



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

August 17, 2021  
File: 160900954 - Task 206

**Attention: Allison Martin, Planning Administrator**

Municipality of Trent Lakes  
760 Peterborough County Road 36  
Trent Lakes, ON K0M 1A0  
Sent Via Email: AMartin@trentlakes.ca

Dear Allison,

**Reference: Peer Review of a Scoped Natural Heritage Evaluation in Support of a Proposed Severance on Lower Buckhorn Lake, 65 Gallery on the Lake Road (Part of Lot 10, Concession 7 (Harvey) in the Municipality of Trent Lakes in the County of Peterborough Municipality File No.: ZBA 20-31**

Stantec Consulting Ltd. (Stantec) was retained by the Municipality of Trent Lakes (the Municipality) to peer review a *Scoped Natural Heritage Evaluation* (sNHE; April 2021) prepared by Oakridge Environmental Ltd. (ORE) in support of a proposed severance on Part Lot 10, Concession 7, in the Municipality of Trent Lakes. This letter has been prepared to provide comments to Municipality on the sNHE and includes Stantec's opinion and comments on the following analysis:

- **Purpose and Scope of the sNHE** – Is the purpose to conduct the sNHE and the scope clearly defined?
- **Background Review, Field Studies and Potential Impacts** – Are there potential deficiencies in the field methods used and/or desktop sources consulted during the collection of baseline data to determine potential natural heritage features which could be impacted as a result of the proposed development and are significant/key features appropriately identified?
- **Conformity to the Municipality's Official Plan (OP) Requirements, the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (GPGGH)** – Does the application conform to the PPS, OP requirements and the GPGGH?
- **Impact Assessment and Mitigation Measures** – Have potential pathways for environmental impacts been identified, does the sNHE propose appropriate mitigation measures to address the potential impacts, and did the authors complete a suitable review to identify potential residual concerns?
- **Summary** – Does the sNHE generally meet the requirements and standards for an sNHE 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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Stantec has conducted this peer review in keeping with the standard practice for peer reviews established under our retainers with the Municipality and Peterborough County. We have formed our opinions and made our comments based on a review of the sNHE as presented. Stantec has not conducted a site visit nor replicated the background data collection or analyses that are reported in the sNHE. 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 sNHE, we have stated our assumptions.

## **PURPOSE AND SCOPE OF THE SNHE**

The sNHE is in support of a municipal planning application to sever the existing residential development from a commercial business property and are to become two residentially zoned properties if approved and that no new structures are proposed on either lot. Section 1.1 of the sNHE also provides the regulatory context for the application and indicates the following:

*The total property acreage is 1.6 hectares (4.0 acres). If the severance is approved, the lots would consist of approximately 1.3 ha (3.3 acres) and 0.3 ha (0.8 acres), east and west, respectively (see Appendix A). The site is located within 120 m area of influence associated with an unevaluated wetland, Buckhorn Lake. It is also within the Natural Heritage System (NHS) of the Growth Plan for the Greater Golden Horseshoe (GPGGH). As a result, a study is required to support the severance and re-zoning application. The purpose of the study is to characterize the site conditions and demonstrate that the subject property can sustainably accommodate the proposed development without resulting in unacceptable impacts to any Key Natural Heritage Features (KNHF)."*

Furthermore, in Section 7.1 of the sNHE, it states:

*this sNHE assesses the potential impacts severing and rezoning the commercial property to two (2) residential zonings, in relation to the on-site KNHF/KHF.*

*If the severance were approved the only site alteration would be associated with the construction of a new road to access the existing residence.*

As part of the overall scope of the sNHE, the assessment was mainly a desktop review with a winter site reconnaissance which included a review of general species and species at risk which may inhabit the study area, significant wildlife habitat, an ELC, wetland delineation and a general habitat assessment. Excluded from the report is an assessment of significant woodland. In consideration that the proposed development will be limited to a severance application and a small connector road and small pad, the stated purpose and scope of the sNHE is clear and provides the appropriate context for the reviewer.

## **BACKGROUND REVIEW, FIELD STUDIES AND POTENTIAL IMPACTS**

The data collection in support of the sNHE included a review of background material from a series of provincial databases and one field visit on February 28, 2021. The field visit included a review of site conditions, identify on-site wetland, species inventories, ecological land classification (ELC) and a species at risk (SAR) habitat ID based on desktop review. A site visit under winter conditions is not preferred; however, it was noted the author indicated that they had been to the site several times under more appropriate conditions. No other site specific or targeted surveys were completed. In the absence of

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additional surveys, Stantec assumes that if there is habitat on-site for species that may occur in the area as screened by the author or based on previous experience, then the species is assumed to be potentially on-site.

Desktop data collected in support of the sNHE appears appropriate for this level of study. A noted omission from the SAR discussion was the potential for SAR bats in the area; however, it was noted to be covered off in the Significant Wildlife Habitat section. As mentioned above, surveys completed were generally not suitable for a study of this scope in winter conditions especially for wetland delineation and ELC; however, since the author does appear to have significant prior knowledge of the property, the background survey in support of the sNHE maybe considered more reasonable. It should be noted for future reference that a scoped NHE is appropriate for certain natural heritage assessment including lot severances in some cases. The scoped NHE should always included some on-site review of existing natural heritage conditions. Given the reduced requirement for detailed and extensive flora and fauna studies for a scoped NHE, the site reconnaissance that is undertaken must be completed in a seasonally appropriate time to understand the extent of KNHF's and KHF's (i.e., wetlands). If other surveys or site visits have been referenced that are used to inform the findings of the NHE and support conclusions of the NHE, details of the time period and the scope of those supporting visits should be documented in sNHE.

### **Vegetation, Wetlands and Woodlands**

During field visits, an ELC and a wetland assessment was completed during the winter assessment. ELCs and wetland delineation should not be conducted during winter conditions. However, as previously discussed, it was noted that the site had been visited by the author during more appropriate conditions and thus appears confident in the results of the survey. Stantec does note that the ecosites on-site are forested communities and may be delineated based on canopy composition.

A wetland was delineated at the northern section of the property and was mapped as a Black Ash Mineral Deciduous Swamp (SWD2-1). There were also various other swamps located within the subject property. These wetlands were mapped and assigned a 30 m VPZ which appears appropriate for the wetland and meets GPGGH requirements. The proposed road will bisect the VPZ for two inclusions of a White Cedar-Conifer Mineral Coniferous Swamp (SWC1-2) and is considered conforming to the exceptions of 4.2.4.5 of the GGHP. The proposed lot lines are located within the VPZ for these wetland communities and by GPGGH definition constitute *development* (creation of new lot) and as discussed in Section 2.2 of the sNHE conforms to the exceptions described for *development* in 4.2.4.5 of the GGHP

The proposed road will bisect the VPZ for two inclusions of a White Cedar-Conifer Mineral Coniferous Swamp (SWC1-2). This *Site Alteration* is discussed in the Conformity section of this Review below.

### **Species at Risk**

The sNHE referenced various resources to develop a comprehensive list of species occurrences and SARs which may inhabit the Study Area. The list of species generally appears appropriate for what is expected to occur in the area.

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The wetlands on the property maybe considered Category 2 Blanding's Turtle Habitat based on the presence of Lower Buckhorn Lake as Category 1 Habitat and the remainder of the property Category 3 habitat which may trigger consideration of the *Endangered Species Act* permit for development and site alteration within the 30 m VPZ. Additional discussion is recommended.

### **Significant Wildlife Habitat**

The sNHE completed a tabulated assessment of SWH which may occur within the study area for the project. The potential SWH was conservative in the study area and included several types of potential SWH which may occur within the area which is appropriate with a winter assessment. The list is comprehensive and reasonable for the site. Of note, bat maternity colonies, turtle nesting areas and a reptile hibernaculum as considered to be potentially located on the site.

On Page 26 of the sNHE, it indicates:

*"The length of road should be shortened to only what is necessary as this would retain the majority of the herp hibernaculum and upland woodland SWH for woodland related avian."*

Stantec is concerned with this statement regarding retaining the "*majority of the herp hibernaculum*" and whether partial disturbance may result in making the hibernaculum no longer function as required to protect hibernating species. Further discussion and the potential for future herptile surveys should be discussed.

### **Summary of Review Natural Heritage Features**

Except for those concerns indicated above, the combination of background study and the completion of the survey have identified constraints on the subject lands which appear appropriate. Stantec has no other outstanding concerns about the methods to collect the data nor the interpretation of potential species, KNHF and KHF which may be on-site.

### **CONFORMITY TO OP REQUIREMENTS, THE PPS AND THE GPGGH**

Regulatory context is provided in Section 2.0 of the sNHE and describes how the PPS, GPGGH and the local OPs may affect the proposal. The KHF and KNHF were mapped and presented in the sNHE and VPZ were placed on these features as per requirements for the GPGGH.

As part of the application, a connecting laneway was proposed through the VPZ, and the severance lot lines also bisects the VPZ. The GPGGH provides clear definition of all items in *italics* including *Development* and *Site Alteration*. The definitions are intentionally different to allow some activities and excluded other in certain areas defined in the GPGGH. As noted in Section 2.2 of the sNHE there is an exception in the GPGGH (section 4.2.4.5) that deals with *development* (as defined in the GPGGH) in 'Shoreline Areas of Inland Lands' and specifically address *development* and *Redevelopment* (which are in *italics* in the GPGGH and as noted are specifically defined. As such "infill *development*, *redevelopment* and resort *development*" are permitted.

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The sNHE must also discuss and address the conformance to the definition to *Site Alteration (as per policy 4.2.4.2)* in particular with respect to the proposed road in the VPZ. Is the proposed road considered ‘*site alteration*’ by GPGGH definition? The sNHE should provide more detail on how the proposed lane conforms to the related policies of the GPGGH or address if the proposal is considered not to be applicable to these policy Sections using references in the GPGGH.

## **IMPACT ASSESSMENT AND MITIGATION MEASURES**

Section 7.0 of the sNHE provides the environmental impact analysis and mitigation measures to the protect against disturbance to KNHF, KHF and species potentially occurring on the property. Overall, the list of potential KNHF, NHF and species appears appropriate for the site. Potential impacts appeared to be appropriate for the level of assessment.

There was also no mention of mitigations for bats that could be using the property as potential maternity roost trees and if there may be implications with the *Endangered Species Act (ESA)* if they are identified. These may include appropriate timing windows for tree clearing and future assessment of trees for the potential for bat maternity roosts.

The mitigation measures section should be revised to say ‘potential’ herptile Hibernaculum. The general principles of avoidance (protection) and supporting mitigation (exclusionary fencing) note in the sNHE are good. Notwithstanding it would be suggested that a reptile emergence survey be recommended if a hibernacula is suspect and if observed the noted principles of protection, and mitigation be further supported by replacement of impacted SWH habitat if technically feasible (opportunity may not be available due to bedrock depth), on the subject lands or comment and the availability of fractured bedrock on and in the vicinity of the subject lands.

## **SUMMARY**

It is Stantec’s opinion that the sNHE conducted an appropriate level of background research to identify potential KNHFs and KHF that could potentially be impacted as a result of the proposed development. Stantec agrees that implementing a 30 m VPZ for KHF should be sufficient to limit potential impacts on these features. However, the following items have been identified by Stantec during the review which should be addressed/further discussed:

1. Conformance to the GGHGP policies with respect to *Site Alteration* should be addressed and if conformance can not be met, alternatives to development and site alteration be adopted that are consistent with the policies of the GGHGP.
2. Stantec suggests that additional context on how the integrity of the potential hibernacula could be maintained if it is partially removed. Additional field surveys are suggested to confirm the potential for this natural heritage feature.
3. The development of the laneway through potential Category 2 Blanding’s Turtle habitat should be discussed including potential implications under the ESA.
4. Additional discussion on SARs bat habitat is recommended including surveys mitigation measures if warranted.

Provided ORE provide additional supporting discussion for the items noted, Stantec has no outstanding issues or residual concerns with the details of the sNHE.

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## **CLOSURE**

This letter has been prepared as per the Contract between the Municipality 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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