



Stantec Consulting Ltd.
300W-675 Cochrane Drive, Markham ON L3R 0B8

February 23, 2021
File: 160900933 Task 220

Attention: Amanda Warren, Planner
County of Peterborough
470 Water Street
Peterborough, ON K9H 3M3
VIA EMAIL: awarren@ptbocounty
County File No.: B-75-20

Dear Amanda,

Reference: Peer Review of a Scoped Environmental Impact Study for a proposed severance of any existing lot of record located at 1694 Lakehurst Road, Buckhorn, ON (File No. B-75-20), in the County of Peterborough

Stantec Consulting Ltd. (Stantec) was retained by Peterborough County (the County) to peer review a *Scoped Environmental Impact Study* (sEIS) for a proposed severance application located at 1694 Lakehurst Road, Buckhorn in the County of Peterborough. The sEIS was prepared by Skelton Brumwell and Associates Inc. (SBA).

This letter has been prepared to provide comments to Peterborough County on the sEIS and includes Stantec's opinion and comments on the following analysis:

- **Purpose of the sEIS** – Is the purpose to conduct the sEIS clearly defined?
- **Scope of Assessment and Conformity to County of Peterborough Official Plan (OP) Requirements, the Provincial Policy Statement (PPS) and the Growth Plan, the Greater Golden Horseshoe (GPGGH) and the Preliminary Severance Review (PSR)** – Does the application have a clear scope, which conforms to Peterborough County's OP requirements for an sEIS and to the PPS, the GPGGH and the PSR?
- **Background Review and Field Studies and Potential Environmental Impacts** – Are there potential deficiencies in the field methods used and/or desktop sources consulted during the collection of baseline data?
- **Impact Assessment and Mitigation Measures** – Have potential pathways for environmental impacts been identified, does the sEIS propose appropriate mitigation measures to address the potential impacts, and did the authors complete suitable review of potential impacts from the project to identify potential residual concerns?
- **Summary** – Does the sEIS generally meet the requirements and standards for an sEIS under municipal and provincial policies and guidelines, are residual impacts expected on significant features as defined under provincial policies and does Stantec agree with the conclusions of the report?

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This review considered the following documents:

1. PSR completed by the County of Peterborough (October 20, 2020).
2. *Applications for Consent* received by the County of Peterborough on November 26, 2020.
3. *sEIS* (SBA, August 24, 2020).
4. *Application for Consent to Sever a Lot* Letter (SBA, November 20, 2020).

Stantec has conducted this peer review in keeping with the standard practice for peer reviews established under our retainer with Peterborough County. We have formed our opinions and made our comments based on a review of the documents as presented. Stantec has not conducted a site visit nor have we replicated the background data collection or analyses that are reported on in the sEIS. The summary of background data and field results are taken at face value as presented by the Authors. Where assumptions were required to interpret the results of the sEIS we have stated our assumptions.

PURPOSE OF THE SEIS

The stated purpose of the sEIS is “to support the future development of a single detached dwelling as on a proposed new lot.” The PSR indicates that “*The Planning Department notes that a portion of the subject lands is traversed by an unevaluated wetland and local lake. Section 6.2.1.12 of the Township Official Plan states, in part, that severance will be discouraged in low lying areas and shall not be granted on parcels subject to flooding or other physical hazard. The Municipality may require an EIS as part of any proposal for development.*” On the County mapping, an unevaluated wetland covered approximately 2/3 of the proposed severed lot as per the PSR.

SCOPE OF ASSESSMENT AND CONFORMITY TO OP REQUIREMENTS, THE PPS, THE GPGGH AND THE PSR

The sEIS indicates that the Subject Property is approximately 33.8 ha and the severed lot is 1.8 ha and the retained lot is approximately 32 ha. The EIS indicates that “*Background research was completed to identify previously identified natural heritage features and functions on/or adjacent to the lot.*” Stantec recommends that the Study Area be clearly defined in the report to assist the reviewer in determining the scope of the assessment and what areas were considered. Is the study area the subject property and proposed severance and does it included the standard 120 m adjacent land as per the PPS. It is unclear whether consideration was given to the Adjacent Lands.

The GPGGH applies to developments located outside of settlement areas within the County of Peterborough. The FSR states that “*Sections 4.2.3.1, 4.2.4.1(c) & 4.2.4.3 of the GPGGH state that outside settlement areas, development, including lot creation, and site alteration, is not permitted in key hydrologic or key natural heritage features or their related minimum 30 metre vegetation protection zone (VPZ).*” However, the PSR also indicated that “*located in a settlement area, Section 4.2 of the Growth Plan does not apply.*”; therefore, the GPGGH does not apply to the subject application. It is noted that the 30 m VPZ has been applied to the unevaluated wetland that was identified and delineated during field surveys which aligns with those requirements in the GPGGH.

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Based on the assessment of the applicability of the County OP and PPS, the sEIS should address the requirements stated above and to meet the requirements of an EIS in the OP. No significant deficiencies were noted regarding compliance with provincial and municipal policies and planning requirements.

BACKGROUND REVIEW, FIELD STUDIES AND POTENTIAL IMPACTS

The data collection in support of the sEIS included a review of background material from the Natural Heritage Information Centre (NHIC), The Trent Lakes OP and County of Peterborough GIS Mapping. No additional sources appeared to have been reviewed. Additional resources and wildlife atlases can provide additional information on species endemic to the area (including species at risk) that should be considered in the sEIS.

Field investigations included a vascular plant survey in the fall, a wetland review, an acoustic amphibian monitoring program (three surveys) and an ecological land classification (ELC). Dates, times of the day and the conditions of the surveys were not included in the sEIS for the surveys. Only Amphibian Monitoring dates were included as part of the sEIS in Appendix B, therefore, it could not be determined if the methodology was appropriate for the surveys. This information is important for the reviewer to determine if vegetation and wildlife species can be identified appropriately. Also, the methodology implemented for the wetland review was not included in the methods which would help the review to determine if the wetland evaluation was conducted using the appropriate provincial guidance including the Ontario Wetland Evaluation System (OWES).

Wetlands

The wetland was delineated on the property and included a SAS1/MAM3-9 (open aquatic and meadow marsh) and a MAM 3-9 on the southern limit of the property. The sEIS indicated that *“Both wetlands have been determined to not exhibit characteristics which suggest significant functions other than providing local habitat for wetland species.”* What are the examples of these functions, amphibian breeding habitat? Some more discussion on what methods were utilized in the “wetland review” is suggested.

Vegetation and Woodlands

One fall vegetation assessment was completed in support of the sEIS. The season the survey was completed was is not ideal but maybe sufficient for the scope of this sEIS. The sEIS also states that *“The vascular plant survey was completed using a roving transect through all habitats and areas planned for development. Particular attention was paid during field investigations for rare species and Species at Risk listed in the Ontario Endangered Species Act (2007).”* Additional discussion on what Species at Risk (SAR) the author was focused on and what is the potential for these plants to be identified during the fall is suggested. This data on SARs was not included in the sEIS.

Significant Wildlife Habitat

There is no supporting tables or description of how Significant Wildlife Habitat (SWH) was assessed. The assessment of Significant Wildlife should be based on the Significant Wildlife Habitat Technical Guide and the Significant Wildlife Habitat Criteria Schedules for Ecosite 6E the sEIS states that *“There was no significant wildlife habitat identified on the subject property based on analysis utilizing methodology set out*

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in the Natural Heritage Reference Manual.” It is Stantec’s opinion that this is not sufficiently supported in the sEIS.

For example, amphibian monitoring was conducted for the site in the spring of 2020 and identified two species occurring near Site 1 (Spring Peeper and Western Chorus Frog). The identification of these two species may classify the area as Woodland SWH under the Significant Wildlife Habitat Criteria Schedules for Ecosite 6E; however, Section 3.4 for the report indicates that “*These surveys concluded that there was no significant wildlife habitat for amphibian on the proposed severance.*” Some additional supporting discussion is recommended as to why the wooded area is not considered to be SWH considering the identification of 2 frogs in the area. There were also Northern Leopard Frog identified in Appendix A of the sEIS which also may classify the wetlands as SWH in consideration that the Western Chorus Frog was also identified within the wetlands.

A SWH candidate habitat assessment is recommended to provide more supporting details. Wood Thrush noted to be a Special Concern species would be assessed under SWH as a Species of Conservation Concern. Section 4.5 indicates the species was not observed on site; however, it appears surveys were not completed during the breeding bird period. The date of appropriate field investigation should be reported, or the statement qualified noting surveys was not completed during the BB period or the statement removed.

Species at Risk

The report did not include a SAR assessment as part of the natural heritage evaluation. The SAR assessment only included a search of the NHIC database with no other sources of information accessed to determine potential SARs that may occur in the region and determine if their preferred habitat is located within the Subject Property or adjacent lands. A SAR screening assessment is recommended based on ELC and species potentially in the area.

Summary

In summary, the background sources that were consulted for this sEIS was limited in scope and not completed in a manner to be able to support the application, adequately identify the SWH and SARs in the area and identify species which would be expected to occur on the Subject Property. The EIS should clearly list all of the field dates and what surveys were completed.

IMPACT ASSESSMENT AND MITIGATION MEASURES

Section 4.0 of the sEIS provides the “*Analysis of Natural Heritage Features and Impact Assessment*” for the sEIS. Stantec agrees with the author that based on the supporting field studies that the unevaluated wetland and lake appears to have been mapped inaccurately and is smaller in size than identified. The author also included a statement that the unevaluated wetland “*does not exhibit characteristics which suggest significant functions other than providing local habitat for wetland species.*” Although Stantec agrees that on a regional or provincial scale, the wetlands are unlikely to be significant, some additional supporting information and justification as to why it is not significant is suggested including supporting evidence from the OWES.

The author made several statements which Stantec feels may not be adequately supported by information contained in the sEIS including:

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- *“There are no endangered or threatened species identified on the subject property or within 120 m.”* Stantec feels this statement is misleading without a supporting SAR assessment.
- *“Although woodlands were identified on site, there are no significant woodlands identified on the subject property or within 120 metres.”* A determination of potential significance was not included in the sEIS for reference including why the woodland should not be considered significant.
- *“There was no significant wildlife habitat identified on the subject property based on analysis utilizing the methodology set out in the Natural Heritage Reference Manual.”* Without a supporting SWH assessment, Stantec believes this statement is not suitably supported.
- The sEIS indicated that the amphibian monitoring did not support the designation as a SWH feature; which may contradict provincial standards. Additional discussion is recommended in determining the significance of the feature as well as some further discussion and potential identification of mitigation measures to limit impacts.
- A SAR screening assessment should be completed for flora and fauna that have the potential to occur in the area. in the absence of targeted surveys.

The 30 m setback (VPZ) is considered sufficient for the wetlands to provide adequate space to locate a building envelope on the severance and typical for wetlands in the province. Mitigation measures should be included, for example clearing timing and erosion and sediment control should be identified for the future development.

It is Stantec’s opinion that the conclusions outlined in the sEIS must be sufficiently supported by data collected in the field and/or during background studies, and/or screening assessments and the impact analysis should address the appropriate provincial guidelines and tools in support of the conclusions in the sEIS.

SUMMARY

It is Stantec’s opinion that the sEIS did not complete the appropriate combination of background study and surveys/assessments to support the conclusions that were in the report including determining the significance of the natural heritage features as well as the development’s potential impacts on them. It should be noted that this sEIS is for the proposed severance, future development on the property may be subject to additional EIS studies or documentation to be determined in consultation with the County.

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Amanda Warren, Planner
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CLOSURE

This review of the sEIS prepared by SBA has been prepared as per the Contract between Peterborough County and Stantec Consulting Ltd. Should you have any questions or concerns regarding the information detailed herein, please do not hesitate to contact the undersigned.

Sincerely,

STANTEC CONSULTING LTD.



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