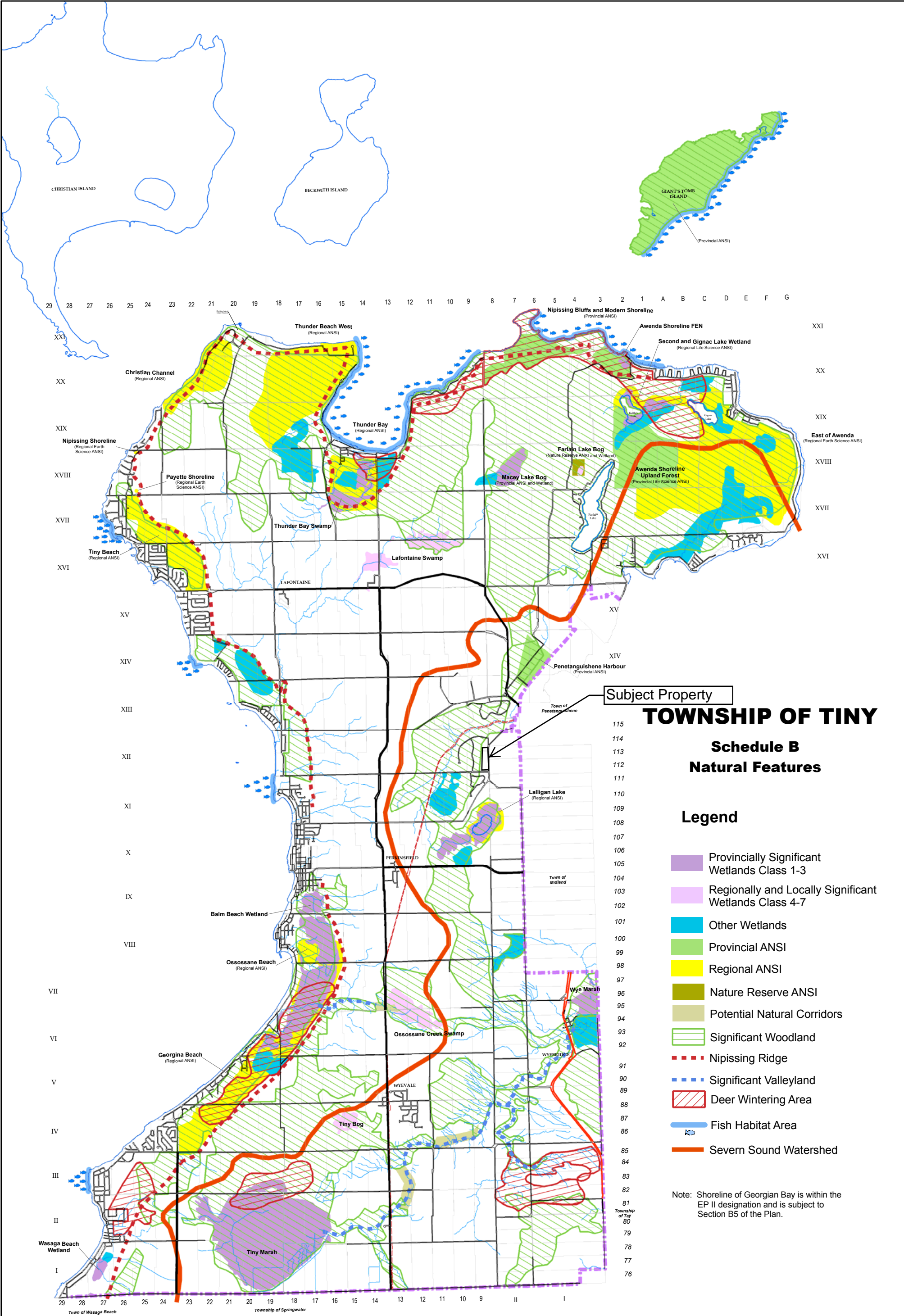
Not To Scale

Figure 1
Site Location



Subject Property
TOWNSHIP OF TINY
 Schedule A - Land Use

- Legend**
- Environmental Protection I
 - Environmental Protection II
 (Shoreline of Georgian Bay is within the EP II designation and is subject to Section B2 of this Plan.)
 - Open Space
 - Major Recreation
 - Greenbelt
 - Nipissing Ridge
 - Agricultural
 - Rural
 - Urban Fringe
 - Country Residential
 - Settlement Area
 - Shoreline
 - Employment Area
 - Mineral Aggregate Resources I
 - Mineral Aggregate Resources II
 - Federal Lands
 - Open Waste Disposal Site
 - Closed Waste Disposal Site



Subject Property

TOWNSHIP OF TINY

Schedule B Natural Features

Legend

- Provincially Significant Wetlands Class 1-3
- Regionally and Locally Significant Wetlands Class 4-7
- Other Wetlands
- Provincial ANSI
- Regional ANSI
- Nature Reserve ANSI
- Potential Natural Corridors
- Significant Woodland
- Nipissing Ridge
- Significant Valleyland
- Deer Wintering Area
- Fish Habitat Area
- Severn Sound Watershed

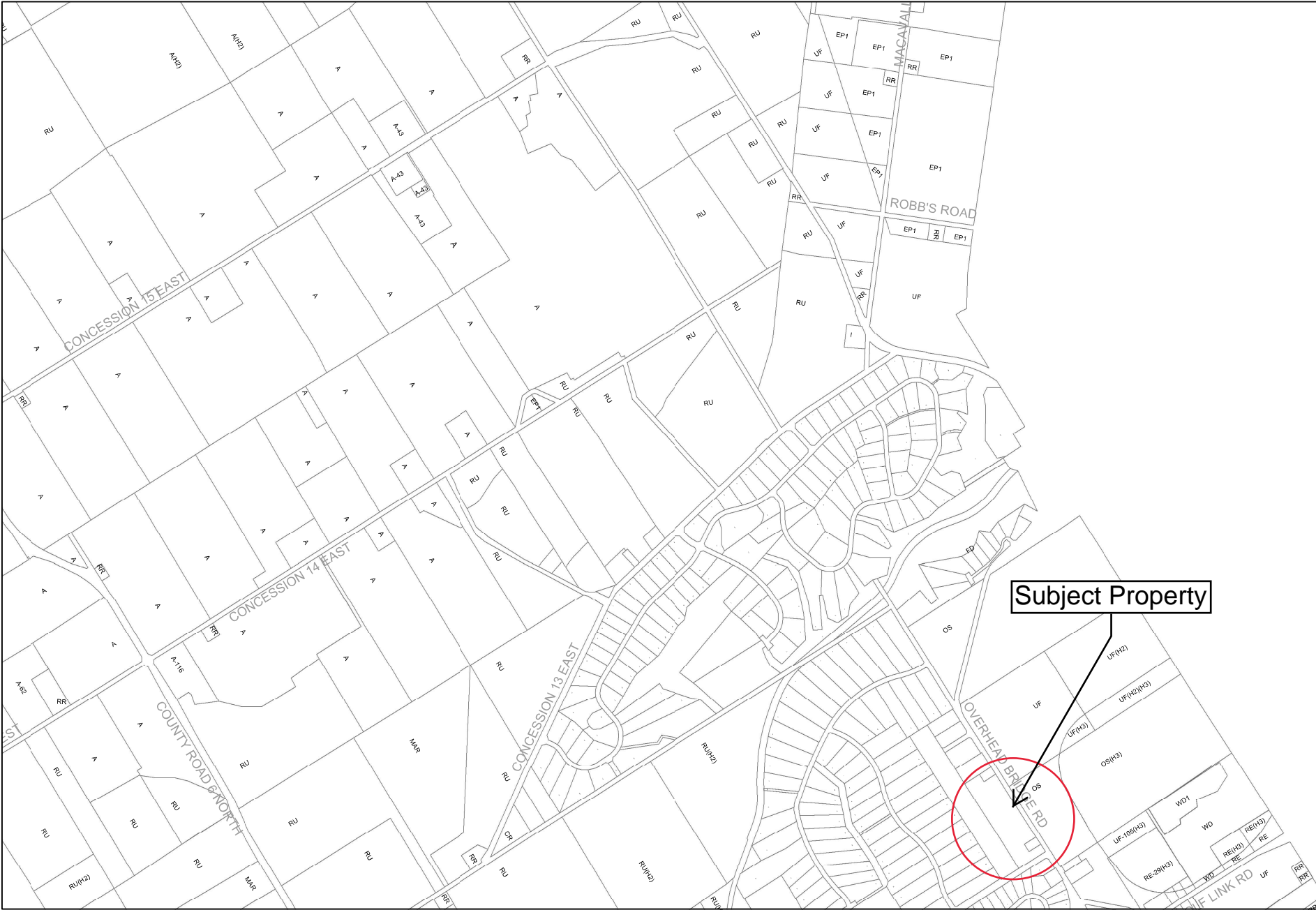
Note: Shoreline of Georgian Bay is within the EP II designation and is subject to Section B5 of the Plan.

All Rivers and Streams are subject to Section C of this Plan.

Original Plan Date: September 11, 2000
 Modified: February 22, 2001
 Date Printed: October 11, 2005

Scale 1:100,000
 0 0.5 1 2 3 4 Kilometers

This map, either in whole or in part, may not be reproduced without the written authority from the County of Simcoe. Copyright County of Simcoe Land Information Network Cooperative © LINC 2005. Produced (in part) under licence from Teranet Enterprises Inc. and its suppliers, © Teranet Enterprises Inc. This map is not a plan survey.



**TOWNSHIP
OF TINY**

This map, either in whole or in part, may not be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the Township of Tiny. The Township of Tiny is not responsible for any errors or omissions on this map. The Township of Tiny is not responsible for any damages or losses resulting from the use of this map.

**This is
Schedule
C-17
to Zoning
By-law
06-001**

Subject Property



Scale: 1:15,000

Date: 30/11/2015

Copyright Simcoe County
Land Information
Network Cooperative
This is not a
Plan of Survey

December 15, 2017

Mr. Mark Dubeau

Owner

Lot 9, Concession 12

Tiny, Ontario

Woodlot Inspection

Mr. Dubeau:

I am happy to provide you with this letter report regarding your property in Tiny Township. The purpose of this report is to provide a general understanding of the makeup of your woodlot while at the same time identify the presence of any 'Species at Risk' on the property as outlined by the Ontario Endangered Species Act, ESA 2007.

Conditions on the day of the site visit were bright, clear with no precipitation. The deciduous trees within the property had experienced typical leaf drop with relation to the time of the year, so the property was observed in a leafless state.

A full walking tour of the approximate 13 acre property was carried out, taking notes, observing features and recording random DBH(diameter at breast height) measurements throughout. The site appears to be a relatively flat piece of land with sloping slightly from the southeast corner down to northeast border. The woodlot appears to be a well drained area, devoid of any noticeable pools of standing water. No significant topography was observed.

The woodlot is comprised of a variety of native deciduous species including Red Oak (*Quercus rubra*), Sugar Maple (*Acer saccharum*), White Birch (*Betula papyrifera*), White Ash (*Fraxinus Americana*) and Poplar (*Populus*). Most DBH measurements ranged between 30cm DBH up to 130cm DBH on the high end.

The woodlot also is home to a number of native coniferous trees including

White Pine (*Pinus strobus*) and Red Pine (*Pinus resinosa*) but they represent a significantly smaller number in regards to ratios (Deciduous vs Coniferus).

The understory is comprised of a mixture of both small saplings and juvenile trees, neither dense nor sparse, rather consistent throughout. The woodlot does not reveal a propensity of any particular diameter class indicating a uneven aged stand of trees.

I am confident to report that no Provincially significant woody plants species were observed on the subject property. Most notable was the absence of any Butternut (*Juglans cinera*), American Chestnut (*Castanea dentata*), Red Mulberry (*Morus rubra*) or any other Ontario Native tree species with ESA status.

I hope this report addresses any primary concerns regarding your property. Please feel free to contact me should you require further assistance.

Submitted

Peter Wright

Date

December 15, 2017

Peter D. Wright

ISA Certified Arborist/Certified Tree Worker

#ON-1040-AT

Arbor-Cut Tree Service

36 Kingfisher Crescent

Tiny, Ontario

LOL 2J0

Phone: 705 527 4066

Email: gianetto3@hotmail.com



Provincial Natural Heritage System

Subject Property



Photo No. 1 - Typical forest composition middle of property. (Nov 30, 2020)



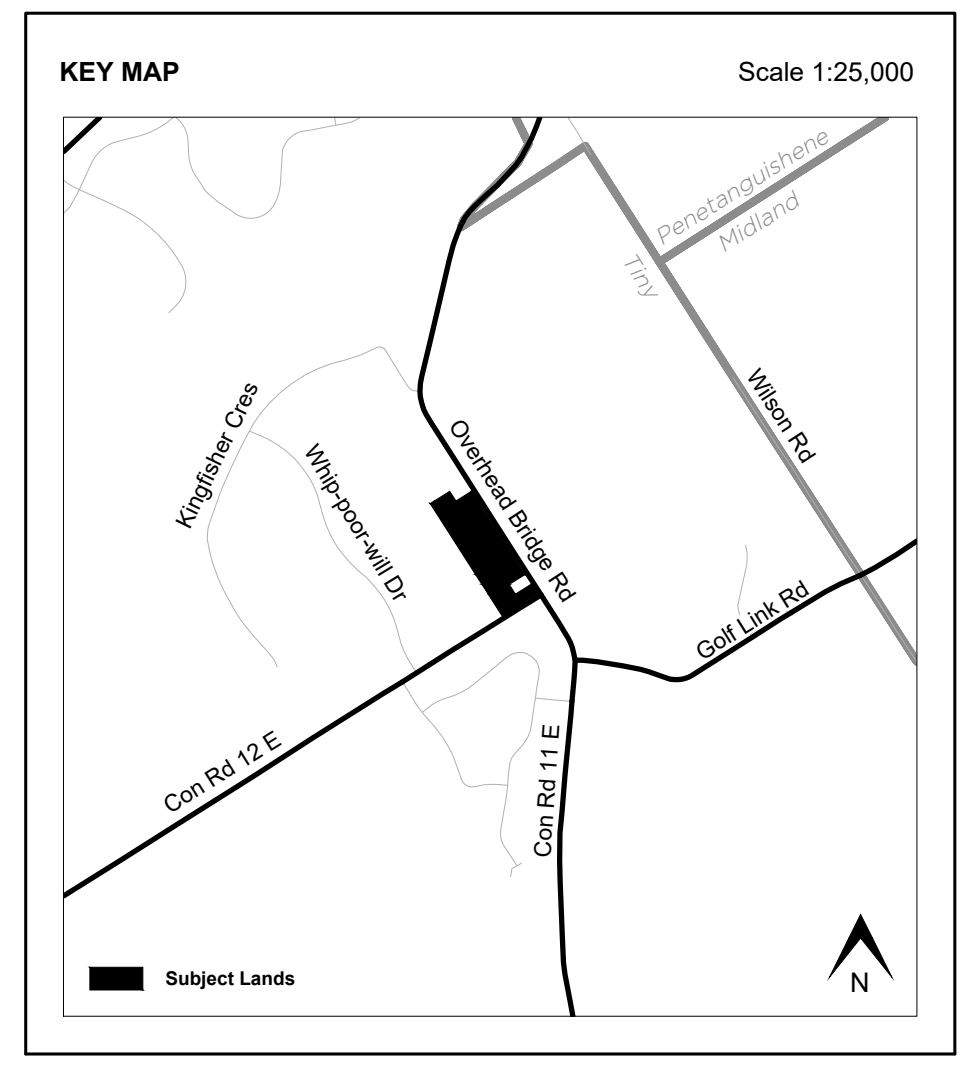
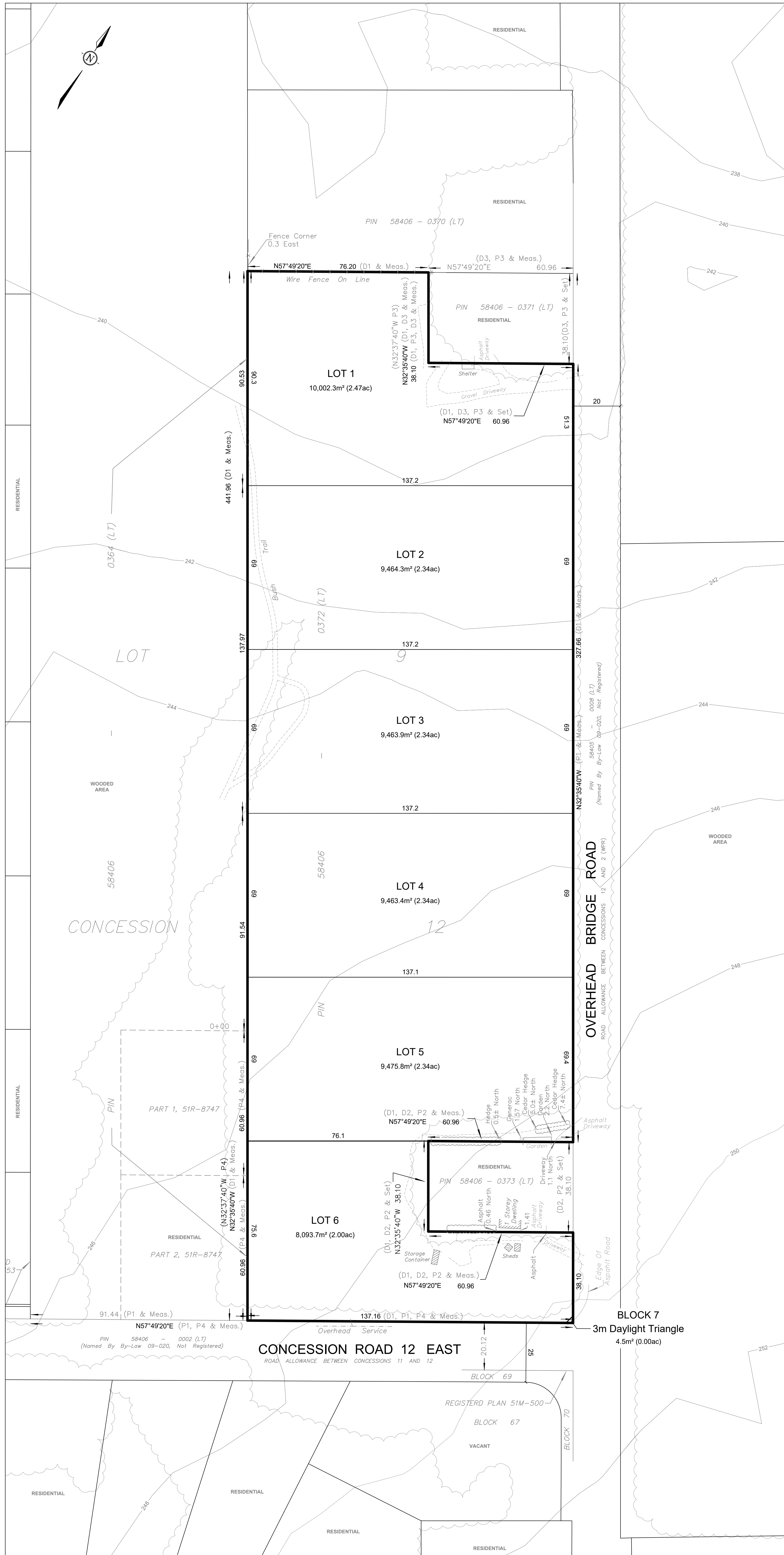
Photo No. 2 - Example of a few of the open areas and limited understory growth within the woodlot. (Nov 30, 2020)



Photo No. 3 - Example of forest cover in south half of the site. (Nov 30, 2020)



Photo No. 4 - Example of forest canopy throughout the site, lack of mature trees with cavities for bat maternity roosting. (Nov 30, 2020)



DRAFT PLAN OF SUBDIVISION

PART OF LOT 9, CONCESSION 12
TOWNSHIP OF TINY
COUNTY OF SIMCOE

LAND USE SCHEDULE

USE	LOTS / BLOCKS	AREA
Single Detached Lots	Lots 1-6	55,963.5m ² (13.83ac)
3m Daylight Triangle	Block 7	4.5m ² (0.00ac)
Total		55,968.0m² (13.83ac)



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE

PETER T. RAIKES, B.Sc., CLS., MRICS.
RAIKES GEOMATICS INC.

OWNER'S CERTIFICATE

CHARLEBOIS PROPERTIES INC. BEING THE REGISTERED OWNERS OF THE SUBJECT LANDS, HEREBY AUTHORIZE CELESTE PHILLIPS PLANNING INC. TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

DATE

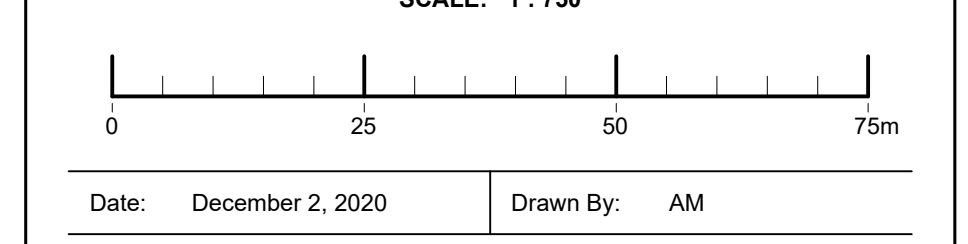
FRANK CHARLEBOIS, PRESIDENT
CHARLEBOIS PROPERTIES INC.

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

a) Shown on plan	g) Shown on plan
b) Shown on plan	h) Municipal Water
c) See Key Plan	i) Sand and Silty Sand
d) Residential	j) Shown on plan
e) Shown on plan	k) Full Municipal Services
f) Shown on plan	l) Shown on plan
f1) None	

No.	DATE	REVISION	BY

Sources: Plan of Survey prepared by Raikes Geomatics Inc. dated November 26, 2020.



celeste PHILLIPS PLANNING INC.

85 Bayfield Street, Suite 300,
Barrie, ON L4M 3A7
T: 705 797 8977
F: 705 730 8850
celeste@cplan.ca