

For Office Use Only:

File Number	BNPL2024007	Application Fee	5,106.00
Related File Number	ZNPL2017249,	Conservation Authority Fee	Yes
Pre-consultation Meeting	OPNPL2017248	Well & Septic Info Provided	N/A
Application Submitted	Jan.5.2024	Planner	Hanne Yager
Complete Application	Jan.20.2024	Public Notice Sign	

Check the type of planning application(s) you are submitting.

- ☒ Consent/Severance/Boundary Adjustment
☐ Surplus Farm Dwelling Severance and Zoning By-law Amendment
☐ Minor Variance
☐ Easement/Right-of-Way

Property Assessment Roll Number: 33403000200**A. Applicant Information****Name of Owner** DIANE SMITH

It is the responsibility of the owner or applicant to notify the planner of any changes in ownership within 30 days of such a change.

Address 151 PROSPECT ST
Town and Postal Code PORT DOVER NOVA NW
Phone Number 226-583-8202
Cell Number _____
Email gsmith-72@icloud.com

Name of Applicant BRAD DEMING
Address 285794 AIRPORT RD
Town and Postal Code NORWICH, ON. N0T1P0
Phone Number _____
Cell Number 519-608-2723
Email deming@execulink.com

Name of Agent BRAD DEMING
Address 285794 AIRPORT RD
Town and Postal Code NORWICH, ON N0T1P0
Phone Number _____
Cell Number 519-609-2723
Email deming@execolink.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the owner and agent noted above.

☐ Owner ☒ Agent ☐ Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

PART LOT 11, CONCESSION 2, URBAN AREA OF PORT DOVER,
NORFOLK COUNTY

Municipal Civic Address: _____

Present Official Plan Designation(s): OP - HL, RI-A, PSW

Present Zoning: HL & RI-A + PSW

2. Is there a special provision or site specific zone on the subject lands?

☒ Yes ☐ No If yes, please specify:

PART IS HAZARD LAND TO BE MOVED AS BOUNDARY ADJUSTMENT

3. Present use of the subject lands:

FOREST & TRAILS HL & PSW

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

NO BUILDINGS ON SUBJECT LAND

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

NA

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

A HOUSE WILL BE BUILT ON LANDS TO REMAIN
ZONED R1-A

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒

If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:

R1-A 2018

9. Existing use of abutting properties:

RESIDENTIAL

10. Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:

C. Purpose of Development Application

Note: Please complete all that apply. **Failure to complete this section will result in an incomplete application.**

1. Site Information (Please refer to Zoning By-law to confirm permitted dimensions)

	Existing	Permitted	Provision	Proposed	Deficiency
Lot frontage	226.48 m 743' (1388')	15 m		118.168 m	
Lot depth	304.8 m 999.99			106 m	
Lot width	420.63 m 1380			118.168 m	
Lot area	10.73 AC	450 m ² 0.11 AC		1.2 AC	
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

3. **Consent/Severance/Boundary Adjustment:** Description of land intended to be severed in metric units:

Frontage: 108.312 m (355.36')

Depth: 304.8 m

Width: 302,462 m

Lot Area: 9.53 AC

Present Use: HL

Proposed Use: HL

Proposed final lot size (if boundary adjustment): 12.55 AC

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: DIANE SMITH

ROLL # 33403000100

Description of land intended to be retained in metric units:

Frontage: 118.168 m

Depth: 106 m⁺

Width: 118.168 m irreg

Lot Area: 1.2 AC

Present Use: R1-A

Proposed Use: R1-A

Buildings on retained land: PROPOSED FUTURE HOUSE

4. **Easement/Right-of-Way:** Description of proposed right-of-way/easement in metric units:

Frontage: NA

Depth:

Width: _____
Area: _____
Proposed Use: _____

5. Surplus Farm Dwelling Severances Only: List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Note: If additional space is needed please attach a separate sheet.

D. All Applications: Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☒ No ☐ Unknown

If yes, specify the uses (for example: gas station, or petroleum storage):

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown

3. Provide the information you used to determine the answers to the above questions:

HL

4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? ☐ Yes ☐ No

E. All Applications: Provincial Policy

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*, R.S.O. 1990, c. P. 13? ☒ Yes ☐ No

If no, please explain:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☒ Yes ☐ No

If no, please explain:

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☒ Yes ☐ No

If no, please explain:

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. All Applications: Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance _____

Wooded area

☒ On the subject lands or ☐ within 500 meters – distance _____

Municipal Landfill

☐ On the subject lands or ☐ within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

☐ On the subject lands or ☐ within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

☐ On the subject lands or ☐ within 500 meters – distance _____

Floodplain

☐ On the subject lands or ☐ within 500 meters – distance _____

Rehabilitated mine site

☐ On the subject lands or ☐ within 500 meters – distance _____

Non-operating mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Active mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

☐ On the subject lands or ☐ within 500 meters – distance _____

Active railway line

☐ On the subject lands or ☐ within 500 meters – distance _____

Seasonal wetness of lands

☐ On the subject lands or ☐ within 500 meters – distance _____

Erosion

☐ On the subject lands or ☐ within 500 meters – distance _____

Abandoned gas wells

☐ On the subject lands or ☐ within 500 meters – distance _____

F. All Applications: Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

☒ Municipal piped water

☐ Communal wells

☐ Individual wells

☐ Other (describe below)

Sewage Treatment

☒ Municipal sewers

☐ Communal system

☐ Septic tank and tile bed in good working order ☐ Other (describe below)

Storm Drainage

☒ Storm sewers

☐ Open ditches

☐ Other (describe below)

2. Existing or proposed access to subject lands:

☒ Municipal road

☐ Provincial highway

☐ Unopened road

☐ Other (describe below)

Name of road/street:

G. All Applications: Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

PLEASE SEE SCHEDULE A

H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- ☐ On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- ☒ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

All final plans must include the owner's signature as well as the engineer's signature and seal.

I. Transfers, Easements and Postponement of Interest

The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.

Owner/Applicant/Agent Signature

Date

J. Owner's Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We LIANE SMITH am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize D.S. GARRER SMITH Brad Demming to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

LIANE SMITH

Owner

Liane M. Smith

Owner

Dec 31, 2023

Date

Dec 31, 2023

Date

***Note: If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.**

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Brad Demming
Owner/Applicant/Agent Signature

Jan 20/24
Date

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LIANE SMITH

Dec 31, 2023

LIANE SMITH
Owner

Dec 31, 2023
Date

***Note:** If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.

Norfolk
COUNTY

Revised April 2023
Committee of Adjustment Development Application
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K. Declaration

I, BRADLEY DEMING of 385794 AIRPORT RD, NORWICH

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

Town of Simcoe


Owner/Applicant/Agent Signature

In the Municipality of Norfolk County

This 5th day of January

A.D., 20 24



A Commissioner, etc.

Kaitlyn Anderson Poole, a
Commissioner, etc., Province of Ontario.
for the Corporation of Norfolk County.
Expires September 2, 2024.

SCHEDULE A

Brad DEMING
Project Management
285794 Airport Road
Norwich, ON. N0J-1P0
deming@execulink.com
cell # 519-608-2723

Jan 4/24

To The Norfolk Committee of Adjustments

RE: Lot Adjustment for Part Lot 11, Concession 2, Prospect Street, Port Dover

My name is Brad Deming(agent) and I am representing Dianne Smith(owner)

The owners are proposing to adjust the lot lines. The following is some information as to why the request and how the owners came to the conclusion as to where they would like the proposed new property lines.

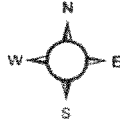
The owners are proposing to move approximately 9.53ac from Part Lot 11, Con 2 Prospect St which is currently 10.73ac to the abutting property at 151 Prospect St, Port Dover which is currently 3.02ac zoned R1. If approved the final lot sizes would be Part Lot 11, Con 2 Prospect St with 1.2ac (to be sold) and 151 Prospect St with 12.55ac.

Both properties have been owned and enjoyed by Dianne Smith and family for approximately 19 years. The family residence is at 151 Prospect St. They designed the trails years ago at the bottom of the natural slope of the land. The proposed lot line is in the middle of the slope to allow both properties to enjoy the untouched natural beauty of the lands. The main trail is in the 9.53ac to be transferred allowing the owners to continue enjoying their family traditions of walks and exploring while also giving the land to remain the opportunity to also enjoy their own trails, woods and a portion of the Silver Lake.

The 9.53 ac proposed to be added to 151 Prospect is zoned HL, PSW and will not change. The proposed 1.2ac has a designated area partly zoned R1-A (2018) to allow for a single family dwelling and will have a partly zoned HL and PSW for the potential new owners to enjoy if approved. We feel this lot line adjustment is minor in nature as the 9.53ac to be transfer is zoned HL and PSW and will remain as such also that this adjustment will not affect the existing or neighbouring lands, vegetation or wildlife.

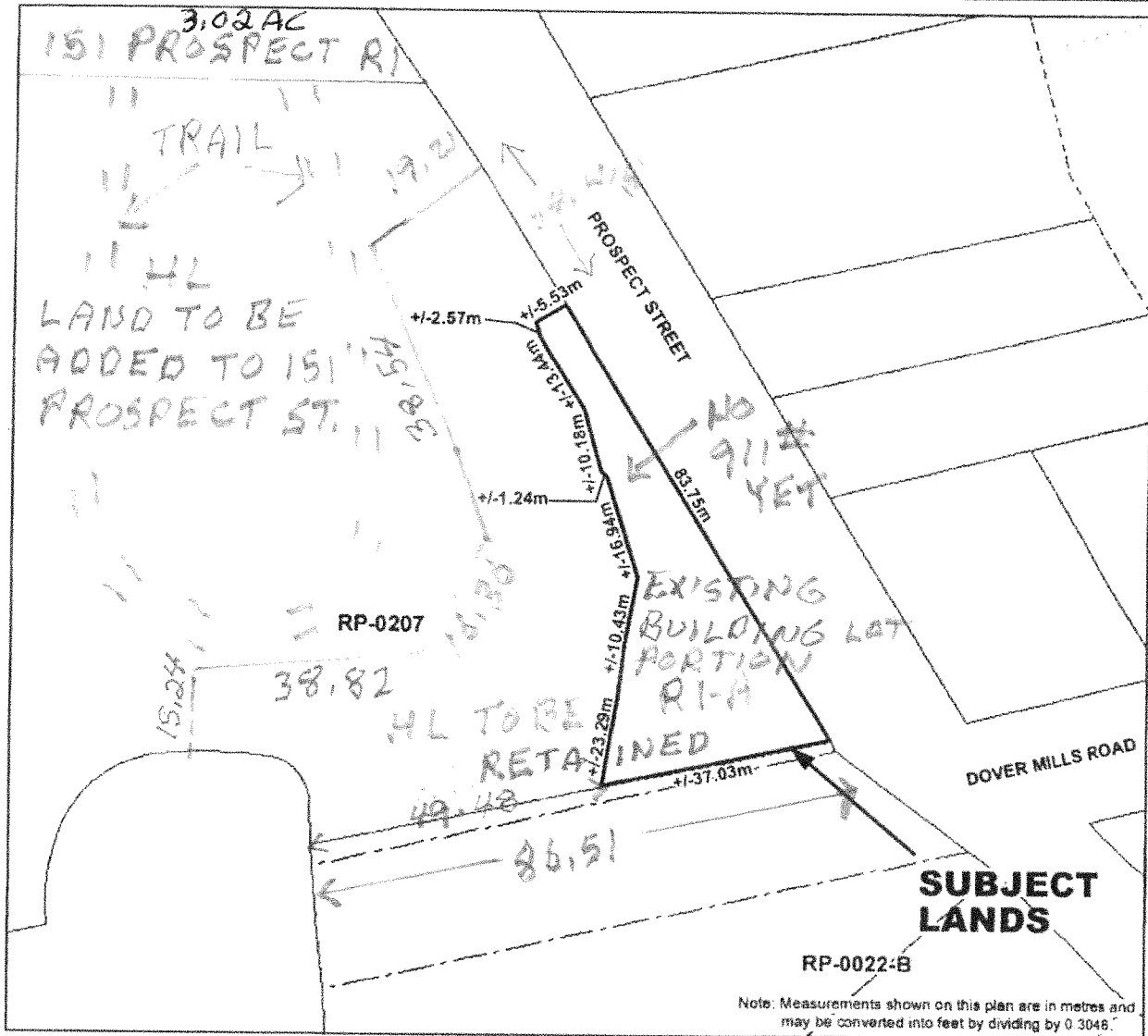
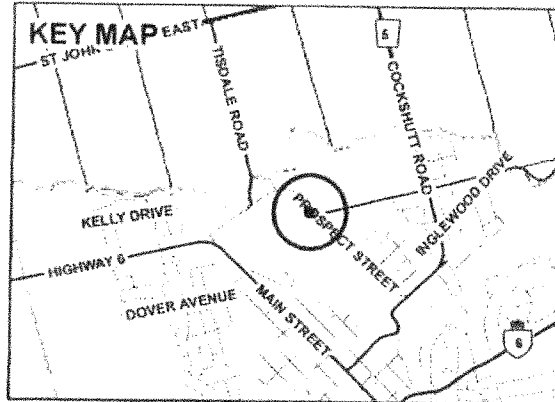
Thank You
Brad Deming
Brad Deming Project Management
519-608-2723
deming@execulink.com

Norfolk County Urban Area of PORT DOVER



1:1,000

10 5 0 10 20 30 40 Meters



This is Map A to Zoning By-law 287-2018 Passed the 27th day of March 2018.

Ch. Luke
MAYOR

J. D.
CLERK

Scoped Environmental Impact Study

151 Prospect St, Port Dover
Southeast side of lot 11 Prospect St, Port Dover
Smith Family

September 2023

1.0 INTRODUCTION

This Environmental Impact Assessment (EIS) was prepared on behalf of the Smith Family (the proponent) relating to the property 151 Prospect Street, Port Dover ON. This property is legally described as part of Lot 11, southwest side of Prospect Street (Figures 1 & 2).

The subject lands are located in Norfolk County ("the municipality"). This EIS is triggered by a land severance and development proposal application to Norfolk County, adjacent to lands depicted by the Norfolk County Official Plan (OP) (2022) as Natural Heritage (Schedule "C-5" Natural Heritage, Figure 4). The subject lands are also within 120 m of a Provincially Significant Wetland (PSW).

Vroom + Associates, formerly Leonard and Associates, attended the site in the summer of 2017 as well as August 2023 to review its attributes in relation to the work program required by the regulatory groups based on our experience within this jurisdiction and others.

For reasons discussed in this report, we believe the abutting natural heritage feature is of low quality due to the high amount of disturbance. Given the quality of the vegetation within the development envelope and the nature of the proposed site alteration, there will be no negative or unalterable impacts resulting from the development and future residential use on-site as long as the recommendations of this report are followed.

1.1 Property Description and Proposed Alteration

The legal parcel is \pm 4.22 ha in size and is located on the west side of Prospect Street in Port Dover, ON. The legal parcel contains Significant Woodlands, Provincially Significant Wetlands, and Hazard Lands.

Our study focuses on the proposed new lot, which includes \pm 0.12 ha on the east edge of the legal parcel.

According to the Norfolk County OP (2022), Schedule "B-16" Land Use Plan, the primary land use of the new lot was previously "Hazard Lands", but according to amendment #102 of the OP the primary land use is now "Urban Residential" (Figure 3).

According to the Norfolk County OP Schedule "C-5" Natural Heritage mapping, the new lot is designated Significant Woodland, extending to a larger Natural Heritage feature to the west (Figure 4).

The proposed development includes a single-family dwelling among the tablelands. The proposed development foot is shown in Figure 6.

We have been informed that Norfolk County has requested that this Environmental Impact Study (EIS) be completed as part of the application to ensure there will be no negative or adverse effects on the natural heritage features resulting from the proposed severance and future residential development.

1.1.1 Activities Associated with the Proposal with Environmental Impacts: Tree-Cutting and Removal of Vegetation, Grading, Post Development Activities

Vegetation Removal

The vegetation within the proposed development involves the removal of two 60 cm dbh Black Walnuts, four 30 cm dbh Sugar Maples, and two 15 cm dbh Sugar Maples. The vegetation being removed is described as Ecosite **WODM4 Dry - Fresh Deciduous Woodland Type** and is of low quality due to the high disturbance, including introduced species and past clearing. Recommendations for mitigation measures are described in Section 5.

1.2 Planning Considerations

1.2.1 Federal Considerations

The Department of Fisheries and Oceans Canada (DFO) is responsible for conserving, managing, and protecting fish and fish habitat. DFO is given authority to achieve this under the Federal Fisheries Act, 2019. Fish habitat as defined in the Fisheries Act 2019 as "water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply, and migration"

The proposed new lot is >160 m from the nearest watercourse. This watercourse flows into Silver Lake. According to current Department of Fisheries and Oceans (DFO) aquatic Species at Risk (SAR) mapping, the watercourse contains critical habitat for Silver Lamprey (Special Concern) (Figure 5).

Given the >120 m distance between the aquatic habitat and the proposed development, a fisheries assessment and DFO involvement may be required for the proposed severance and residential development.

1.3.3 Provincial Considerations

The Provincial Policy Statement (PPS) 2020 states that "Natural Heritage features and areas shall be protected for the long term" (PPS, 2014, 2.1.1). Additionally, Section 2.1.2 states that "The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features."

Several stipulations are outlined by the Provincial Policy Statement (PPS, 2020) regarding development within 120 m of a Natural Heritage area. The PPS defines seven natural heritage features where development and site alteration are not permitted in or within 120 m unless it has been demonstrated that there will be no negative impacts on the natural heritage features or their ecological functions. These seven natural heritage features and their applicability to the previous development as well as proposed vegetation removal and land use include:

Table 1:

Significant Wetland and Significant Coastal Wetlands	Within 120 m of the new lot
Significant Woodlands	On-site
Significant Valleylands	Abutting the new lot
Significant Wildlife Habitat (SWH)	To be discussed in this study
Significant area of natural and scientific interest (ANSI's)	Not Present
Fish Habitat	Beyond 120 m of the new lot
Habitat of endangered or threatened species	To be discussed in this study

The related PPS stipulations are fully outlined in Appendix A and are discussed in terms of the previous development and current land use in Section 5 of this report.

Our reporting will be consistent with the 2020 Provincial Policy Statement, the Natural Heritage Reference Manual (Ontario Ministry of Natural Resources & Forests ... "MNRF"), and the Ecological Land Classification for Southern Ontario (MNRF... ELC").

The PPS 2020 states that development and site alteration shall not be permitted in Natural Heritage features and areas or adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The Ministry of Environment, Conservation, and Parks (MECP) has taken over the responsibility of the Endangered Species Act (ESA), 2007. The MECP protocol consists of conducting a self-screening and submitting an Information Gathering Form (IGF) if a project is likely to contravene the ESA and require permitting.

1.3.4 Municipal Considerations

The Norfolk County OP, Section 3.5.2, regards adjacent habitats as lands within 120 m of a designated Natural Heritage area. Section 1.3 of the OP (2021) states that its goals include:

"... ensuring the protection, enhancement, diversification and connectivity of Norfolk's Natural Heritage Features, natural heritage functions, and species habitat, as well as the protection of water quality and quantity."

The Norfolk County OP (2021), Section 3.5.1 also states that:

"b) Development and site alteration shall not be permitted on lands adjacent to the natural heritage features and areas, unless the ecological function of the adjacent land

has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated."

The Norfolk County OP (2021), Section 3.5.1 also states that:

"a) Development and site alteration shall not be permitted in a Provincially Significant Feature unless in accordance with provincial and federal requirements.

b) Development and site alteration shall not be permitted on lands adjacent to the natural heritage features and areas, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated."

According to the OP Schedule "C-5" Natural Heritage mapping (Figure 4), the entire portion of the proposed severance is designated as Urban Residential, as a result of amendment #102 (2018). However, lands on-site are designated Significant Woodlands.

The OP states that Natural Heritage areas on-site must be further investigated to demonstrate that the past development, proposed vegetation removal, and proposed land use will not impact these features and/or their functions in a negative or unalterable manner.

In our opinion, the request by Norfolk County can be satisfied with an EIS. The requirements of an EIS are fully outlined in Appendix B and are discussed in terms of the proposed severance and development in Section 5 of this report.

1.2.5 Conservation Authority Considerations

The Long Point Region Conservation Authority (LPRCA) regulates abiotic factors relating to Natural Hazard lands, wetlands, watercourses, and adjacent lands. The LPRCA regulates the proposed new lot as they are within 120 m of a PSW and 30 m of Hazard Lands (Figure 7). We assume the County will circulate this report to the LPRCA by the municipality for review and approval.

2.0 ABIOTIC ATTRIBUTES

2.1 Soils and Slopes

According to the OMAFRA AgMaps database, the soils on-site are Wattford soils. The Soils of the Regional Municipality of Haldimand-Norfolk (Vol. 1) states that Wattford soils consist mainly of lacustrine loamy fine sand that are well drained.

According to the OMAFRA AgMaps database and on-site investigations, the lands within the proposed development envelope are relatively flat, with no significant changes in topographic elevation. Directly west of the proposed development is a significantly steep slope approximately 15 m high at 45°. The slope's base is a >200m wide lowland area that supports a Provincially Significant Wetland (PSW) surrounding a watercourse.

2.2 Hydrology and Groundwater

The subject lands are located within the Long Point Source Protection Area subwatershed. The LPRCA 2023 Watershed Report Card states that this watershed has insufficient data on the groundwater quality conditions and fair surface water quality conditions.

The MECP Source Protection Information Atlas provides the following conditions for the subject lands:

"Source Protection Area: **Long Point**
Wellhead Protection Area: **No**
Wellhead Protection Area (WHPA-E): **No**
Intake Protection Zone: **No**
Issue Contributing Area: **No**
Significant Groundwater Recharge Area: **No**
Highly Vulnerable Aquifer: **Yes** ; score is **6**
Event Based Area: **No**
Wellhead Protection Area Q1: **No**
Wellhead Protection Area Q2: **No**
Intake Protection Zone Q: **No**"

Ontario Well Records east of the subject lands indicated the groundwater is ± 9.1 m below grade. Brown sand was recorded from 0-0.2 m, followed by 1.9 m of yellow sandy subsoil 5.52 m of grey sandy silt with clay, terminating in 1.48 m of grey sandy silt.

Ontario Well Records off-site, to the northeast on the corner of Dover Mills Road and Prospect Street, indicated the groundwater is ± 22.55 m below grade. Loam was recorded from 0-0.91 m, followed by 6.71 m of clay subsoil and 13.1 m of sand, terminating in 2.4 m of rock.

As noted above, the database screening demonstrates there are no potential sensitivities to altered land use in relation to Significant Groundwater Recharge and groundwater interference, given the depth of the water table and the significant elevation difference between the subject lands, where development is proposed, and the PSW in the lowlands.

Hydrology: Provincially Significant Wetland

The MNRF 2005 Wetland evaluation for the complex within the lowlands to the west has been reviewed. The evaluation notes that the adjacent PSW is a palustrine wetland on silt/marl>sand>clay/loam soils. Palustrine wetlands rely on rainfall, some overland flow, and sometimes groundwater seepage. Additionally, it is hydrologically connected by surface water to the Lynn River. The wetland scored low for flood attenuation, fair for short-term water quality

improvement, and low for long term nutrient trap, groundwater discharge, and carbon sink. The wetland scored high for groundwater recharge.

3.0 BIOTIC CONSIDERATIONS

The following information and analysis are based on the authors' two site visits, one occurring during summer 2023 as well as summer 2017, reporting for database and literature reviews. Dave Jolly from EarthQuest completed floral and faunal inventories during two summer 2023 visits (June 29 and July 14 2023).

The LPRCA 2023 Watershed Report Card states that this watershed has poor wetland, riparian zones, and fair forest conditions.

3.1 Aquatic Attributes

There are no aquatic attributes within the proposed new lot. Within 120 m of the proposed new lot is a Provincially Significant Wetland (PSW) \pm 15 ha in size. The wetland is 40 m west in the lowlands at an elevation 15 m below grade of the proposed new lot. The Lynn River is >150 m west of the new lot, also within the lowlands.

The following aquatic SAR were noted in the DFO Species at Risk mapping within 1 km of the subject lands.

Species	Rank	Habitat Description
Silver Lamprey	[COSEWIC: SC / COSSARO: SC]	Inhabit clean water for fish host, clean stream beds of sand and organic debris for larvae, and unrestricted waterways for migrating. Require different habitats throughout life: river for spawning and lakes for adulthood.

Table 2:

The Silver Lamprey is likely to be recorded within Lynn River as they travel upstream from Lake Erie for reproduction. Again, the >200 m distance between the new lot and the aquatic feature ensures there is no concern of direct or indirect impact from the proposed single-family dwelling on Fish habitat. The SAR aquatic species are triggered within Lake Erie downstream.

Wetland

A Provincially Significant Wetland (PSW) identified as LR16 Complex (LR16) is present within the adjacent lands lowlands to the west of the new lot. The LR16 Complex (LR16) *Wetlands 2005 MNRF Wetland Evaluation* was received from Darren Ungar (management biologist) and reviewed for its significance to our work.

The LR16 Complex (LR16) Wetlands comprise 21 wetland units for a total of 59.8 ha. The complex contains 66% swamp and 33% marsh vegetation types. No Species at risk and only one (*Carex erythorhizos*) rare species was noted in the 2005 Evaluation. Scores for faunal habitats were low in the evaluation.

3.2 Floral Attributes

Vroom + Associates completed floral inventories within the study area in both the summers of 2017 and 2023. Given the limited proposed development as well as the high disturbance within the Significant Woodland, we did not see a need for 3 season inventory.

The tablelands where the future residential unit is proposed are designated Significant Woodlands and are highly disturbed with introduced species and disturbance-tolerant groundlayer species.

According to the MNR Ecological Land Classification (ELC 1998 & 2008), one community is found within the proposed new lot described as **WODM4 Dry - Fresh Deciduous Woodland Type**. The WODM4 on-site is 0.1 ha and is therefore considered an inclusion. The vegetation includes a few select trees 15-100cm diameter at breast height (dbh) with a canopy of <60% coverage. Historically, trees have been cleared, and the understorey and groundlayer have also been removed and left to succession.

The **WODM4-2** Ecosite includes Sugar Maple and Black Walnut, primarily with a canopy cover of > 60%. This community consists of a low-quality deciduous woodland, which lacks an understorey and shrub layer, and the groundlayer has been cleared in the past. The shrublayer is dominated by native and non-native species, including Multiflora Rose and ChokeCherry. The groundlayer comprises a mix of common disturbance tolerant species and non-native species, including Enchanter's Nightshade, Pale Jewelweed, Common Chickweed, Common Milkweed, Rosy Sedge, and Wild Cucumber, as well as many ornamental plants. Twenty-seven species were recorded in the WODM4-2 Ecosite, 69% non-native.

Within this Ecosite are five distinctive trees (dbh >30 cm) with two potential SAR bat roosting trees within this tableland woodland.

The abutting forested valleylands are defined by the MNRF Ecological Land Classification (ELC) for Southern Ontario Field Guide, 1998 and 2008, as **FODM5-9 Dry Fresh Sugar Maple - Hardwood Deciduous Forest**. This continuum along the valley slope is +/- 3.9 ha in size.

The **FODM5-9** Ecosite comprises the remainder of the OP designated Significant Woodland within the study area. This canopy features Sugar Maple, Manitoba Maple, Norway Maple, Black Walnut, and Black Locust of \pm 12.7 - 50.8 centimeters (cm) in diameter at breast height (dbh) \pm 6 m apart. The shrublayer is dominated by native and non-native species, including Wild Riverbank Grape, Black Raspberry, White Baneberry, and Thicket Creeper. The groundlayer comprises a mix of native species and non-native species, including Jack-in-the-Pulpit, White

Trillium, Cleavers, Red Fescue, Orchard Grass and Celandine species. There are some signs of disturbance, including past logging and introduced species. 40 species were recorded in the FODM5-9 Ecosite, with a relatively high proportion of 33% non-native species. Only one regionally rare or uncommon species in this community was a R2 Provincially Rare R-Ranked species, the Common Hackberry.

Generally, the woodland surrounding the proposed new lot and on the upper slope of the adjacent valleyland is highly disturbed.

The following background information is provided in relation to the discussion of significant species.

_Any Species at Risk (SAR) listed as endangered (END) or threatened (THR) are protected from killing, harming, or harassment under the provincial Endangered Species Act 2007 (ESA)

_Additionally, their habitat is protected from damage or destruction (ESA, 2007 Section 10.1)

_Species listed as Special Concern, Provincially Rare, and Regionally Rare Species (S1-S3) are not protected under ESA 2007 or the Norfolk County Forest Conservation ByLaw 2006-170

_The Committee on the Status of Species at Risk in Ontario (COSSARO) provides the provincial rankings on species at risk (SAR). The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) provides the federal rankings of SAR.

Recommended by the MECP/MNRF, an NHIC 1km² grid data search was conducted to identify species historically recorded in the general area. According to the NHIC 1 km² mapping, there is only one record of floral SAR in the general area.

Table 3:

Species	Ranking	Habitat Description
Butternut	[COSEWIC: END / COSSARO: END]	Can be found within mixed deciduous forests within Southern Ontario. Is tolerable to moist to moderately dry soil, but grows best in well-drained, rich soils on valleys or slopes. Butternuts prefer full sun.

Summer 2023 surveys targeted this species, and none were discovered. Given that it was not recorded, nor is it anticipated on-site in the future, there are no concerns for negative or unalterable impacts.

No Species at Risk (SAR) plants are within the proposed development envelopes.

No Provincially Rare Habitat Types were found on or in the study area around the subject property.

ELCs are depicted on Figure 8. Plants per ELC community as well as the list of rare to uncommon species recorded in the study area are provided in Appendix C.

3.3 Faunal Attributes

Faunal inventories were completed over two field visits by Dave Jolly in the 2023 summer seasons for the property to assess the direct and indirect impacts that may occur as a result of the proposed development. Species presence and rankings are fully described in the attached Appendix D.

Habitat

The tableland within the development envelope does not provide significant faunal habitat given the small size and previous disturbances on-site in and the surrounding residential lands. Faunal habitat is present within the vegetated valleyland/significant woodlands and the Provincially Significant Wetland (PSW) in the lowlands 40 m off-site of the proposed new lot. The habitat extends beyond the study area to the west towards the PSW and the Lynn River corridor. Over 1.5 km downstream is Lake Erie.

Valleylands act as the natural drainage system for watersheds, playing an important role in surface water conveyance, attenuation storage, and release. Valleylands can often be areas where groundwater is released as seepage or springs. Valleylands are a significant landscape feature and are relatively undisturbed, with greater naturalness. These landforms allow for a diverse array of microclimatic conditions and the potential for diverse and rare flora and fauna communities.

Wetland habitat is utilized for both abiotic and biotic functions within an ecosystem. These areas are seasonally or permanently covered with shallow water. These landscapes are areas where groundwater is released as seepage or springs. The diversity in wetland habitat supports

a variety of organisms.

Interior habitat is defined as habitat more than 100 meters from the edge of the woodland (The Natural Heritage Reference Manual 2010) and is recognized as important for area-sensitive species. Due to the size and shape of the adjacent Natural Heritage feature, it provides the +/- 2.9 ha of interior habitat (Figure 9). However, it provided excellent linkage functions for faunal migration and dispersal for terrestrial, aquatic, and avian species.

Significant Species

Birds

An NHIC 1 km² database screening identified the following SAR Birds that have been discovered in the general area in the past:

Table 4:

Species	Rank	Habitat Description	Likelihood On-site
Eastern Wood-pewee	[COSEWIC: SC / COSSARO: SC]	Inhabits the mid-canopy layer of forest clearings as well as edges of deciduous and mixed forests. Is found to be most abundant in forest stands intermediate in age with little understory vegetation.	Unlikely in development envelope due to lack of mid-canopy. Potential in adjacent woodland.
Red-Headed Woodpecker	[COSEWIC: END / COSSARO: END]	Inhabits open woodland and woodland edges. It can often be found within areas with a higher presence of dead trees which are used for nesting and perching. It is a migrating bird that winters in the United States. It feeds off of acorns and beechnuts. They will remain if food supply is adequate	Potential in adjacent woodland.
Eastern Meadowlark	[COSEWIC: THR / COSSARO: THR]	Inhabit areas such as pastures and hayfields, in which tall grassess are present. This species can also be found in alfalfa fields, weedy borders of cropland, roadsides, orchards, shrubby fields and other open areas. Small trees or fence posts are used for song perches.	Unlikely given there are no Hayfield and dry tall grass areas within the study area.
Bobolink	[COSEWIC: THR /	Inhabit tall grass prairies and other open meadows. They may also	Unlikely given there are no Hayfield and dry tall

	COSSARO: THR]	inhabit hayfields. Nesting occurs on the ground within dense grass patches.	grass areas within the study area.
Least Bittern	[COSEWIC: THR / COSSARO: THR]	Inhabits a variety of wetland environments, but prefers cattail marshes mixed with open pools and channels. Nesting occurs above marsh water within stands of dense vegetation, hidden and built near open water to ensure foraging needs are met.	Potential within the adjacent PSW >30 m from the proposed new lot.

Two breeding bird surveys were conducted under appropriate conditions. These were conducted by walking random transects and recording presence, abundance, and breeding evidence levels using Ontario Breeding Bird Atlas (OBBA) protocols.

Twenty-two species were evident; one species listed as Species at Risk (SAR) in Canada and Ontario by COSEWIC and COSSARO was present: Eastern Wood-Pewee [SC/SC].

In Canada, the Eastern Wood-pewee breeds primarily in mature and intermediate-age deciduous and mixed forests, having an open understory. It is often associated with forests dominated by Sugar Maple (*Acer saccharum*) and is usually associated with forest clearings and edges (COSEWIC, 2012). Although a SAR, this species has no special protection under the ESA (2007).

The Eastern Wood-pewee is quite widespread in southern Ontario and Norfolk County in particular (Ontario Breeding Bird Atlas, 2007). Eastern Wood-pewee [SC/SC] is urban tolerant and often found in edge habitats in Southern Ontario.

Mammals

Mammals were surveyed as part of 'general' wildlife surveys. These surveys involved general coverage recordings of all species observations and signs (e.g., tracks/trails, scat, burrows, dens, browse, vocalizations).

We anticipate the woodland is habitat for many common mammal species. Our only Threatened or Endangered species in range are the American Badger [COSEWIC: END / COSSARO: END] and SAR bats.

There is no suitable habitat within the study area for American Badger as they require open meadow and prairie habitats.

Potential maternal bat breeding habitats are noted within the 120 m study area in the form of large, living trees with suitable size and shaped cavities.

There are four bat species listed as Endangered in Ontario: Small-footed Myotis (*Myotis leibii*), Little Brown Bat (*Myotis lucifugus*), Tri-coloured Bat (*Perimyotis subflavus*), and

Northern Myotis (*Myotis septentrionalis*). Given their Endangered status, their habitat is protected under the Endangered Species Act (ESA) 2007. Additionally, Bat Maternity colonies are a type of Significant Wildlife Habitat to be considered under the Provincial Policy Statement (PPS) 2020. According to the 7E Ecoregion SWH criteria Schedule, this habitat includes mature deciduous or mixed stand >10 ha with trees >25 cm diameter at breast height (dbh). The adjacent is not large enough to meet the minimum 10 ha to be considered significant wildlife habitat. However, there were two potential snag trees within the tableland woodland where development is proposed. Following timing mitigations in Section 4 will ensure no direct impact on SAR bats if present.

Herptiles

An NHIC 1 km² database screening identified Snapping Turtle [SC/SC], Midland Painted Turtle [SC/NR], Fowlers Toad [END/END], and Eastern Milksnake [SC/NR] previously recorded in the general area. No SAR herptiles were observed on-site.

Table 5:

Species	Rank	Habitat Description	Likelihood On-site
Fowlers Toad	[COSEWIC: END / COSSARO: END]	This species inhabits open beaches, dunes, sandy shorelines, rocky pools, creek and stream mouths, backshore wetlands and marshes along the northern shore of Lake Erie.	Potential within the adjacent PSW, although unlikely as there is a lack of sandy dune habitat within the adjacent marsh
Snapping Turtle	[COSEWIC: SC / COSSARO: SC]	Mainly inhabit shallow bodies of water that provide protection via sediment. Nesting occurs early to mid summer in gravelly or sandy areas along streams.	Unlikely within the study area as it excludes the Lynn River which would provide potentially suitable habitat. .
Eastern Milksnake	[COSEWIC: SC / COSSARO: NAR]	NAR Eastern Milksnake inhabits a wide variety of environments including prairies, meadows, pastures, hayfields, rocky outcrops, rocky hillsides and forests, both mixed and deciduous. They prefer areas with abundant high forest cover. Require corridors to allow movement between breeding, basking and hibernation habitats. Eggs are laid in areas including rotting logs, stumps, mammal burrows, manure piles, leaf mounds, sawdust piles, sand or loose soil. Hibernation habitats may include old burrows and rock crevices, or even anthropogenic structures.	Potential on-site or within adjacent woodland, valleyland and/or PSW.

Midland Painted Turtle	[COSEWIC: SC / COSSARO NR]	Inhabit wetland areas that are well-vegetated and relatively shallow. Can be found in water bodies as well. Habitat requires abundant basking sites and organic substrate. Found in association with submergent aquatic plants. Suitable nesting habitat is required, including open, sloped, and often south-facing areas consisting of sandy-loam or gravel substrate. These areas are usually within 1200 m of aquatic habitat. Overwintering occurs in shallow water consisting of deep sediment	Unlikely within the study area as it excludes the Lynn River which would provide potentially suitable habitat.

Given the distance and elevation from the proposed new lot to the Lynn River, turtle habitat for basking and nesting, overwintering, and foraging is highly unlikely on-site. There is suitable turtle habitat within the Lynn River and its corridor, however, this feature is beyond the 120 m study area limits. No turtles were observed in site investigations.

Although Eastern Milksnake was noted in the NHIC 1km² database search, this species is not a SAR in Ontario and requires no special protection. SAR snakes known to Port Dover include Eastern Fox Snake and Hognosed Snake. Foxsnakes and Hognosed snakes have an affinity for open sandy habitats, not present on-site. No snake hibernaculum was observed during site visits.

The PSW and the edaphic conditions of the surrounding wooded slopes provide suitable habitat for amphibian breeding habitat. The subject lands, or proposed new lot, are unlikely to provide significant amphibian breeding habitat.

Lepidoptera and Odonata

Observatory surveys were completed on all field visits. No species at risk were observed or are anticipated within the proposed new lot. There is potential for Monarch [END/SC] habitat in the forest edges and PSW. The presence of Milkweed and proximity to Lake Erie can indicate Monarch habitat.

3.4 Significant Wildlife Habitat

Preliminary SWH identifications are based on the Significant Wildlife Habitat Guideline for Region 7E and site investigation by the authors.

Based on the Significant Wildlife Habitat Guideline for region 7E, there is no confirmed or candidate SWH within the development envelope. The Natural Heritage area and PSW adjacent to the proposed development includes the following confirmed and candidate SWH:

Table 6: Preliminary SWH within the 120 m Study Area

Significant Wildlife Habitat	Potential within 120 m
Migratory Butterfly Stopover Areas	Candidate as suitable habitat is present within the Provincially Significant Wetlands (PSW) and Significant Woodlands to the west, southwest and northwest.
Landbird Migratory Stopover Area	Candidate as suitable habitat is present within the Provincially Significant Wetlands and Significant Woodlands to the west, southwest and northwest.
Bald Eagle and Osprey Nesting, Foraging and Perching Habitat	Candidate with the presence of the FODM5-9 ELC Ecosite to the west and the proximity to Lake Erie.
Turtle Nesting Area	Candidate with the presence of the PSW to the west.
Amphibian Breeding Habitat (Wetland)	Candidate with the presence of the PSW to the west.
Amphibian Movement Corridors	Candidate with the presence of linkage woodland and PSW.
Reptile Hibernaculum	Candidate with the presence of FODM5-9.

4.0 IMPACT ASSESSMENT OF THE PROPOSAL

As previously noted, this EIS is triggered by provincial, municipal, and conservation authority requirements related to the proposed severance and future residential development occurring on or adjacent to the Natural Heritage features noted below.

Table 7:

Significant Wetlands and Significant Coastal Wetlands	Present within 120 m study area 40 m to the west.
Significant Woodlands	Present within the subject lands and 120 m study area to the west.
Significant Valleylands	Present within the 120 m study area to the southwest.
Significant Wildlife Habitat (SWH)	Discussed in this study.
Significant areas of natural and scientific interest (ANSI's)	Not present.
Fish Habitat	Not present.

Habitat of endangered or threatened species	Discussed in this study.
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Previous sections have documented natural heritage features and significant areas in the study area. The proposed severance and future development have been described in Section 1.2 and depicted in the attached figures. This Section considers the impacts of the proposed development on the Natural Heritage features and provides mitigative measures that should be implemented to protect the features and their functions.

4.1. Impacts & Mitigation

Vegetation Removal and Significant Woodlands:

Vegetation removal is required to accommodate the proposed development on the tablelands. The vegetation being removed includes two 60 cm dbh Black Walnuts, four 30 cm dbh Sugar Maples, and two 15 cm dbh Sugar Maples. The majority of the development envelope is already cleared, and as noted, the shrublayer and groundlayers have been cleared in the past and are comprised of common disturbance-tolerant species.

Figure 6 represents the proposed development and the area of vegetation removal. The naturally vegetated slopes will remain intact, and there is a 10-12 m setback from the top of the existing slope from the development limit.

In compliance with relevant federal, provincial and municipal legislation and mitigation for potential impacts, we offer the following general recommendations concerning potential vegetation removals.

Migratory Birds Convention Act 1994: The Migratory Breeding Bird Act (MBCA, 1994) protects 386 migratory bird species in Canada. It states, "No person shall disturb, destroy, or take a nest, egg,...." (SOR/80-577, s. 4.). Birds protected under the MBCA 1994 may be present on-site since they can occur nearly anywhere in southern Ontario. Tree cutting should occur outside of nesting season for the region (March 31 – August 25).

Potential SAR bat roosting trees, >30 cm dbh with snags or cavities, were surveyed for within the maintained tablelands where the future development is proposed. Two potential bat cavity trees were observed; therefore, timing restrictions are required for vegetation removals in regards to potential SAR bats.

Recommendation #1: Tree-cutting should not occur between March 31st and October 1st to avoid the risk of removing trees used by migratory birds or potential SAR bats.

Generally, setbacks are provided for adjacent vegetation for root protection from soil compaction, excavations etc. The adjacent vegetation may also be susceptible to sediment and erosion, uncontrolled runoff and pollution.

In our experience and based on arboricultural literature reviews, when roots have the opportunity, they will graft onto the roots of other members of the ELC community, regardless of species. Intergrafting of roots with surrounding trees on the adjacent slopes provides resilience to the impacts of the proposed adjacent development.

The following are practical recommendations to enhance the survival potential of the adjacent vegetation to be retained.

Recommendation #2: Silt fence barriers should be installed at the development limit to protect Natural Heritage areas from sedimentation and erosion and provide guidance to limit heavy machinery.

Recommendation #3: All protective fencing should be maintained until the time of seeding.

Recommendation #4: All disturbed areas on-site should be immediately re-vegetated with native species in order to stabilize soils and reduce sediment and erosion.

Recommendation #5: If any roots are encountered or disturbed in excavation, they should be cut clean with hand tools and be covered immediately with mulch.

Hydrology and Aquatic Habitat

Modifying surface drainage and increasing impervious surface could affect the distribution and abundance of vegetation found within the adjacent Natural Heritage areas as they are a function of the soils and moisture regimes provided by surface runoff and groundwater.

As noted in Section 2.2, the subject lands are not within a wellhead protection zone, a vulnerable scoring groundwater area, a significant groundwater recharge area, or a highly vulnerable aquifer. However, there is a PSW to the west, and the subject lands slope towards the western feature.

The MNRF wetland evaluation notes that the adjacent PSW is a palustrine wetland, and these types of wetlands rely on rainfall, some overland flow, and in some cases, groundwater seepage. The wetland scored low for flood attenuation, fair for short term water quality improvement, and low for long-term nutrient trap, groundwater discharge, and carbon sink. The wetland scored high for groundwater recharge.

Indirect impacts on wetlands can generally include downstream impacts of sedimentation during construction, erosion from uncontrolled surface drainage, and flow quality and quantity alterations from the redirection of surface flows.

The footprint of an additional residential dwelling is not anticipated to significantly impact the drainage and groundwater recharge in the area. Additionally, adequate naturally vegetated buffers along the slope protect the PSW at the base of the valleyland >30 m from the proposed future development.

Recommendation #6: No site alteration, including grading, vegetation removal, or structures, should occur within the Significant Valleyland feature.

Recommendation #7: Overall grades sloping towards the natural heritage feature should be maintained to ensure surface flow inputs remain post-construction.

Recommendation #8: When grading post-construction, ensure that sheet flow to the adjacent feature is achieved as opposed to channelized or rivulet flow to the adjacent feature, which could result in sediment and erosion.

Significant Valleylands:

As previously noted, valleylands are a significant landscape feature and act as the natural drainage system for watersheds, playing an important role in surface water conveyance, attenuation storage, and release.

Recommendation #9: Geotechnical studies have been completed for the proposed development and must be followed to ensure the structural integrity of the adjacent significant valleylands.

Floral and Faunal Habitat:

Significant Wildlife Habitat:

There are several candidate SWH within the study areal, outside of the proposed development envelope. These include: *Bald Eagle and Osprey Nesting Foraging and Perching Habitat* (FODM5-9), *Turtle Nesting Areas* (PSW, FODM5-9), *Reptile Hibernaculum* (FODM5-9), *Amphibian Breeding Habitat (Wetland)* (PSW), *Amphibian Movement Corridor* (FODM5-9), *Migratory Butterfly Stopover Areas* (FODM5-9) and *Landbird Migratory Stopover Area* (FODM5-9).

As long as the future development is limited to the disturbed maintained tablelands, these features lie outside the residential development area and will not be directly impacted by the proposed severance.

Sufficient mature trees, forest edges, and riparian corridors will be present post-development in the remaining natural heritage areas regarding *Land Migratory Stopover Areas*, and *Bald Eagle and Osprey Nesting, Foraging and Perching Habitat*. Again, the timing of vegetation removals should adhere to Recommendation #1 to protect migratory birds during construction.

The small development footprint and change in land use are not anticipated to significantly impact surface and groundwater inputs. Therefore, no significant negative impacts on the candidate *Amphibian Breeding Habitat, Amphibian Movement Corridors and Turtle Nesting Area*, beyond the subject lands within the PSW >40 m to the west.

Habitat of Threatened or Endangered Species:

No Endangered or Threatened species were recorded on site, and none are anticipated in the development envelope.

Eastern Wood-pewee (Special Concern)

As noted in Section 3.3, a Eastern Wood-pewee [SC/SC] was observed during the 2023 summer site visits.

Eastern Wood-pewee [SC] is urban tolerant and often found in edge habitats in Southern Ontario. We do not anticipate any negative or unalterable impacts on the habitat of this common urban tolerant species from the proposed adjacent residential construction and land use. Adequate habitat will remain to the southwest and northeast. Recommendation #1, noting

timing window restrictions for all vegetation removals, will protect these and other migratory birds if they were to use the subject lands for any reason during construction.

Human Encroachment:

With the minor change in land use, there is potential for the following impacts to occur:

- _ Dumping of vegetative waste and/or garbage into adjacent Natural Heritage features
- _ Reclamation of land or expansion of lot size by placing fill or buildings at rear yard limits
- _ Introduction of plant species for landscape purposes that pose a risk of invasive potential into Natural Heritage areas
- _ Vegetation and tree removal
- _ Creation of trails within adjacent Natural Heritage areas that destroy vegetation, compact soils, and increase the risk of erosion and sedimentation.
- _ Alteration to natural light regimes resulting from the residential attendant lighting.

Given the surrounding land use and current site conditions, the human encroachment factors will not significantly change with the addition of a single residential dwelling. The Significant Woodland within the development envelope is of low quality and highly disturbed.

The lands are disturbed with residential use east, northeast, and south of the subject lands. The adjacent feature would benefit from an ecological shrub buffer to avoid the spread of invasives, deter human access, and block the existing residential attendant lighting.

Recommendation #10: Education and stewardship brochures should be provided to these landowners, if different from the client of this report, outlining the significance of Natural Heritage features. These should inform future landowners of the encroachment activities listed.

5.0 CONSIDERATIONS & CONCLUSIONS

5.1 Considerations

Federal Considerations

There are no watercourses on-site that would required DFO review and approval.

Provincial Considerations

It is our opinion that the proposed development will not contravene the ESA, 2007, nor the PPS, 2020.

Regarding Sections 2.1.1 and 2.1.2 of the PPS, the proposed severance and future residential development will not negatively impact the diversity and natural heritage features surrounding the subject lands.

With reference to Section 2.1.3 of the PPS, the subject lands are not located within the listed Ecodistricts (7E-2).

Section 2.1.4 of the PPS is not applicable. Development is not proposed within coastal wetlands, or areas of natural and scientific interest (ANSI).

With reference to Section 2.1.5 of the PPS, the proposed severance and future residential development demonstrates no significant negative impacts on the natural features or their ecological function as long as recommended mitigation measures are followed. Significant Valleylands are outside of the proposed future residential development limit, and geotechnical studies have confirmed site specific setbacks. The PSW in the study area >30 m beyond the proposed future residential development limit. Significant Woodlands on-site are of low-quality and impacts can be mitigated.

In regards to SWH, there is candidate SWH on-site within the Significant Woodlands; however, there will be minimal impacts on this feature resulting from the proposed severance and future development as long as mitigation measures are followed.

In regards to Section 2.1.6, there is no Fish Habitat present on-site or within the study area. No in-water work is required to facilitate the proposed development.

In regards to Section 2.1.7 of the PPS, there are no negative or unalterable impacts on SAR within the residential tablelands due to the anthropogenic nature. The suitable habitat is >30 m from the proposed severance and future development.

With reference to section 2.1.8 of the PPS, we do not anticipate any direct negative or unalterable impacts to the Natural Heritage feature on-site or its ecological functions as there is minimal vegetation present on site. For reasons noted in Section 4, no direct and minimal incidental impacts will be on the adjacent Significant Woodlands.

Municipal Considerations

See Appendix B for the municipal stipulations regarding an EIS.

CA Considerations

Given the adjacent hazard lands and PSW, we assume this report will be sent to the LPRCA for review and approval.

5.2 Conclusions

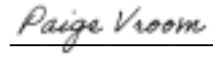
The designated Significant Woodland within the development envelope is highly disturbed and contributes marginal to the surrounding Natural Heritage features. The adjacent higher quality Significant Woodland, PSW, Significant Wildlife Habitat, and Valleylands will not be directly impacted by the proposed severance, as the proposed future residential development is set to remain within the disturbed tablelands. Maintaining water quality and quantity into the adjacent feature and not significantly impacting the overall grades of the site will ensure no significant impact on the adjacent feature. We believe the low-intensity use of one additional single-family dwelling among already surrounding residential uses will not result in a greater cumulative impact of the adjacent feature.

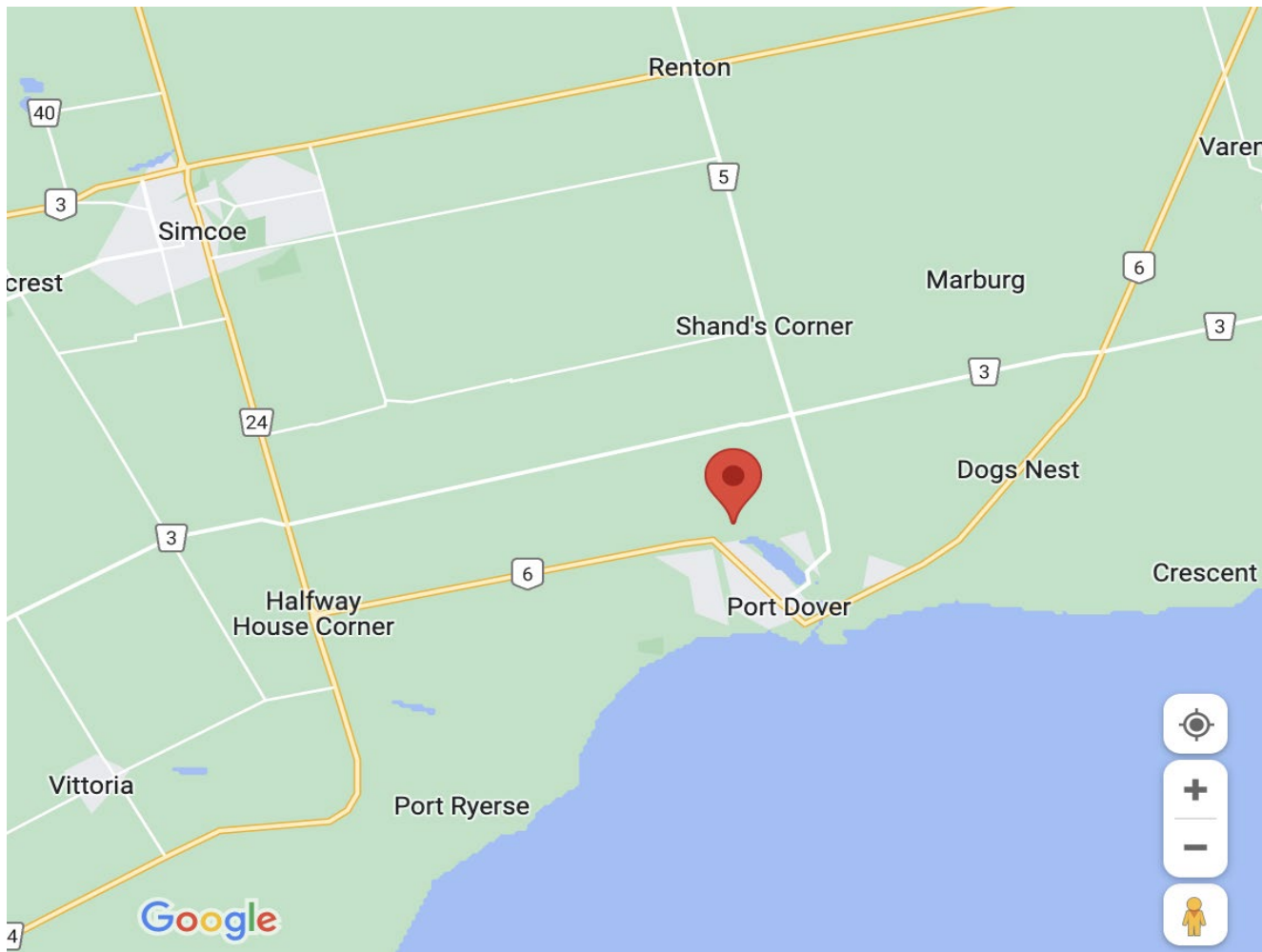
With respect to natural heritage considerations, it is the opinion of the writers that as long as the future development plans follow the recommended mitigation measures in this document, the proposed land use will be consistent with the Provincial Policy Statements 2020 as well as the policies of Norfolk County. Consequently, there is no need for additional information or studies relating to the Natural Heritage component of this application.

Rachel Bauer, B.Sc.



Paige Vroom, M.Sc. (Aquatic)





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Figure 1: General Site Location

151 Prospect St, Port Dover
September 2023

Smith EIS
 Vroom + Associates

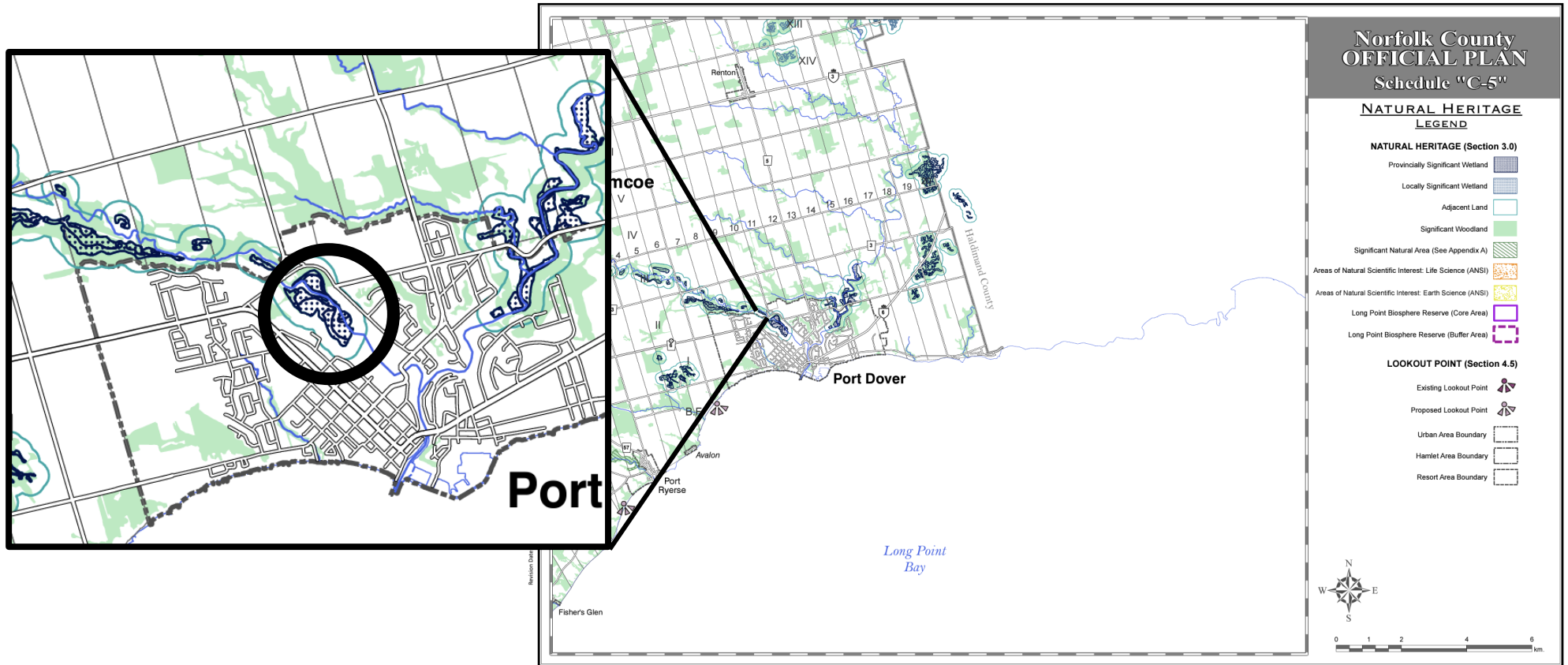


VROOM + ASSOCIATES

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Figure 2: Specific Site Location
 (Red = Legal Parcel, Blue= Proposed Development Envelope,
 Yellow = Study Area)

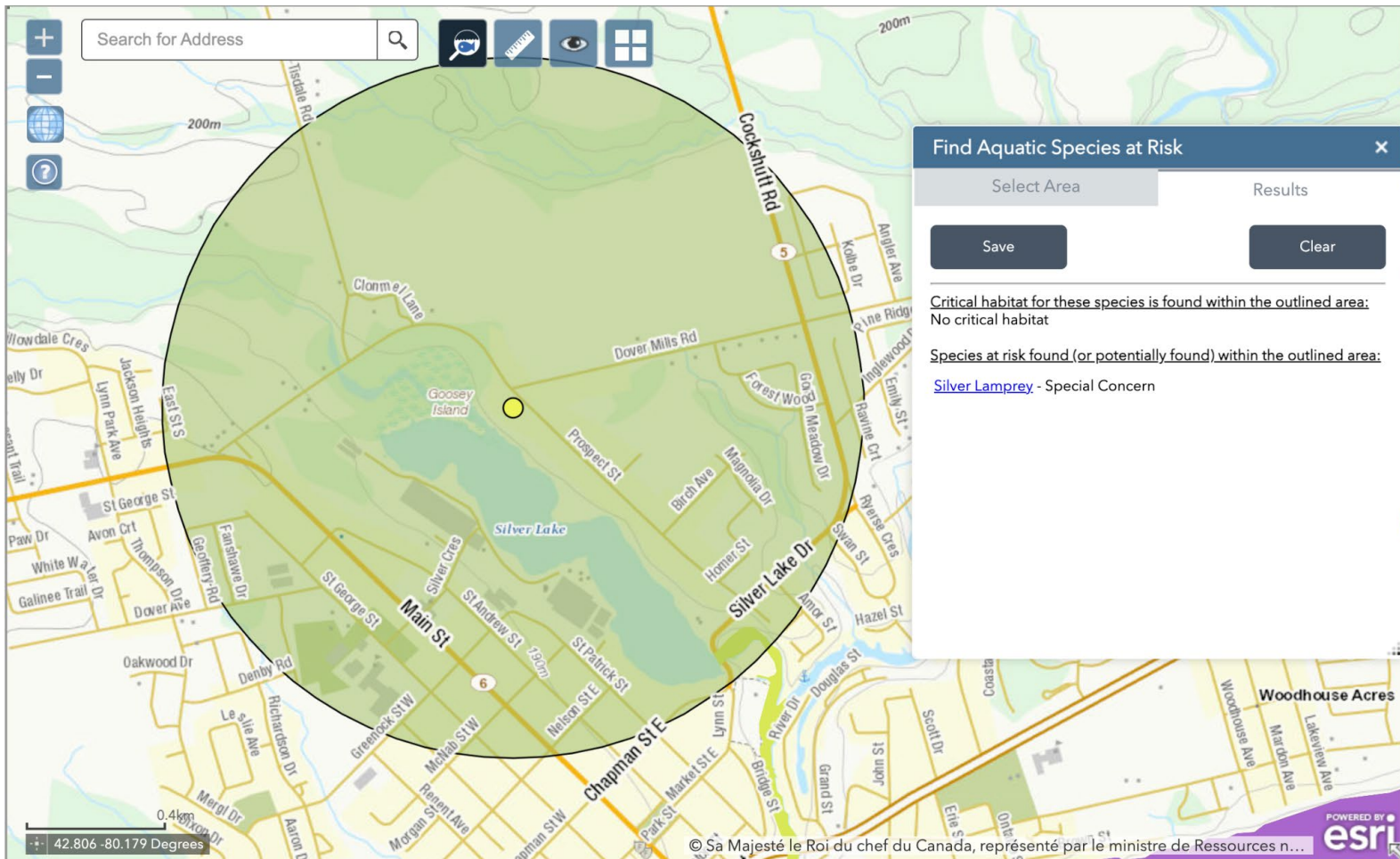


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Figure 4: Norfolk County Schedule "C-5" Natural Heritage Plan



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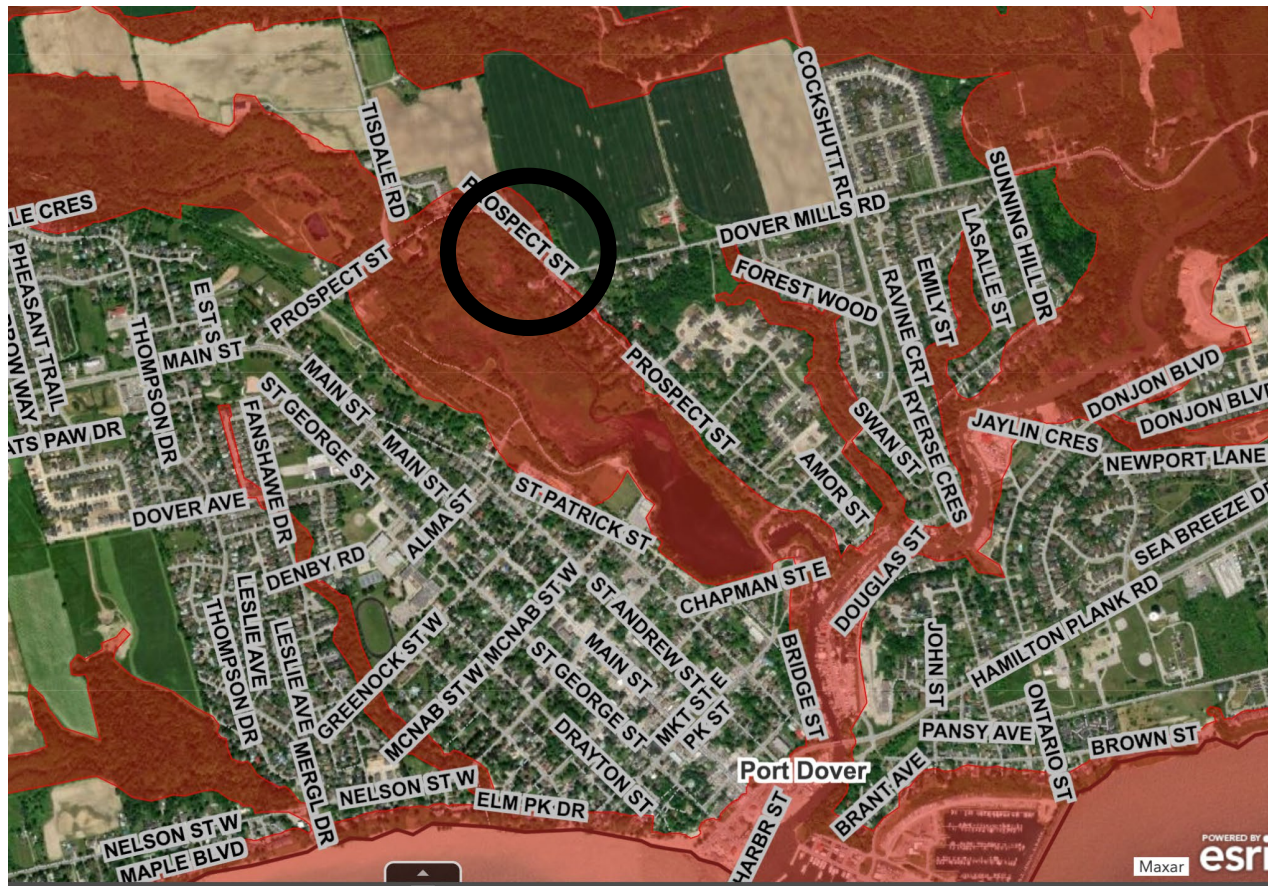
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Figure 5: DFO Aquatic SAR Mapping

151 Prospect St, Port Dover
September 2023

Smith EIS
Vroom + Associates



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Figure 7: LPRCA Regulatory Mapping

151 Prospect St, Port Dover
 September 2023

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Figure 8: ELC Community Map



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Figure 9: Interior Habitat



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Figure 10: Site Photos

Proposed development Area

151 Prospect St, Port Dover
September 2023

Smith EIS
 Vroom + Associates



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Figure 11: Site Photos

Left = adjacent forested slope
Right = Wetland at base of slope

Appendix A - PPS 2020 Considerations

The *Provincial Policy Statement (PPS)* 2020, states that:

"2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The Diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water function and ground water features.

2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.

2.1.4 Development and site alteration shall not be permitted in:

- a. significant wetlands in Ecoregions 5E, 6E, 7E1; and
- b. significant coastal wetlands.

2.1.5 Development and site alteration shall not be permitted in:

- a. significant wetlands in the Canadian Shield of north Ecoregion 5E, 6E and 7E1;
- b. significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Mary's River)¹;
- c. significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Mary's 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 heritage features or their ecological functions.

2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological function.

2.1.9 Nothing in policy 2.1 is intended to limit the ability of agricultural uses to continue."

The PPS 2020 also states the following regarding development within "Hazard Lands":

"... *development and site alteration* may be permitted in those portions of *hazardous lands and hazardous sites* where the effects and risk to public safety and minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) *development and site alteration* is carried out in accordance with *floodproofing standard, protection works standards, and access standards*;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

Appendix B - Municipal Considerations

Section 3.1 - BACKGROUND

In partnership with the Long Point Region Conservation Authority (LPRCA), the Grand River Conservation Authority (GRCA) and the Province, the County strives to protect the natural environment. It is a priority of this Plan to protect, enhance and restore significant natural features and functions, and to reduce the risk to public safety and property from natural hazards, such as flooding and unstable slopes.

Section 3.2 - GOALS

The following shall be the policy of the County:

- a) The County shall work cooperatively with the Ministry of Natural Resources and Forestry and Conservation Authorities in dealing with land management issues within the watersheds, including those that extend beyond the County boundary.
- b) The County shall encourage the preparation of both watershed and subwatershed management plans to facilitate water resource and land use planning on an ecosystem basis. Council recognizes that development and land use change within the County will also require consideration of other matters such as economic, social and growth management factors that may not be addressed in a watershed or subwatershed plan.
- c) The County shall support the Conservation Authorities in the preparation and implementation of the subwatershed studies.
- d) The County shall support initiatives of the Conservation Authorities and other agencies in identifying strategies to protect groundwater resources.
- e) The County shall support appropriate flood control management programs of the Conservation Authorities.
- f) The County shall encourage the protection and restoration of Natural Heritage Features to improve water quality and quantity.
- g) The County shall encourage the protection of species at risk, either aquatic or terrestrial, and species recovery strategies. The County shall support the implementation of the relevant findings of recovery strategies. Implementation of species recovery strategies may include amendments to this Plan.
- h) The County shall require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The County shall promote naturalized and unfenced stormwater management facilities, constructed with gentle slopes. Applications for development may be required to be supported by a stormwater management study.
- i) Applications for development requiring dewatering or using significant amounts of groundwater or surface water from streams, ponds or Lake Erie may be subject to a holding provision in the Zoning By-law in accordance with Section 9.4.2 (Holding Provision), subject to the County receiving confirmation that a Permit to Take Water has been granted by the Ministry of the Environment and Climate Change. For the purposes of this policy, significant means

water requirements that exceed what would be usually expected to sustain normal farming practices such as those found within the County. Examples of such significant water users may include, but are not limited to, the following: golf course uses and commercial water bottling operations. Approvals may also be required from relevant agencies.

j) Applications for development based on a private water source may be required to submit a detailed hydrogeological study to determine the suitability of the land for groundwater extraction. The hydrogeological study shall be prepared to the satisfaction of the County and the Conservation Authority, in consultation with the Province.

k) The County shall encourage the reduction of water consumption levels through the promotion of the efficient use of water, in cooperation with the private sector and the community, and may specify appropriate water conservation measures within existing and new development.

l) The County encourages sound management practices for agriculture which promote proper storage, use, and application of fertilizers, herbicides and pesticides, and where possible, the reduction of their use.

m) The County shall monitor all active and inactive waste management sites in cooperation with the Ministry of the Environment and Climate Change.

n) The County supports initiatives of agencies to develop standards, regulations and procedures to prevent spillage of toxic materials. It shall support agencies and firms in the development of appropriate methods and capability to deal with spills with due speed and diligence. Additional safety measures for the storage, transportation and use of toxic materials will be encouraged.

Section 3.5 NATURAL HERITAGE

Section 3.5.3 Natural Heritage Systems Strategy

"...This system reinforces the protection, restoration and enhancement of identified Natural Heritage Features and promotes the overall diversity and interconnectivity of Natural Heritage Features and areas. Policies related to the Natural Heritage System Strategy shall be incorporated into this Plan by amendment."

Section 3.5.2 Natural Heritage Features

The Provincial Policy Statement encourages the protection and enhancement of Natural Heritage Features. Schedule "C" identifies some of the significant Natural Heritage Features, being land that represents the legacy of the natural landscape of the area and as a result has important environmental, economic and social value. Natural Heritage Features are not designated by the Plan and are not illustrated on Schedule "B".

The following shall be the policy of the County:

a) Natural Heritage Features identified on Schedule "C" and/or Table 2 to this Plan shall be subject to the policies of the underlying land use designation, as shown on Schedule "B", and the policies of this Section of the Plan.

b) Development or site alteration proposed in, or adjacent to, a Natural Heritage Feature(s), whether illustrated on Schedule "C" or only described in Table 2, shall be subject to the completion of an Environmental Impact Study, in accordance with Section 9.7.1 (Environmental Impact Study) of this Plan. Development or site alteration in, or adjacent to, such features shall not be permitted unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated. The extent of adjacent land shall be defined as indicated in Table 2.

c) The County recognizes the importance of endangered and threatened species, and the protection afforded to such species under the Endangered Species Act. It also recognizes the importance of habitat for other Species at Risk, and areas of more specialized wildlife habitat functions. The following shall be the policy of the County:

i) The habitat of endangered species and threatened species are not identified on either Schedules "B" or "C" of this Plan. The identification of habitat for endangered species or threatened species shall be determined in consultation with the Ministry of Natural Resources and Forestry. The County shall develop a protocol to assess when a project is likely to impact endangered or threatened species or their habitat. Where the development is likely to impact endangered or threatened species or their habitat, the proponent will be required to consult with the Ministry of Natural Resources and Forestry and demonstrate that they have met the requirements of the Endangered Species Act.

ii) Adjacent lands to the habitat of endangered species and threatened species shall be delineated in accordance with Table 2 of this Plan.

iii) Development shall not be permitted in areas of habitat of endangered species and/or threatened species, except in accordance with applicable Provincial and Federal requirements. Further, development shall not be permitted on adjacent lands to identified habitat of endangered species and/or threatened species unless the ecological function of the adjacent lands has been evaluated through an Environmental Impact Study, prepared by the proponent, that demonstrates, to the satisfaction of the County, the Ministry of Natural Resources and Forestry and any other agency having jurisdiction, that there will be no negative impacts on the wildlife habitats.

iv) All development applications are to be screened to determine whether they could negatively impact endangered or threatened species or their habitat. Where there is likelihood that a development proposal will impact species at risk or their habitat, the applicant will be required to consult with the Ministry of Natural Resources and Forestry to ensure the requirements of the Endangered Species Act are met. For larger scale development, specific analysis of how any development activities are compatible with the protection of Species at Risk will be required by the County as part of its review process.

v) As outlined in the 'Technical Bulletin: Ministry of Natural Resources and Forestry, Aylmer District Guidance on Identifying Activities/Areas Not Likely to Contravene the Endangered Species Act, 2007 in the County of Norfolk' document the proponent may be required to consult with the Province to

determine if the development is likely to impact species at risk and/or their habitat, and demonstrate that they have had appropriate regard to the requirements of the Endangered Species Act.

Natural Heritage Feature	Boundary Definition	Extent of Adjacent Land	Conditions under which development and site alteration may be permitted
Significant Woodlands.	Based on evaluation criteria established and conducted by Norfolk County, as illustrated on Schedule "C".	Dripline plus 10 metres EIS demonstrates there will be no negative impacts on the natural features of the woodlands and the ecological functions that sustain them.	EIS demonstrates there will be no negative impacts on the natural features of the woodlands and the ecological functions that sustain them.
Significant Valleylands (not included on Schedule "C" to this plan).	Conservation Authority regulatory lines, flood plain mapping or unstable slope mapping where available or the edge of any other associated natural heritage feature, whichever is greater.	Stable topof-bank, determined in consultation with LPRCA or GRCA.	EIS demonstrates there will be no negative impacts on the natural features of the Valleyland and the ecological functions that sustain them. Habitat of endangered species and threatened species As defined by Provincial or Federal authorities.
Habitat of endangered species and threatened species.	As defined by Provincial or Federal authorities.	100 metres.	EIS demonstrates that there will be no negative impacts on the habitat values upon which the species depend directly and indirectly, and any related ecological and hydrological functions.

Significant Wildlife Habitat.	As defined by MNRF, and/or by the County in the future Natural Heritage System Strategy, further to Section 6.4.3 (Natural Heritage System Strategy).	50 metres.	EIS demonstrates there will be no negative impacts on wildlife or their habitat.
Life Science ANSI.	As determined based on the consideration of Ministry of Natural Resources and Forestry's criteria.	120 metres.	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Earth Science ANSI.	As determined based on the consideration of Ministry of Natural Resources and Forestry's criteria.	50 metres.	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Locally significant wetlands.	Wetland evaluation carried out according to procedures established by Ministry of Natural resources and Forestry.	120 metres .	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Locally significant coastal wetlands.	Wetland evaluation carried out according to procedures established by Ministry of Natural Resources and Forestry.	120 metres.	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Unevaluated wetlands within the Grand River Conservation Authority's area of jurisdiction, as	Evaluated in accordance with the GRCA's wetland policy.	120 metres.	EIS demonstrates there will be no negative impacts on the natural features and the ecological or

identified on Schedule "D1" (not included on Schedule "C" to this Plan).			hydrologic functions that sustain them.
Watercourses (without mapping or regulations from LPRCA or GRCA).	The top of bank of the watercourse or drain as defined in consultation with the County and LPRCA or GRCA.	Land within 15 metres of the top of bank, or a feature defined by Section 4.3 of this Plan.	EIS demonstrates no negative impacts upon any present natural feature and their sustaining ecological functions.
Fish habitat (not included on Schedule "C" to this Plan).	A setback of 30 metres from the highwater edge of an aquatic habitat or as defined through the EIS.	30 metres from the highwater mark.	EIS indicates there will be no harmful alteration, disruption or destruction of habitat upon which the fishery depends directly and indirectly; or where authorization has been obtained under the Fisheries Act, and that habitat will be fully replaced to provide full compensation for the effects of the development.
Natural Areas, as identified in the Natural Areas Inventory, and including Carolinian Canada sites.	As defined by the County Natural Areas Inventory.	50 metres.	EIS demonstrated there will be no negative impacts on the natural feature and their sustaining ecological functions.

3.5.1 Provincially Significant Features

Provincially Significant Features include Provincially Significant Wetlands (PSWs), and habitat of endangered species and threatened species. Provincially Significant Wetlands are designated on Schedule "B", as described in Section 7.4 (Provincially Significant Wetlands Designation). Schedule "C" delineates the PSWs and approximates the adjacent 120 metres in the context of the Natural Heritage Features.

In accordance with common practice relating to such features, the habitat of endangered species and threatened species are not illustrated on the schedules to this Plan. The following shall be the policy of the County:

a) Development and site alteration shall not be permitted in a Provincially Significant Feature unless in accordance with provincial and federal requirements.

b) Development and site alteration shall not be permitted on lands adjacent to the natural heritage features and areas, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated. The extent of adjacent land shall be defined as indicated in Table 1. An Environmental Impact Study (EIS) in accordance with Section 9.7.1 (Environmental Impact Study) of this Plan shall be required for all development proposals adjacent to or abutting areas identified as Provincially Significant Features.

Provincially Significant Wetlands identified on Schedules "B" and "C" to this Plan shall be subject to the policies of Sections 4.4 (Provincially Significant Wetlands Designation), as appropriate, and the policies of this Section of the Plan.

Land Subject to EIS Policies Adjacent to Provincially Significant Features

No Development Or Site Alteration Within Boundary Of Feature		Adjacent Land Definition	
Provincially Significant Feature	Boundary Definition	Extent of Adjacent Land	Conditions under which Development and Site Alteration may be Permitted on Adjacent Land
Provincially Significant Wetlands and COastal Wetlands	Based on evaluation carried out in accordance with the Ministry of Natural Resources and forestry's Ontario Wetland Evaluation procedures, and as illustrated on Schedules "B" and "C".	120 metres	EIS demonstrates that there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions.

7.4.1 Permitted Use - Provincially Significant Wetlands

Development and site alteration shall not be permitted within the Provincially Significant Wetland Designation. Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Provincially Significant Wetland on Schedule "B".

a) Agricultural uses existing legally on the date of adoption of this Plan shall be permitted to continue.

b) Permitted uses shall include conservation management, hunting, trapping, fishing, compatible recreational activities and education activities, subject to the approval of the County, in consultation with the appropriate Conservation Authority.

c) Facilities and structures such as boardwalks, duck blinds and fish huts may be appropriate, subject to the approval of the County, in consultation with the Ministry of Natural Resources and Forestry and appropriate Conservation Authority.

d) Uses accessory to any of the permitted uses in the Provincially Significant Wetland Designation are permitted, subject to the policies of Section 3.5.1 (Provincially Significant Features).

7.4.2 Land Use Policies - Provincially Significant Wetlands

The following policies apply to land designated Provincially Significant Wetland.

a) Based on mapping provided by the Ministry of Natural Resources and Forestry, which is updated from time to time, the precise delineation of the Provincially Significant Wetland Designation may be refined without amendment to this Plan. The County shall maintain up-to-date schedules reflecting the current delineation provided by the Ministry of Natural Resources and Forestry.

b) Development or site alteration shall generally not be permitted on land adjacent to a Provincially Significant Wetland, subject to the policies of Section 3.5.1 (Provincially Significant Features).

c) New utilities or facilities such as roads, sewer or water lines shall be located outside of a Provincially Significant Wetland (PSW). Where such utilities or facilities must be located within a PSW, alternative methods and measures to minimize impacts on the wetlands shall be considered. No utility structures, including communications towers, shall be located within the PSW Designation.

d) Provincially Significant Wetlands shall be protected according to the policies of this Plan through the Zoning By-law.

9.7.1 Environmental Impact Study

The following shall apply to circumstances where the policies of this Plan require the preparation of an Environmental Impact Study (EIS).

The EIS required in this Section shall be prepared to the satisfaction of the County, after considering input from the Norfolk Environmental Advisory COmmittee, Long Point Region Conservation Authority, Grand River Conservation Authority and/or the Ministry of Natural Resources and Forestry, where appropriate and/or required. The Ministry of Natural Resources, as required, and Long Point Region or Grand River Conservation Authority may be consulted as to the nature and extent of the physical hazard and/or sensitive features. The Ministry of the Environment and Climate Change, or other appropriate agencies, may also be consulted in this regard.

In consultation with the Norfolk Environmental Advisory Committee, Norfolk County Planning, and the appropriate Conservation Authority where appropriate, a scoped EIS may be prepared for minor planning applications. The nature and scope of a particular development proposal shall serve to define the type of EIS and review criteria to be addressed. Draft Terms of Reference are subject to the approval of NEAC for both full and scoped Environmental Impact Studies.

In circumstances where there is a low likelihood of impact on the natural environment, and/or intervening development between the land subject to the planning application and the feature triggering the EIS requirement, the County, in consultation with the appropriate Conservation Authority where required, may waive the requirement for the EIS. The decision to waive an EIS is at the sole discretion of the Director of Planning.

The County may consider waiving the requirement for the preparation of an Environmental Impact Study where one or more of the following applies:

- a) A development is subject to a duplicate or similar process, such as an environmental assessment (EA) where the EA addresses the same minimum requirements as an EIS;
- b) A development is minor in nature; for example, no new building or structure is proposed;
- c) A building or structure is being renovated or reconstructed on the same or similar footprint;
- d) The site conditions for a development are such that the preparation of an Environmental Impact Study would serve no useful purpose for the protection of natural heritage features in the context of the proposed development. To assist the County in determining the adequacy of the EIS, the County may require a peer review, paid for by the proponent, and may request the review of the Norfolk Environmental Advisory Committee, appropriate Conservation Authority and Ministry of Natural Resources and Forestry.

9.7.1.1 The EIS shall include:

- a) A Proposal Description including a description of the proposed use:
 - i) a description of the study area;
 - ii) current land use, existing land use regulations, and ownership of the subject land and land adjacent to the proposed location;
 - iii) the timing of construction/development, including any phasing of the development;
 - iv) alternative forms the development may take;
 - v) activities associated with the proposal, and its alternatives that may have environmental impacts (e.g. work on stream banks, tree-cutting, removal of vegetation, earth-moving, excavation and post-construction activities);

vi) a list of relevant reports and supporting studies that have been completed for the site; and

vii) a general map showing main roads, proposed lot lines, building envelopes, laneways, septic systems, wells and waterline locations, the extent of the proposed vegetation removal, surrounding natural heritage features or areas, and other features as requested through the EIS preconsultation.

b) A Biophysical Inventory of the Resource, including:

- i) unless specified during the EIS pre-consultation, an explanation and justification of the level of investigation undertaken whether data is gathered from existing sources, or a limited or detailed field inventory is undertaken; and
- ii) unless specified in the EIS pre-consultation biophysical inventory, identifying: physical and hydrologic features including:
 - soil types and drainage characteristics;
 - overburden and bedrock geology;
 - areas of high water table
 - areas of groundwater recharge and discharge;
 - location and usage of wells; o drainage patterns;
 - basin boundaries and watercourses;
 - existing erosion sites; and
 - areas of shallow soil.
- the environmental significance of the site based on criteria outlined in the current natural areas inventory for the County;
- the classification of the subject land under the Ministry of Natural Resources Ecological Land Classification for Southern Ontario;
- the delineation and mapping of wetland boundaries using the Ministry of Natural Resources Ontario Wetland Evaluation System for Southern Ontario;
- a detailed flora and fauna inventory specific to each Ecological Land Classification unit, including at a minimum:
 - the location of native plant and animal species;
 - physical and hydrologic features;
 - the location of potential linkages to connect woodlands within and adjacent to the proposed development site;
 - current management practices being employed in the area; and
- the presence of trees 150 years or older;
- the location and presence of Species at Risk (SAR) as identified federally or provincially;
- any other natural features such as hedgerows, windbreaks, isolated tree groupings, wildlife nesting or staging areas, linkages with other natural areas and wildlife corridors; and
- the reasoning behind the choice of study areas within and adjacent to the proposed development site, and the seasons and times of year of the inventory.

c) An assessment of the impacts of the proposal describing the significance of any negative or positive effects on the surrounding Provincially Significant Features, Natural Heritage Features, functions or areas. Specifically, the assessment should include:

- i) direct on-site effects (e.g. elimination of habitat);
- ii) indirect effects (e.g. sediment transported downstream);
- iii) effects on the significant characteristics of the natural heritage feature, function or area;
- iv) short-term and long-term effects;
- v) secondary effects (e.g. changes to the aesthetic qualities or the educational value of the area, obstructions of greenway connections);
- vi) external effects (e.g. effect on groundwater table);
- vii) effects on the use of natural heritage features, functions, or areas by people (e.g. recreational or educational uses); and
- viii) an explanation of the method used to determine the effects.

d) Identification and evaluation of impact avoidance, enhancement and mitigating measures proposed including, but not limited to:

- i) the assessment of all feasible mitigating measures;
- ii) those effects that can be reduced or eliminated by the various mitigating measures;
- iii) a detailed description of the proposed mitigating measures to eliminate or reduce the negative effects;
- iv) the relative effectiveness of implementing these mitigating measures should be estimated, and the extent of any remaining impacts discussed; and
- v) opportunities for the enhancement of the Natural Heritage Feature, function, or area resulting from positive effects.

e) Recommendations and conclusions based on the above evaluation of impact avoidance, enhancement and mitigating measures shall outline the preferred alternative for impact avoidance, enhancement and mitigation including:

- i) modifications to the concept plan or site plan;
- ii) construction requirements or constraints;

iii) integral components of detailed designs or site plans, such as surface water/stormwater management plan, erosion control plan, tree protection plan, rehabilitation/landscape management plan, or wildlife management plan;

iv) appropriate buffers/setbacks; and

v) other environmental protection measures.

f) Summary consisting of a brief overview of the proposal, the effects on the environment and a statement of opinion from a qualified person on whether or how the development could proceed without negatively impacting the values of the natural heritage feature, function or area

Appendix C - Floral Report and Plant List

Scientific Name	English Common Name	Provincial S-Rank	WODM4-2	FODM5-9
<i>Trillium grandiflorum</i>	White Trillium	S5		x
<i>Acer saccharum</i>	Sugar Maple	S5		x
<i>Hesperis matronalis</i>	Dame's Rocket	SE5		x
<i>Dactylis glomerata</i>	Orchard Grass	SE5		x
<i>Rubus occidentalis</i>	Black Raspberry	S5		x
<i>Ambrosia trifida</i>	Great Ragweed	S5		x
<i>Poa nemoralis</i>	Eurasian Woodland Bluegrass	SE4		x
<i>Festuca rubra</i>	Red Fescue	SE5		x
<i>Solidago canadensis</i>	Canada Goldenrod	S5		x
<i>Picea abies</i>	Norway Spruce	SE3		x
<i>Chelidonium majus</i>	Celandine	SE5		x
<i>Galium aparine</i>	Cleavers	S5		x
<i>Celastrus orbiculatus</i>	Chinese Bittersweet	SE2		x
<i>Actaea pachypoda</i>	White Baneberry	SE5		x
<i>Verbena urticifolia</i>	White Vervain	S5		x
<i>Arisaema triphyllum</i>	Jack-in-the Pulpit	S5		x
<i>Alliaria petiolata</i>	Garlic Mustard	SNA		x
<i>Parthenocissus</i>	Thicket Creeper	S5		x

<i>vitacea</i>				
<i>Acer platanoides</i>	Norway Maple	SE5		x
<i>Acer negundo</i>	Manitoba Maple	S5		x
<i>Celtis occidentalis</i>	Common Hackberry	S2		x
<i>Lonicera tatarica</i>	Tatarian Honeysuckle	SNA		x
<i>Vitis riparia</i>	Wild River Bank Grape	S5		x
<i>Fraxinus americana</i>	White Ash	S5		x
<i>Euonymus alatus</i>	Winged Euonymus	SE2		x
<i>Juglans nigra</i>	Black Walnut	S4		x
<i>Silene latifolia</i>	White Campion	SE5		x
<i>Bidens frondosa</i>	Beggarticks	S5	x	
<i>Carex rosea</i>	Rosey Sedge	S5	x	
<i>Rosa multiflora</i>	Multiflora Rose	SNA	x	
<i>Prunus virginiana</i>	Chokeberry	S5	x	
<i>Smilax herbacea</i>	Carrion Flower	S4	x	
<i>Arctium minus</i>	Common Burdock	SE5	x	
<i>Carya ovata</i>	Shagbark Hickory	S5	x	
<i>Polygonatum pubescens</i>	Harry Solomans Seal	S5	x	
<i>Convallaria majalis</i>	Lily of the Valley	SE5	x	
<i>Phytolacca americana</i>	Pokeweed	S4	x	
<i>Asclepias</i>	Common	S5	x	

<i>syriaca</i>	Milkweed			
<i>Fraxinus americana</i>	White Ash	S5	x	
<i>Dicentra eximia</i>	Bleeding Hearts	SE5	x	
<i>Carya cordiformis</i>	Bitternut Hickory	S5	x	
<i>Ranunculus acris</i>	Tall or Common Buttercup	SNA	x	
<i>Leonurus cardiaca</i>	Motherwort	SE5	x	
<i>Medicago lupulina</i>	Black Medic	SE5	x	
<i>Ambrosia artemisiifolia</i>	Common Ragweed	S5	x	
<i>Echinocystis lobata</i>	Wild Cucumber	S5	x	
<i>Stellaria media</i>	Common Chickweed	SE5	x	
<i>Oxalis stricta</i>	European Wood Sorrel	S5	x	
<i>Erigeron annuus</i>	Annual Daisy Fleabane	S5	x	
<i>Circaea canadensis</i>	Canada Enchanter Nightshade	S5	x	
<i>Impatiens pallida</i>	Pale Jewelweed	S5	x	
<i>Lapsana communis</i>	Common Nipplewort	SE5	x	
<i>Allium vineale</i>	Field Garlic	SE2	x	
<i>Symphytum officinale</i>	Common Comfrey	SE5	x	

Appendix D - Faunal Report

Faunal Observations for 151 Prospect Street, 2023

Dave Jolly - Consulting Biologist

Field Review / Chronology of Field Investigations / Fauna

June 29 2023 - breeding bird surveys, SWH/SAR screening, incidental wildlife

July 14 2023 - breeding bird surveys, SWH/SAR screening, incidental

Species Lists

Birds - Methodology

Breeding bird surveys were undertaken on 2 separate dates by a breeding bird expert under appropriate weather conditions. Survey locations included 3 point surveys and thoroughly covered by walking random transects and recording presence, abundance and level of breeding evidence (using Ontario Breeding Bird Atlas [OBBA] protocols).

In the species columns, each species is assigned a breeding level, based on the highest level of breeding evidence observed, by ELC. The number recorded represents the highest one-day total for that species.

The table also lists the COSSARO [provincial] and COSEWIC [national] rank [if any], as well as the Natural Heritage Information Centre [NHIC, MNR] S rank. COSSARO is the Committee on the Status of Species at Risk in Ontario [MNR] and COSEWIC is the Committee on the Status of Endangered Wildlife in Canada.

Table 1					
Common Name	Species Name	Number	PO	PR	C
Mourning Dove	<i>Zenaida macroura</i>	2	1	1	
Chipping Sparrow	<i>Spizella passerina</i>	1		1	
Song Sparrow	<i>Melospiza melodia</i>	1	1		
American Crow	<i>Corvus brachyrhynchos</i>	1	1		
Blue Jay	<i>Cyanocitta cristata</i>	3	1	2	
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	3	1	2	
Cedar Waxwing	<i>Bombycilla cedrorum</i>	1	1		
House Wren	<i>Troglodytes aedon</i>	2	1	1	

White-breasted Nuthatch	<i>Sitta carolinensis</i>	1		1	
Eastern Wood Pewee	<i>Contopus virens</i>	2	1	1	
Eastern Phoebe	<i>Sayornis phoebe</i>	1	1		
Northern Flicker	<i>Colaptes auratus</i>	2	1	1	
Downy Woodpecker	<i>Dryobates pubescens</i>	2	1	1	
American robin	<i>Turdus americanus</i>	3	1	2	
Northern Cardinal	<i>Cardinalis cardinalis</i>	1		1	
European Starling	<i>Sturnus vulgaris</i>	1	1		
Belted Kingfisher	<i>Megasceryle alcyon</i>	1	1		
American Goldfinch	<i>Carduelis tristis</i>	2	1	1	
Brown-headed Cowbird	<i>Molothrus ater</i>	1	1		
Baltimore Oriole	<i>Icterus galbula</i>	2	2		
Common Grackle	<i>Quiscalus quiscula</i>	2	2		Fly over
Eastern Wood-pewee	<i>Contopus virens</i>	2	1	1	
Belted Kingfisher	<i>Megasceryle alcyon</i>	1	1		Fly over
		38	22	16	
	SAR				

Mammals – Methodology

Mammals were surveyed as part of 'general' wildlife surveys. These surveys involved general coverage recording all species observations and sign (e.g. tracks / trails, scat, burrows, dens, browse, vocalizations).

Species of Conservation Concern

No species of Mammals considered species of concern were observed during field surveys. However, there were candidate SAR bat roosting trees found and thus the presence of SAR bat(s) is possible.

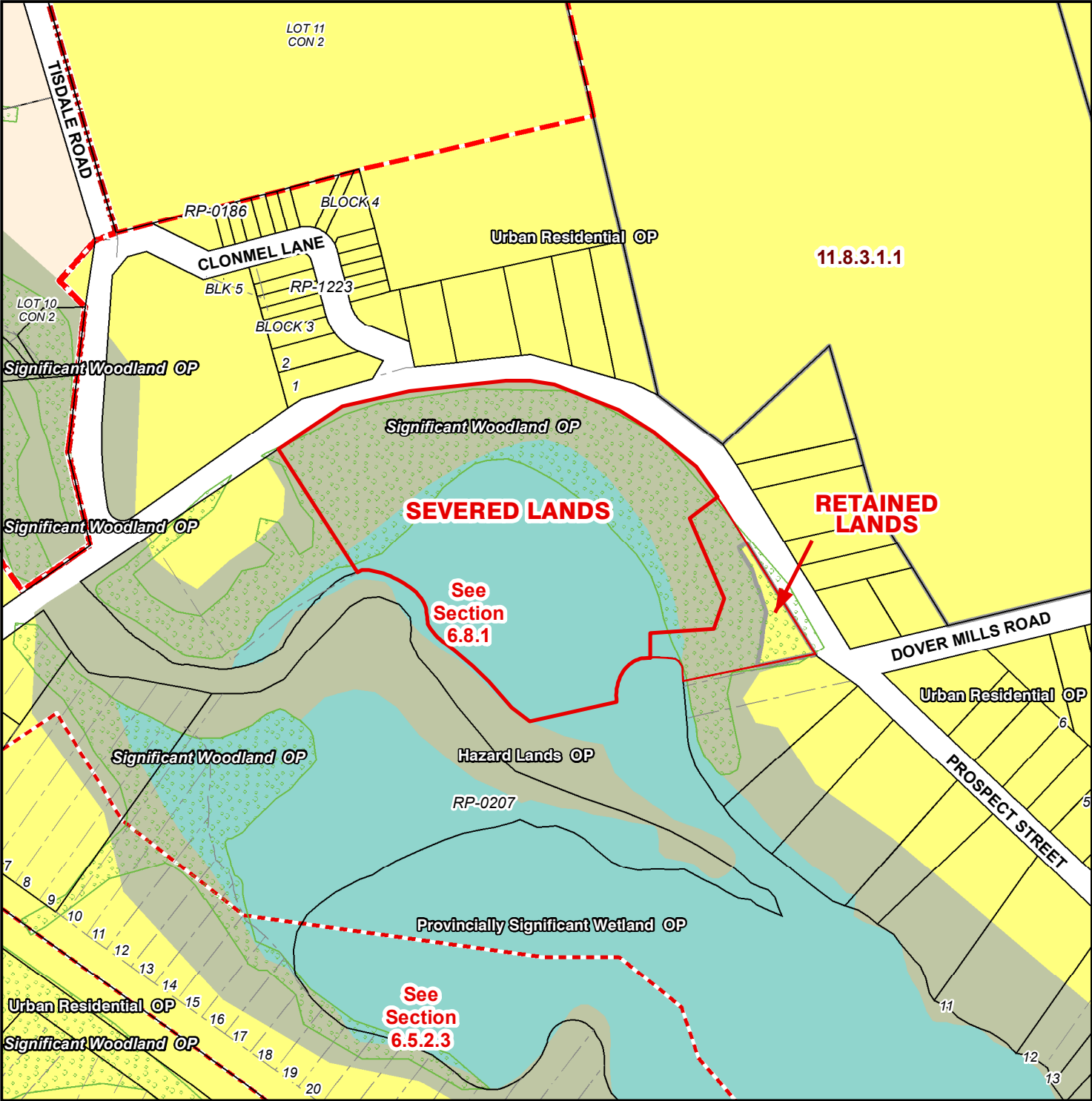
Lepidoptera and Odonata – Methodology

Lepidoptera (butterflies and skippers) and Odonata field surveys were completed on all field visits.

Species of Conservation Concern

No species of Lepidoptera / Odonata considered species of concern were observed during field surveys





Legend

- Subject Lands
- Lands Owned

Official Plan Designations

- Agricultural
- Hazard Lands
- Provincially Significant Wetland
- Urban Residential

Special Policy Area

Urban Area Boundary

Significant Woodland

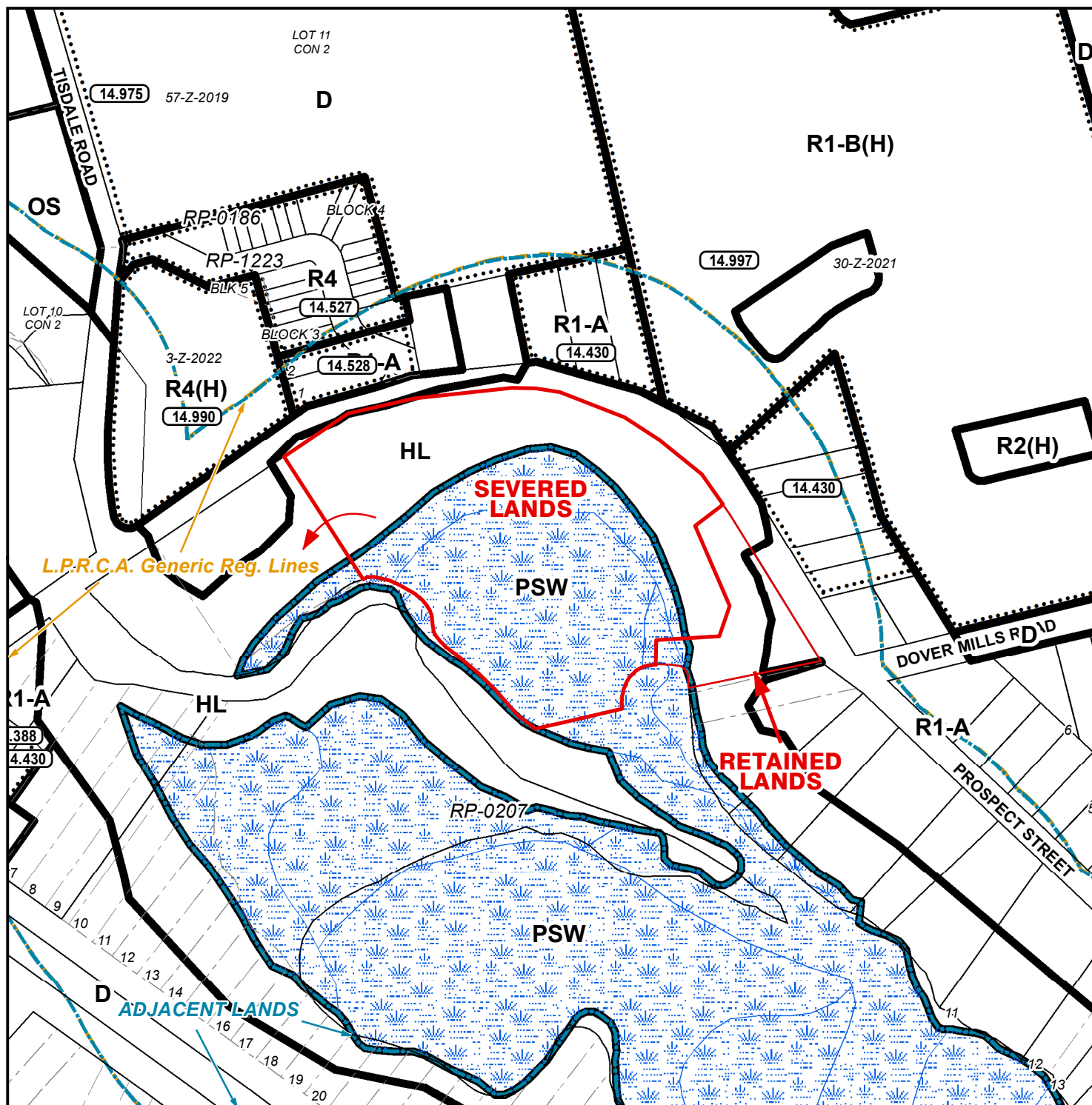
2/8/2024

MAP C

ZONING BY-LAW MAP

Urban Area of PORT DOVER

BNPL2024007

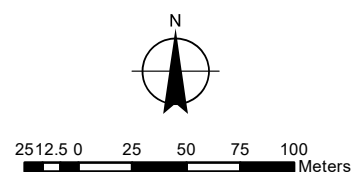


LEGEND

- Subject Lands
- Adjacent Lands
- Wetland
- LPRCA Generic RegLines

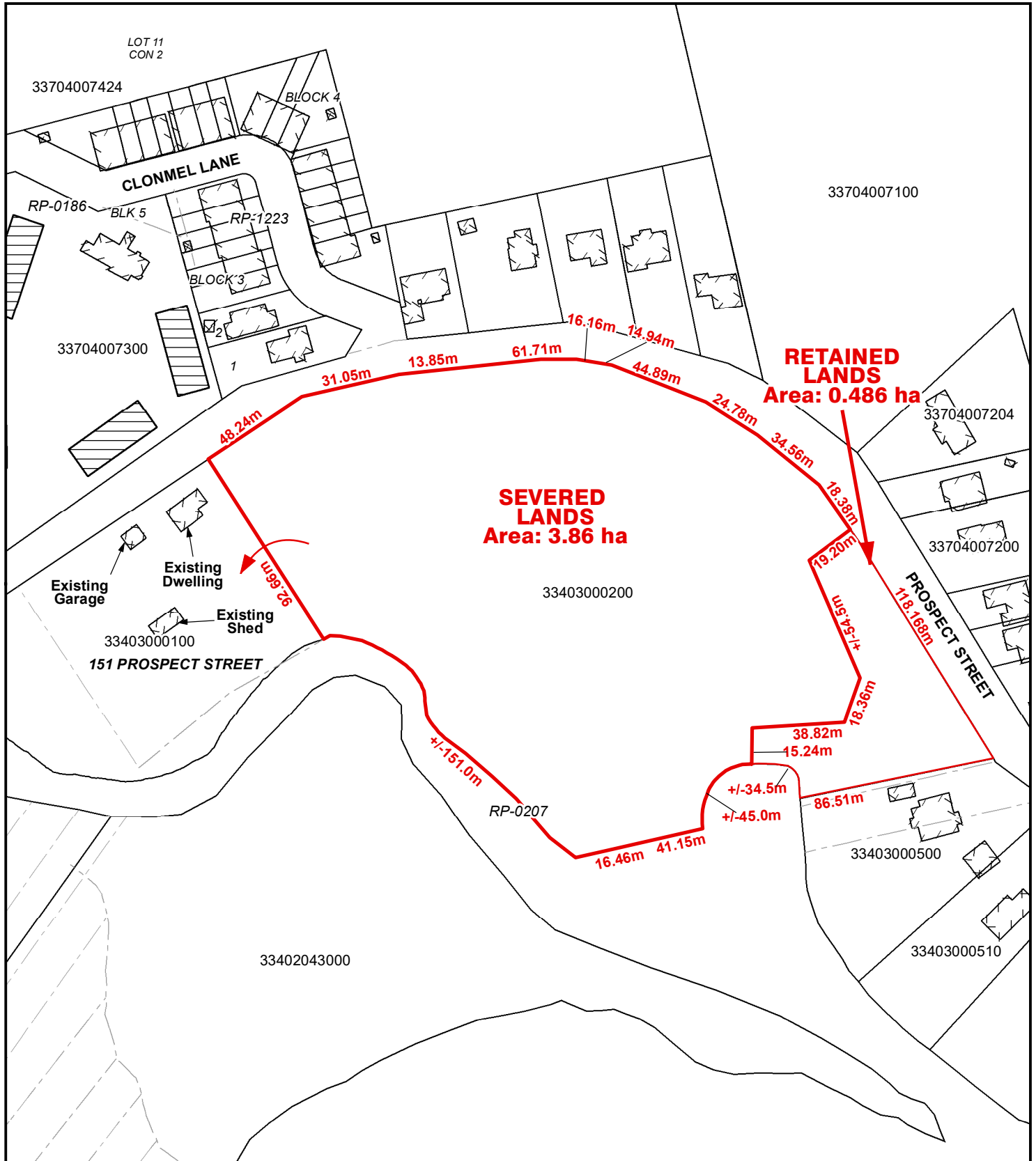
- ZONING BY-LAW 1-Z-2014
- (H) - Holding
- D - Development Zone
- HL - Hazard Land Zone
- OS - Open Space Zone
- PSW - Provincially Significant Wetland Zone
- R1-A - Residential R1-A Zone
- R4 - Residential R4 Zone

2/8/2024



CONCEPTUAL PLAN

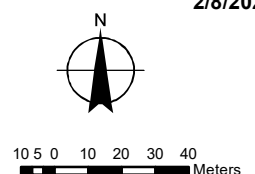
Urban Area of PORT DOVER



Legend

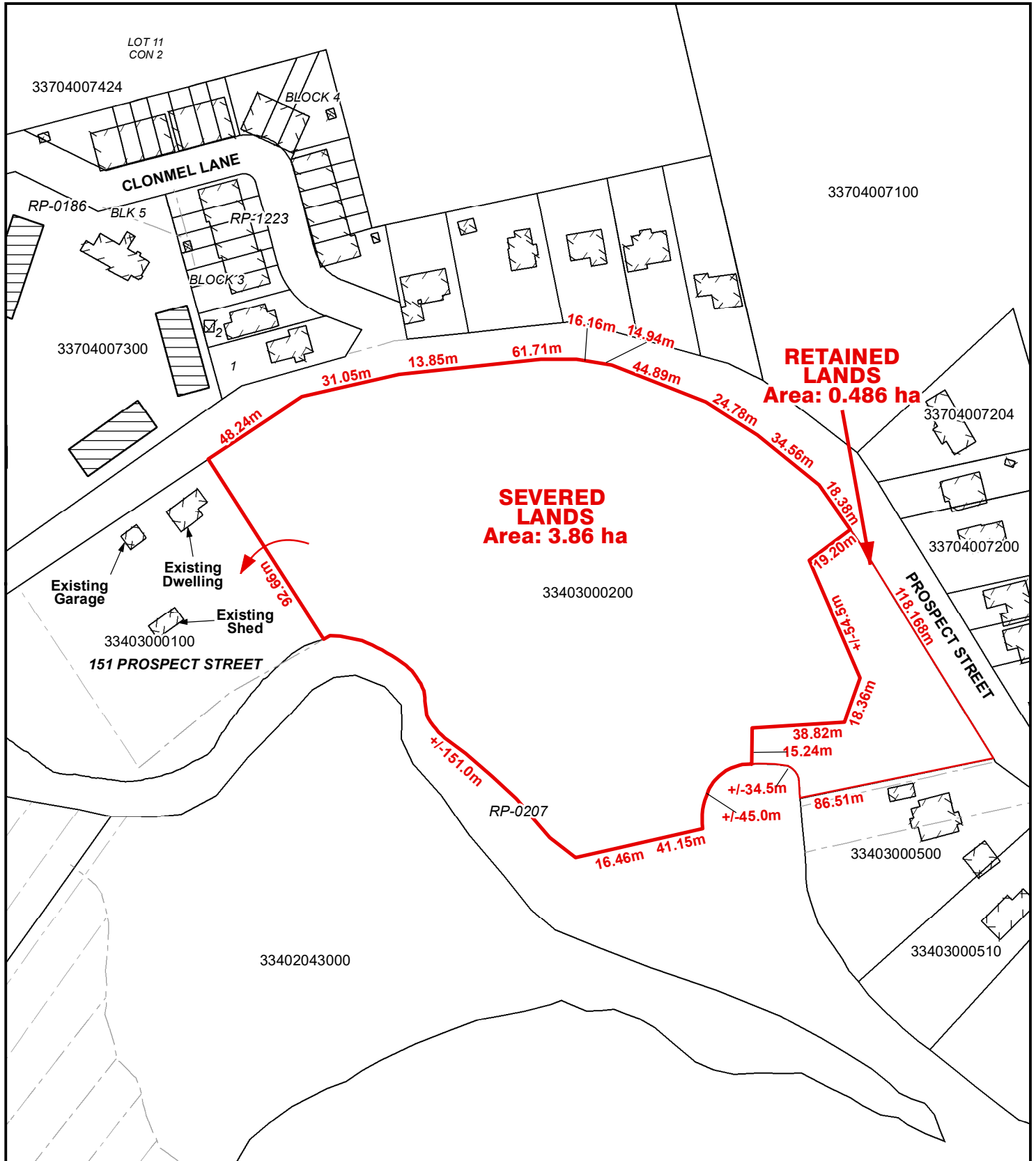
- Subject Lands
- Lands Owned

2/8/2024



CONCEPTUAL PLAN

Urban Area of PORT DOVER



Legend

- Subject Lands
- Lands Owned

