EIS ADDENDUM

December 3, 2019

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Re: Losani Fifth Wheel
EIS Addendum: Comment Response

The following is a response to comments received from Niagara Region and the Niagara Peninsula Conservation Authority (NPCA) regarding the Environment Impact Statement 398 North Service Road, Grimsby, October 2019, issued by GeoProcess Research Associates Inc. Comments from the Niagara Region are per an email dated November 25, 2019 from Jennifer Whittard, and a comment letter from the NPCA.

Comments are provided in italics and responses following in standard text.

Niagara Region

The EIS repeatedly refers to a 30 m VPZ "from stable slope" to be retained in a natural state and contained as a single block as per Official Plan policies. However, as shown on the Draft Plan of Subdivision, the 30 m setback from stable top of bank extends south of the Block 6 Parkland into the Winston Road right-of-way (i.e., cutting into the on-street parallel parking spaces shown on the Site Plan). Nonetheless, Provincial and Regional policies do not specifically require that the VPZ be measured from the Lake Ontario stable top of slope but rather the limit of the fish habitat. In addition, staff understand that the only development proposed within the 30 m VPZ is a public trail and trail amenity features. Therefore, consistent with previous comments, staff recommend that both Block 9 and the Environmental Protection (EP) Overlay Zone (which permits trails and pedestrian rest areas) be widened to 30 m from the shoreline, i.e., an increase of approximately 2 to 7 m from the current width of Block 9 which is shown as ranging from 23.29 to 27.75 m. The EIS would also need to be amended to reflect this setback from the shoreline as opposed to the stable top of bank. Alternatively, the EIS could be revised to address how the currently proposed setbacks from the stable top of slope are adequate to demonstrate no negative impact to fish habitat.

The EIS measured the 30 m fish habitat setback from the Lake Ontario stable top-of-bank. Based on comments from the Region, the 30 m setback should have been measured from the Lake Ontario shoreline. The attached figure shows the 30 m setback from the edge of water and the setbacks to the park blocks (5 and 6) and the setback to the development limits.

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Setbacks from the shoreline are as follows:

- Range from 23.29 m to 27.75 m to park blocks 5 and 6.
- Range from 40.13 m to 75.26 m to the development limits.

This demonstrates that all development is located outside of the 30 m fish habitat setback and meets the Region's policy requirements.

Within the 30 m shoreline setback there will be a variety of treatments. The shoreline will be stabilized with stone up to the stable top-of-bank limits. Due to the hard surfacing resulting from stone shoreline protection, plantings within this zone will not be feasible. As a result, plantings will occur on the tableland beyond the stable top-of-bank. Native plantings of trees and shrubs are proposed between the top of the shoreline protection and the proposed multi-use trail. Within the park blocks (5 and 6) there will be multi-use trail, which connects to the larger Grimsby waterfront trail network. The park blocks will include nodal plantings using native plants with a specific intent of providing wildlife habitat, particularly for migrating songbirds. As per recommendations brought forward in the EIS, barn swallow nesting structures are recommended to be included within planting/landscape plan for the tablelands within the shoreline setbacks.

The EIS should be revised to correct remaining references to a "hybrid bioswale".

In Section 7, the EIS incorrectly referenced a bioswale, as the commenter noted. The updated paragraph now reads:

> The proposed works includes the development of a mixed-use high-density community for commercial and residential use. See **Figure 5** for the proposed Site Plan. The community will include areas of open space, parking, interior roadways and sidewalks. A centrally located watercourse will be realigned within a twenty-five metre stream corridor, and a pedestrian trail connecting to the lakeside trail is located outside of the twenty-five meter stream corridor, but within the seven metre top-of-bank setback on the west side of the watercourse.

Additionally, Table 13 referred to channel enclosure and a bioswale. The text in this table has been changed to remove all references to a channel enclosure and the construction of a bioswale. Table 13 now discusses retaining the channel as an open feature. See the update Table 13 attached below, with new text highlighted in orange.

Niagara Peninsula Conservation Authority

NPCA staff also reviewed a Scoped Environmental Impact Statement (EIS) prepared by GeoProcess (October 2019) which also speaks to the watercourse relocation. While the proposed channel realignment depicts an open channel system with 7 m top of bank vegetated setback areas, the revised EIS still refers to the hybrid bioswale in Section 7.0 and in Table 13 which discusses the bioswale and enclosure. ***An EIS amendment should be issued to clarify and reflect the latest proposed plans.***

See the above response to the Niagara Region's comment regarding the report's reference to a bioswale. Updated Section 7 text is provided along with an updated Table 13.

Further, the rationale for the buffer reduction to 7 m is sufficient based on the limited function of the existing channel (no direct fish habitat, limited connectivity). It is assumed based on the discussion presented in the EIS that the 7 m buffer on either side of the channel will be vegetated. This does not reflect the Plans or Figure 6 within the EIS which show the 3m multi-use trail within this buffer which leaves only a 1.75m vegetated buffer at the top of bank. If the intention of the riparian vegetation is to provide shade and temperature moderation to the channel, a single row of trees/shrubs may not be sufficient. The impact of this trail on the watercourse was not addressed within the EIS. ***The EIS should speak to this trail and address any potential impacts to the watercourse/buffer areas.***

The commenter is correct that a 3 m wide multi-use trail is proposed within the 7 m top-of-bank setback along the west side of the watercourse. While this will reduce the area available for planting along the west side of the corridor it will still provide sufficient room for planting a mix of trees and shrubs along the banks of the watercourse. Figure 6 in the EIS was provided to show how all the elements of the stream corridor work in conjunction with the adjacent Winston Road right-of-way. The figure does not represent the planting approach for the corridor. So, while the figure only showed a single row of trees between the trail and the top-of-bank, this is not how the stream corridor will be planted in the final design. The entire 4.5 m side slope of the channel valley and likely a portion of the floodplain will also include tree and shrub plantings. This will result in a corridor that is well planted with trees and shrubs, which will provide an excellent level of shading and cover for the watercourse as the plantings mature.

Plantings will be key to the overall ecological function of the stream corridor and will be strongly considered during the detailed design of the stream corridor. With the proposed multi-use trail being proposed on only one side of the stream corridor, it leaves a contiguous block 25.25 m in width that will provide wildlife functions through native plantings and the watercourse channel. As noted in the EIS, the watercourse does not provide direct fish habitat, so the main functions of the stream corridor will be to filter surface water sheet flowing into the corridor and to provide structure and forge for wildlife. The plantings within the corridor, combined with the plantings along the lake will provide a greater diversity of wildlife structure and food sources compared to the existing conditions of the site. In this way, the trail will have no impact on the function of the watercourse.

Regards,

GEOPROCESS RESEARCH ASSOCIATES INC

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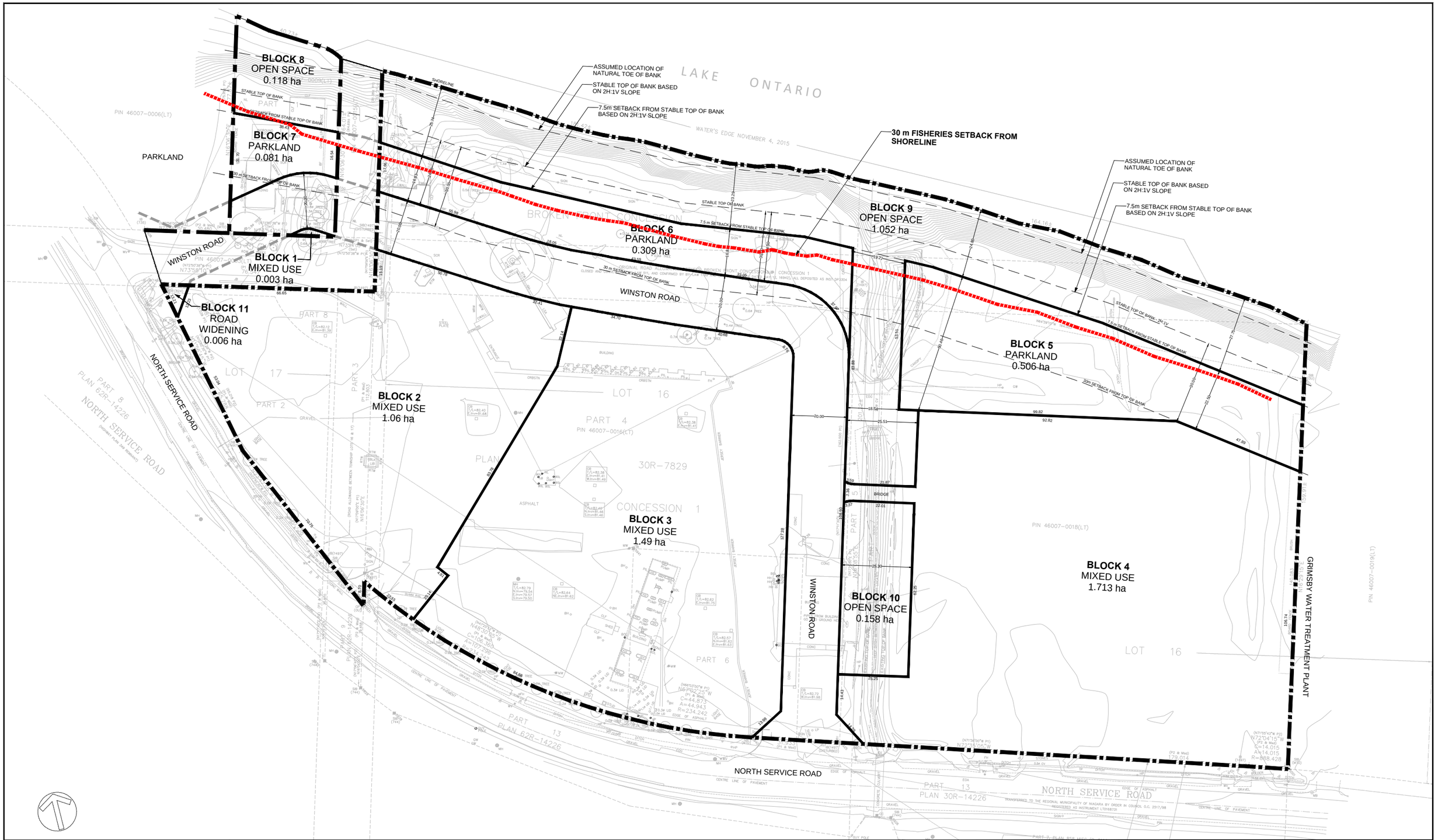
Senior Ecologist, Principal



LEGEND

SCALE 0 50 100

GeoProcess RESEARCH ASSOCIATES

Losani Fifth Wheel
Site Plan with Setbacks

Scale: 1:1,250	Drawn By: KG	Figure No. 1
Date Issued: Dec, 2019	Checked By: IR	

TABLE 13

Category	Feature and Function	Proposed Activity	Potential Impacts	Recommended Mitigation	Residual Effects
Short-term Impacts					
Construction Activity	Surrounding habitats	Grading, Servicing & Development	Release of dust as a result of construction activities.	Implement dust suppression measures during site grading when conditions are dry or strong winds are anticipated.	Impacts from dust to the surrounding landscape should be minimal. No residual effects expected.
Construction Activity	Local and migrating wildlife	Grading, Servicing & Development	Noise from construction works on local and migrating wildlife.	Limited measures can be employed as a certain level of construction noise will occur.	Noise impacts to wildlife present may occur, however due to the Subject Property's close proximity to existing transportation routes and development, much of the landscape is already impacted by noise. As the majority of the wildlife found within the local landscape is tolerant to disturbances, they are anticipated to return to the area once construction activities end. No residual effects expected.

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Construction Activity	Watercourse and downstream outlet to Lake Ontario, Shoreline Protection construction	Grading, Servicing & Development	Sediment loading into waterbodies from construction activity near water	Implementation of Sediment and Erosion Control Measures, as recommended by Burnside, 2018.	With the implementation and maintenance of proper sediment and erosion controls during construction impacts to the adjacent lands and water bodies should be minimal. No residual effects expected.
Construction Activity	Wildlife Habitat	Site Clearing/Tree removal	Impacts to nests and nesting birds.	Undertake vegetation and tree clearing between August and March per the Migratory Birds Convention Act. If clearing is to occur during the nesting season, a nest survey should be completed by a qualified bird biologist to identify any nest which are not to be disturbed until the young have fledged.	Implementation of applicable mitigation measures is expected to reduce or eliminate impacts to migratory and breeding birds during the construction period. No residual effects expected.
Long-term Impacts					

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Artificial Light	Local and migrating wildlife	Development	Light pollution.	Lights directed downward will reduce the amount of ambient light issuing from the Subject Property. It is recommended that downward casting lighting is used across the site.	Minimal residual effects expected.
Surface Water	Watercourse, designated Core Natural Area per OP	Realignment of existing channel.	Loss of habitat within the existing corridor	Development of stable channel, native planting plan.	The existing channel does not provide direct fish habitat, as a result the reconstruction of the channel will not result in an impact to existing fish habitat. The channel provides some limited wildlife habitat. Wildlife habitat is limited by the very incised nature of the channel and its steep side slopes. The new channel will be planted with greater variety of native species than is currently found. This species diversity in combination with a

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					more wildlife favourable landform will increase the complexity of the wildlife habitat provided with in the stream corridor. Current wildlife usage of the riparian corridor is by urban tolerant species, which will continue post development. No residual effects are anticipated.
Shoreline – Fish Habitat	Dynamic Beach Ecosystem, Landform feature, Nearshore Fish Habitat	Shoreline Protection Structure	Loss of nearshore fish habitat in the Lake Ontario.	A 30-metre Vegetation Protection Zone from stable to of slope. Shoreline protection feature will reduce shoreline erosion and eliminate construction rubble along existing slope. No loss of existing beach is proposed as the shoreline protection does not extend beyond the existing toe-of-slope.	The proposed design does not result in the loss of the existing beach and does not extend into Lake Ontario beyond the High Water Mark. Footings for the shoreline protection extend below the High Water Mark, but they will be buried below the beach and ultimately will not alter the nearshore environment. As a result, no impacts to nearshore fish habitat are

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				Beach will be maintained in its current size and elevation.	anticipated from the construction of the shoreline protection. No residual effects expected.
Vegetation	Subject Property Vegetation	Grading, Servicing and Development	The proposed development will require the removal of all vegetation communities and trees from the Subject Property to accommodate the proposed development.	Restoration planting within the VPZ will serve to replace the existing vegetation and its function. Tree clearing to comply with the Migratory Birds Convention Act.	Plant species identified for the Subject Property are common and secure within Ontario and Canada and many are identified as non-native and/or invasive species. Residual effects of vegetation removal are anticipated to be minor due to their cultural influence. In time, plantings proposed within the VPZ will provide urban tolerant wildlife and migratory songbird habitat functions. The 30 m VPZ will provide a larger vegetated community adjacent to Lake Ontario

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					than currently exists. This is a net gain for the Lake Ontario shoreline. Minimal long-term residual impacts are anticipated due to the restoration efforts recommended.
Wildlife	Birds	Grading, Servicing and Development, Construction of Shoreline Protection Structure	Removal of all vegetation communities in which birds were observed breeding.	Undertake vegetation and tree clearing between August and March per the Migratory Birds Convention Act. Any tree clearing proposed within the migratory songbird window will require nest screening by a qualified biologist. Trees supporting songbird nests cannot be disturbed until the young have fledge from the nest. The Subject Property is located nearby a much more heavily frequented bird stopover, Fifty Point.	Breeding bird surveys conducted for the Subject Property identified predominantly urban tolerant species with the exception of foraging Barn Swallow and Bank Swallow. Barn Swallow and Bank Swallow were identified as foraging and no nests or appropriate habitat were identified on the Subject Property. Remaining species identified included no area-sensitive species or species of provincial or

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					federal at-risk designations. The VPZ along the Lake Ontario shoreline and the 25 m wide stream corridor will provide nesting habitat for birds on the site. It is anticipated that the VPZ will equally replace the existing nesting functions of the property. Overall, as a result of previous and surrounding land use, a change in breeding bird use for the property is considered to be minimal and low in magnitude. As a result, only a minimal residual impact is anticipated on the bird community.
Species at Risk	Barn Swallow, Bank Swallow	Grading, Servicing and Development	Vegetation removal on the subject property	Opportunities to provide nesting structures for Barn Swallow are recommended.	Barn Swallow and Bank Swallow were identified during the BBS as a forging visitant. Both

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			reducing insect production.	Incorporation of one nesting structure containing 10 nesting cups installed is proposed within the public trail/shoreline restoration area.	species feed on flying insects. The Subject Property currently does not support many natural habitats which will produce flying insects such as wetlands, ponds or watercourses with riffles. The majority of the flying insects found within the Subject Property will come from Lake Ontario, which will not change due to the proposed development. Therefore, by creating a VPZ adjacent to the Lake, foraging habitat for barn and bank swallow will be maintained. The Subject Property does not contain the necessary anthropogenic or natural situations required for nesting for these species. By providing a barn swallow nesting structure within

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					the Lake Ontario VPZ, nesting habitat opportunities for barn swallow will have increased on the site. Long term residual impacts are not anticipated for these species resulting from the development of the Subject Property.
Significant Wildlife Habitat	Seasonal Concentrations Areas of Animals: Shorebird Migratory Stopover Areas	Grading, Servicing and Development	Construction of the shoreline protection structure, removal of vegetation from the Subject Property	The Subject Property does not meet the criteria as a candidate Shorebird Migratory Stopover Area.	Although SWH was not identified for the Subject Property it is important to note that: • The creation of a 30 m VPZ adjacent to Lake Ontario will provide nesting and stopover habitat for migratory songbirds. • Maintaining the existing beach along the toe-of-slope of the shoreline protection will maintain beach

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					habitat for shoreline feeding birds. No residual effects expected.