

Environmental Impact Study Draft Plan of Subdivision 450 Rice Road, City of Welland Northwest Welland Secondary Plan Area

Prepared For:

Mountainview Building Group

Prepared By:

Beacon Environmental Limited

Date:

2024-09-04

Project:

222120



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GUIDING SOLUTIONS IN THE NATURAL ENVIRONMENT

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1. Introduction

Beacon Environmental Limited (Beacon) was retained by Mountainview Building Group to undertake an Environmental Impact Study (EIS) in support of a proposed draft plan of subdivision to be located on lands identifies as 450 Rice Road in the City of Welland (**Figure 1**), the subject lands. The lands lie north of Quaker Road east of Rice Road within the City of Welland Northwest Secondary Plan Area (NWSPA), City of Welland Official Plan Amendment 29 (OPA 29, 2021).

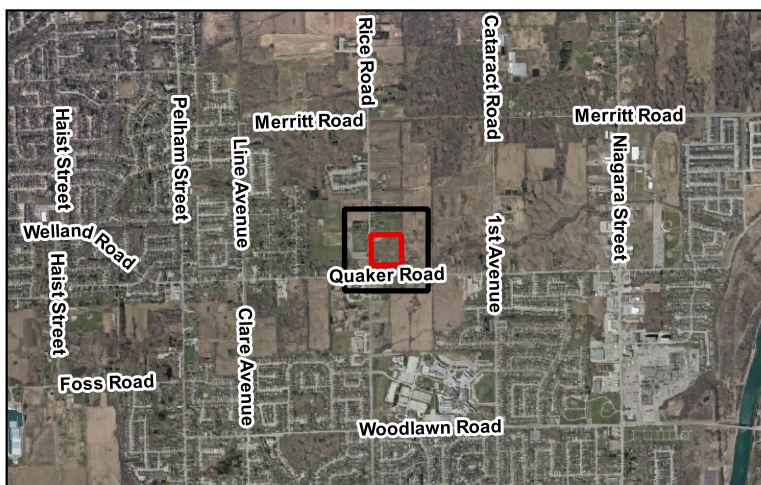
This EIS has been prepared following the requirements of the Environmental Impact Guidelines of the Niagara Region (2018) and the Niagara Peninsula Conservation Authority (NPCA 2022). A term of reference for conducting the EIS was provided to the Niagara Region and Niagara Peninsula Conservation Authority (NPCA) for review and approval was provided (**Appendix A**). For the subject lands, and adjacent lands, a background review, field investigations, and assessment of natural heritage features and functions were undertaken by Beacon in 2022 and 2023.



1.1 Overview of Study Area

Over 95% of the subject lands represents active agricultural field (**Photographs 1 & 2**). Signal family residential homes occur along the northern and southern boundary and farm field lies adjacent to the eastern boundary. The Towpath Drain flows west to east along the northern boundary of the subject lands via a culvert crossing under Rice Road. As can be seen on **Figure 1**, the only natural feature within the subject lands is a narrow cattail marsh that is associated with the Towpath Drian (**Photographs 3 & 4**).



Photograph 1. Farm Field Looking Northeast Across the Property from the Southwest Corner Along Rice Road



Site Location		Figure 1	
450 Rice Road			
		Project: 222120 Last Revised: January 2024	
Client: Mountainview Building Group.		Prepared by: BD Checked by: RH	
	1:3,000	Inset Map: 1:50,000	
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Photograph 2. Farm Field Looking East from Rice Road



Photograph 3. Narrow Cattail Marsh Associated with the Towpath Drain Flowing West to East Through the Subject Lands – Looking East from Rice Road



Photograph 4. Narrow Cattail Marsh Associated with the Towpath Drain Flowing West to East Through the Subject Lands – Looking North to Rice Road

The subject lands are within the NWSPA and for the development of the secondary plan an assessment of the natural heritage features and functions within the plan area was undertaken by Aquafor Beech Limit (2019) and detailed in Appendix F in a report titled Rationale for Urban Growth in Northwest Welland (SGL 2019). The Aquafor Beech report identifies significant natural heritage features within the plan area as Environmental Protection Area (EPA), Environmental Conservation Area (ECA) and wildlife corridor (see report Figure 7.4 in **Appendix B**). The subject lands are located within Area B of the Aquafor Beech NWSPA study area. Based on the Aquafor Beech study, Schedule G Land Use Structure of OPA No 29 identifies the natural heritage features with the plan area (**Appendix B**). Within the subject lands Schedule G identifies the NPCA floodplain associated with the Towpath Drain as ECA, which includes the cattail marsh, however, much of the area identified within the ECA floodplain supports active farm field. No EPA is identified to occur within or adjacent to the subject lands.

2. Realignment of the Towpath Drain

Following the completion of the NWSPA study, a landowner group retained Upper Canada Consultants (UCC) to undertake design for stormwater control within the NWSPA. The UCC study identified that the realignment of the Towpath Drain was required to facilitate stormwater control for future residential subdivision development. The section of the drain to be realigned is located north of Quaker Road, from the Niagara Street crossing, upstream (west) to Montgomery Road, a straight-line distance of 2 km.

The drain and associated headwater drainage features are regulated by the NPCA pursuant to Ontario Regulation 155/06 under the provisions of Section 28 (1) of the *Conservation Authorities Act*, and therefore a permit from the NPCA was required to conduct realignment works. A design for the drain realignment was developed by UCC which was submitted to the NPCA as part of the permit application (NPCA file No. 202201368). The permit application was approved by the April 15, 2024.

2.1 Towpath Drain Realignment EIS

In support of the NPCA permit application for the realignment of the Towpath Drain, UCC retained Beacon to undertake an EIS. As required by the NPCA, Beacon provided a Terms of Reference, dated April 26, 2023, to undertake the EIS. The Towpath Drain Realignment EIS (Beacon 2023) assessed the natural heritage features and functions associated with the drain corridor based on field investigations undertaken for the landowners in 2021, 2022 and 2023.

As the only natural features within the subject lands are associated with the drain corridor, the EIS completed by Beacon for the realignment of the drain provides the details regarding the field surveys completed and description of the existing natural heritage features and functions associated with the drain corridor. ***The Beacon EIS for the realignment of the Towpath Drain is provided as separate documentation and must be reviewed as part of this EIS.***

The following section provides a summary of the Beacon 2023 EIS findings for the subject lands.

3. Summary of Natural Heritage for the Subject Lands

3.1 Headwater Drainage Features

The Aquafor Beech Limited NWSPA study identified the one headwater drainage feature (H1) flowing to the Towpath Drain within the subject lands. In the Beacon 2023 EIS and following the headwater assessment protocol (TRCA and CVC 2014) the identified H1 watercourse was not found to be present in the farm field.

3.2 Fish Habitat

Sampling of the drain by Aquafor Beech Limited for the NWSPA study did not identify fish to be present. Field survey by Beacon over a two-year period has established that no permanent standing water is associated with these sections of the drain and therefore permanent fish habitat is not present. There is the potential for seasonal fish habit during high flow condition with fish migrating from downstream, upstream into these sections of the drain. However, 92 m piped section of the drain at the Niagara Street crossing represent a significant barrier to seasonal upstream fish migration. Therefore the drain is not considered to support annual seasonal fish habitat. The drain is assessed to provide indirect fish habitat through contribution of water flows and allochthonous material and nutrients to downstream to aquatic habitats associated with the Towpath Drain east of the Niagara Street crossing.

3.3 Vegetation Communities Within the Subject Lands Drain Corridor

The Beacon 2023 Towpath Drain Realignment EIS details the ELC vegetation communities that were identified for the section of the drain within the subject lands and is presented on **Figure 2**. As noted above, only one vegetation community was identified within the subject lands, a small (0.24 ha) narrow pocket of shallow cattail marsh (MAS2-1), see **Photographs 3 and 4**.

No rare vegetation communities, provincial S-rank of S1, S2, or S3, are found within the drain corridor within the subject lands.

3.4 Habitat for Threatened and Endangered Species

No species of flora or fauna that are listed by the *Endangered Species Act* (ESA) as endangered, threatened, or special concern occur or are expected to occur within the habitats that are found in the drain corridor within the subject lands.

3.5 Provincially Significant Wetlands (PSW)

There is no Provincially Significant Wetland (PSW) identified within or adjacent to the subject lands.

3.6 Areas of Natural and Scientific Interest (ANSI)

There are no Provincial or Regional ANSIs identified within or adjacent to the subject lands.

3.7 City of Welland NWSPA EPA and ECA

No areas are identified that supports an EPA designation within or adjacent to the subject Lands. The cattail marsh and flood plain in the farm field associated with the Towpath Drian is designated ECA.

3.8 Significant Valleylands

There are no valleylands within or adjacent to the subject lands.

3.9 Significant Wildlife Habitat

According to the Significant Wildlife Habitat Technical Guidelines (MNR 2000), there are four main categories of Significant Wildlife Habitat (SWH):

- Seasonal Concentration Areas of Animals;
- Rare Vegetation Communities or Specialized Habitat for Wildlife;
- Habitat for Species of Special Concern; and
- Animal Movement Corridors.

Within each of these categories, there are multiple types of SWH, each intended to capture a specialized type of habitat that may or may not be captured by other existing feature-based categories (e.g., significant wetlands, significant woodlands). For the Towpath Drian Realignment EIS the Significant Wildlife Habitat Criteria Schedules for Ecoregion 7E (MNR 2015) were used as a screening for SWH within the drain corridor.

3.9.1 Seasonal Concentration Areas

No areas or habitats are found within the subject lands that supports seasonal concentrations of animals.

3.9.2 Rare Vegetation or Specialized Habitat for Wildlife

No rare or specialized vegetations communities are found within, or adjacent to, the subject lands. The NWSPA study identified a potential snake hibernaculum in Area 3 west of First Avenue, however, no features or structures that could potentially support a snake hibernaculum were found to occur within the subject lands.

At the local level, the small cattail wetland within the drain through the subject lands can be considered to provide low quality specialized breeding habitat for frogs and toads.

No habitat for rare species of flora or fauna was found to occur.

3.9.3 Habitat for Species of Special Concern

No species of special concern was found to occur in the drain corridor associated with the subject lands.

The NWSPA study identifies that there is the potential for Milksnake (*Lampropeltis triangulum*) and Eastern Ribbonsnake (*Thamnophis sauritus*). Though the drain corridor can be considered to support general habitat for these two species, for the local population the habitats associated with the large area of PSW directly west of First Avenue can be considered to be the core habitat.

The NWSPA study also identified specialized habitat for the special concern Monarch Butterfly (*Danaus plexippus*) to be associated with open meadows or similar habitats containing milkweeds and other wildflowers. The subject lands do not support open meadow habitat with and abundance of milkweeds or wildflowers.



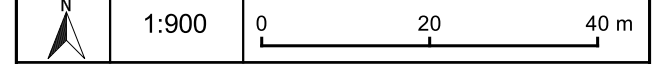
450 Rice Road

- Legend**
- Subject Property
 - Ecological Communities
 - Watercourse (MNRF 2023)
 - Wetland Limit
 - Amphibian Survey Stations

Code	Wetland Communities
MAS2-1	Cattail Mineral Shallow Marsh
SWT2	Mineral Thicket Swamp
Cultural Communities	
CUW1	Mineral Cultural Woodland
Other Communities	
HE	Hedgerow

Project: 222120
Last Revised: January 2024

<p>Client: Mountainview Building Group.</p>	<p>Prepared by: BD Checked by: RH</p>
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3.9.4 Animal Movement Corridors

The primary ecological function of the drain corridor through the subject lands is to provide a local east-west terrestrial and aquatic movement corridor within a landscape that is dominated by agricultural fields.

3.10 Significant Woodlands

Based on the findings of the NWSPA study, no significant woodland is associated with the subject lands or adjacent lands.

4. Proposed Development

A draft plan is provided in **Appendix D** and should be reviewed in conjunction with the following text.

The development includes 139 building units that will be located south of the realigned Towpath Drain corridor. These units will be accessed through an internal street network that will have one intersection with Rice Road.

A 3 m wide multi-use path will be located along the south boundary of the Towpath Drain realignment corridor. The corridor lands will be dedicated to the City through registration of the condo and there will be a condition that this transfer is completed.

Storm water will be collected through a curb and gutter system and will be treated with a Hydroworks HD8 that will provide 80% TSS overall removal and capture 100.0% of the stormwater flows. Therefore, the required MECP Enhanced levels (80% TSS removal) will be achieved. The treated stormwater will be discharged to Towpath Drain.

The construction will be phased, with realignment of the Towpath Drain being constructed in phase 1. The street network is expected to be completed in one year, with the construction of homes occurring over a number of years.

5. Impact Assessment and Mitigation

The realignment of the Towpath Drain corridor is the only impact of the draft plan on natural heritage. The 0.24 ha cattail marsh associated with the drain is identified as ECA within the NWSPA and the realignment works will result in its removal. No significant natural heritage features and functions were identified that would result in a significant negative impact by the realignment of the drain (Beacon 2023).

To address the impact of the realignment to obtain NPCA approval and work permit, the UCC developed a design for the new alignment that incorporated a number of features to maintain and enhance the natural features and function of the drain corridor. A summary is provided below.

5.1 Design Mitigation for the New Drain Corridor

The following details design mitigation measures that will off set the impacts of the removal/alteration of the existing drain corridor. The general design of the proposed drain corridor east of First Avenue, which includes the subject lands, is presented in **Appendix E**.

5.1.1 Design of New Corridor

To mitigate the loss/alteration of the existing drain corridor, the design for the new drain will include a 30 m wide naturalized corridor, including wetland areas within the watercourse flow channel. The drain corridor will have total length of 1.77 km. The total area of the new drain corridor will be 5.07 ha, representing a 0.86 ha increase.

For the existing drain, two sections of the drain are enclosed. At the western limit west of Rice Road a 170 m section of the drain is piped through a culvert under soccer fields. At the eastern limit at Niagara Street the drain follows through a 92 m long piped section under the paved parking lot of Toronto Autoparts. For the new corridor these piped sections of the drain will be day lighted, resulting in a continuous corridor. The opening of these sections of the drain will greatly enhance the aquatic and terrestrial corridor function of the drain.

5.1.2 Naturalization of the New Corridor

For the mitigation and enhancement of the ecological function of the new drain, the follow features have been included in the design:

- A corridor width of 30 m;
- Flow channel meanders;
- Diversify in flow channel substrate (gravel/cobble pockets);
- Creation of wetland areas for compensation for wetland loss at a minimum ratio of 1:1;
- Wetland function enhancement through the creation of shallow and deep-water wetland pockets; and
- Plantings to create a naturalized corridor.

The entire 30 m wide corridor will be naturalized with the planting of shrubs and trees. In addition the proposed design includes a number of wetland areas located throughout the corridor representing a total area of 3.89 ha, a 1.24 ha increase, consisting of shrub thicket wetland and deep aquatic pools. The combined area of the deep-water pools that will be located throughout the drain corridor is 1.66 ha, representing 43% of the total wetland areas that will be created. The absence of prolonged standing water within the existing drain is a limiting factor for the existing wetland functions, and the proposed design represents a significant enhance for wetland functions. In addition, the existing flow channel in drain only supports a clay substate and the design for the new watercourse will include riffels with cobble gravel substrate that will be located throughout the drain corridor which will increase the diversity of habitats.

Details regarding the planting plans and enhanced ecological conditions for the corridor are provided in a design brief that has been prepared by and Ecological & Environmental Solutions (EES 2022) and will be provided to the Region under a separate cover.

5.1.3 Buffers

The new drain corridor will have a minimum width of 30 m. No buffer lands adjacent to this corridor are proposed. However, as part of the corridor design to address post development impacts on the new corridor, post construction a chain link fence will be located along the perimeter of the corridor. Also, a no-gate by-law is recommended to reduce human encroachment and limit the movement of pets into the adjacent natural corridor.

For intermittent or ephemeral watercourses that do not support fish habitat and non PSW wetlands NPCA development policy is to provide a 15 metre buffer. The new drain watercourse will be located centrally within the 30 m wide naturalized corridor, which will provide a 15 m buffer to each side of most of the watercourse. It is noted that the design includes meanders in the watercourse so that at some locations the outer side of the meander will have a reduced buffer by 2 to 5 m. The reconstructed watercourse has varying setbacks from the newly constructed wetland of 6-9 metres average with additional width in various locations. With the naturalization of the buffer lands and the fencing along the perimeter of the corridor, localized reductions in the 15 m buffer to wetland areas and the watercourse is not considered significant with respect to protecting the ecological function of the watercourse and wetlands within the new drain corridor.

5.2 Street Crossings

A primary function of the drain corridor will be to provide a terrestrial and aquatic movement corridor. The proposed draft plan has been designed so that no street crossings will be required for the section of the new drain corridor within the subject lands.

5.3 Construction Mitigation

The construction works will be undertaken in two stages, east and west. The east stage includes the section between Niagara Street and First Avenue and includes the subject lands. The west stage includes the section east and west of Rice Road. The downstream east stage will be constructed first. During construction flows will be maintained by temporary swales. Once a section is completed flow will be directed to the new channel and the temporary swales will be removed. Detailed information on the staging of the works has been provided to the NPCA by UCC.

During the construction the following general construction mitigation measures are recommended for the construction works:

- Soil erosion from construction sites can result in adverse environmental impacts if sediment-laden stormwater runoff reaches the drain. Therefore, an erosion and sediment control plan should be implemented prior to any site alteration or construction. This plan is to be approved by the NPCA;
- All construction and development related activities should be confined to the established limit of development, except for those areas subject to naturalization where landscaping works are permitted;
- To avoid impacts on breeding birds and other wildlife, removal of vegetation should be conducted between October 1 and March 31;

- Though the drain is assessed to not support fish habitat, nevertheless, prior to works a fish salvage plan should be undertaken under MNRF; and
- Storage of equipment and materials and the fueling of equipment should not be permitted within 30 m of a watercourse or PSW boundary. Ontario Provincial Standard Specification 180 is to be followed for the management of excess materials.

6. Cumulative Impacts

The cumulative impact of development on the natural heritage within the City of Welland is beyond the scope of this EIS. At the local level the subject lands lie within the NWSPA, and development of the surrounding lands will occur in the future. The secondary plan has identified EPA and ECA and development polices for their protection, therefore potential cumulative impacts within the secondary plan area has been addressed.

7. Policy conformity

The following is a summary the proposed subdivision development conformity with relevant environmental development policies.

7.1 *Federal Fisheries Act*

Development and site alteration are not permitted in fish habitat except in accordance with federal requirements pursuant to the *Fisheries Act (1984)*. No fish habitat is associated with the drain and construction mitigation measures have been identified to protect fish via preconstruction fish salvage and sediment control measures to prevent downstream impacts; therefore, the draft plan is in conformity with the regulations of the *Fisheries Act*.

7.2 *Ontario Endangered Species Act (ESA)*

The *Endangered Species Act (ESA 2007)* does not permit development or site alteration in habitat for threatened and endangered species except in accordance with provincial requirements detailed in the Act's regulations. No habitat for endangered or threatened species is found within or adjacent to the subject lands; therefore, the draft plan is in conformity with the regulations of the ESA.

7.3 *Niagara Peninsula Conservation Authority*

The NPCA regulates wetlands and watercourses pursuant to Ontario Regulation 155/06 under the provisions of Section 28 (1) of the *Conservation Authorities Act*, and therefore a permit from the NPCA is required for the realignment of the Towpath Drain within the subject lands. For the permit application the NPCA required that an EIS be undertaken.

An EIS was completed in 2023 in support to of a work permit application and the NPCA has approved the proposed design, therefor the works are in conformity with their environmental development policies of the NPCA (NPCA 2022).

7.4 Provincial Policy Statement

The development policies of the current Official Plans of the Niagara Region and City of Welland are in conformity with Section 2.1 Natural Heritage of the Provincial Policy Statement (PPS, 2020), which is directed at a province wide protection and management of natural heritage resources. Therefore, conformity with the Official Plans ensures conformity with the PPS.

7.5 Niagara Region and City of Welland

7.5.1 Niagara Region

Section 3.1.30.4.1 of the Niagara Region Official Plan (2022) states that where a secondary plan has been approved after July 1, 2012, those portions that are not subject to a draft approved plan of subdivision or plan of condominium shall be approved in accordance with the approved mapping and policies of the secondary plan. The subject lands lie within the City of Welland Northwest Secondary Plan Area, Official Plan Amendment No. 29, which was approved by the Niagara Region, on July 14, 2021. Therefore conformity with the Secondary Plan is required by the Region.

7.5.2 City of Welland

Environmental development polices for the NWSPA are detailed in Section 7.3.1.6 Land Use Structure of the OPA No. 29 and natural heritage features are identified on Schedule G. Section 7.3.1.6 identifies that lands designated Environmental Protection Area (EPA) or Environmental Conservation Area (ECA) on Schedule G shall be subject to the polices of Section 6.1 Environment of City's Official Plan (OP 2019).

No EPA is identified to occur within the subject lands. The Towpath Drain corridor is identified as ECA. Section 6.1.2.3.C states development and site alteration may be permitted without an amendment to the Plan in ECA, Natural Heritage Corridors, and on all adjacent lands if it has been demonstrated that there will be no negative impact on the natural features or their ecological functions. The proponent shall be required to prepare an Environmental Impact Study (EIS) in accordance with the Policies of this Plan. Schedule G shows that the vegetated corridor associated with the Towpath Drain through the subject lands is designated as ECA.

The 2023 EIS completed by Beacon for NPCA approval for the realignment of the Towpath Drain assessed the corridor and found that there were no significant features and functions that would result in a significant negative impact and that naturalization of a 30m corridor identified for the new realignment would maintain and/or enhance existing natural features and functions of the ECA associated with the drain; therefore the draft plan is in conformity with ECA development policies.

With respect to drainage features Section 7.3.1.6 of the OPA states that a headwater drainage feature assessment shall be required to the satisfaction of the City and the Conservation Authority prior to approval of development adjacent to those drainage features. The assessment shall evaluate and classify the drainage feature status based on criteria established by the Conservation Authority and shall determine if the drainage features are to be maintained in-situ, can be relocated or can be removed. The EIS completed by Beacon for the NPCA approval for the realignment of the drain undertook the required headwater drainage feature assessment following the required protocol (TRCA/CVC 2014). Apart from the drain, no other headwater features were identified for the subject lands. In addition the OPA states that where drainage features are to be maintained or moved, applications for development shall use natural channel design techniques to maintain or enhance the overall productivity of the reach. The design for the realignment of the drain incorporates natural channel design and a naturalized 30 m corridor which will enhance the overall ecological function of the drain. Therefore the draft plan is in conformity with drainage features development policies.

With respect to wetland areas within the drain, Section 7.3.1.6 of the OPA states that for several small wetlands less than 0.5 hectares that prior to development, evaluation of these wetlands should be undertaken to determine if they are significant and warrant protection. The EIS completed by Beacon for the NPCA approval for the realignment of the Towpath Drain undertook an assessment of the functions associated with the wetland pockets within the drain and identified that they are not PSW. To mitigate the removal of the wetland pockets, the design for the realignment of the drain has incorporated the creation of wetland pockets that will increase the total wetland area within the drain; therefore the draft plan is in conformity with wetland development policies.

The Beacon EIS identified that the drain corridor supports a local wildlife movement corridor. Section 7.3.1.6 of the OPA states that development can be located, designed, and constructed to maintain and, where possible, enhance the ecological functions of the natural heritage corridor in linking the natural heritage system or where an alternative corridor can be accommodated. In addition stormwater management facilities are permitted within a corridor. Also street crossings are permitted if they are designed with to facilitate safe movement of wildlife through the linkage. The naturalized corridor design for the drain realignment will maintain wildlife movement function and the draft plan will not require street crossings of the new drain. Based on the design of the drain realignment the draft plan is in conformity with respect to maintaining a wildlife movement corridor.

8. Conclusion

This EIS has been prepared in support of a proposed plan of subdivision to be located at 450 Rice Road on lands the are located within the City of Welland Northwest Secondary Plan Area (NWSPA). This EIS detailed and evaluated the natural heritage features associated with the subject lands and assessed the potential impacts of the proposed development on ecological features and functions. This EIS concludes that with the implementation of the recommended design and construction mitigation measures, the proposed plan of subdivision is supported with respect to maintaining the natural heritage system of the City of Welland, Niagara Region and the Province.

Prepared by:
Beacon Environmental Ltd.



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Principal, Senior Ecologist

Reviewed by:
Beacon Environmental Ltd.



Lindsey Waterworth, B.Sc.
Senior Ecologist

9. References

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Appendix A



From: Taran Lennard <tlennard@npca.ca>

Sent: May 26, 2022 3:20 PM

To: William Heikoop <WHeikoop@ucc.com>

Subject: RE: Terms of Reference NW Welland Lands - 450,469,509 Rice Road

Hi Will,

Following up with you on the ToR details following NPCA's review of the *EIS Terms of Reference; Plan of Subdivision, 450, 469, 509 Rice Road; City of Welland, Niagara Region* prepared by Beacon Environmental, dated April 27, 2022.

1. Please include review of citizen science databases (ie. eBird, iNaturalist etc) in the background review section.
2. Please ensure the 2018 EIS Guidelines are utilized when preparing the EIS as opposed to the 2012 version. The 2018 EIS Guidelines are available from <https://www.niagararegion.ca/culture-and-environment/pdf/environmental-impact-study-guidelines.pdf>
3. NPCA staff understand that breeding bird surveys are not proposed to include point count of transit methodology due to the small area to be surveyed. Given that the subject lands encompass approximately 20 hectares further rational is requested to ensure the proposed survey methodology will accurately characterize the subject lands.
4. Please confirm the number of bat acoustic monitors to be deployed. The ToR states 'A total of four (6) monitoring stations will be required.'
5. The ToR has not identified snake and turtle surveys as these species were not detected by Aquafor Beech at the Secondary Planning stage. The Aquafor Beech report identifies that Eastern Ribbonsnake may be present within the study area given the presence of open riparian areas and potential wetlands, particularly on 450 Rice Road. Please revise the ToR to incorporate consideration for this species.
6. Should unevaluated wetlands be confirmed on the subject property a wetland staking exercise may be required. Please note that should unevaluated wetlands be proposed for removal correspondence with MNDMNR will be required to verify that the wetlands are not Provincially Significant and/or complexed with the nearby (within 750 m) Provincially Significant Niagara Street Cataract Road Wetland Complex.

Thank you,

Taran Lennard

Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)

250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2

Tel: 905-788-3135 | extension 277

email: tlennard@npca.ca

Sent: Thursday, August 25, 2022 3:41 PM

To: Ron Huizer <rhuizer@beaconenviro.com>

Cc: Lampman, Cara <Cara.Lampman@niagararegion.ca>; 'Sarah Mastroianni' <smastroianni@npca.ca>; Matt Vartanian <MattV@mountainview.com>; William Heikoop <WHeikoop@ucc.com>; Young, Katie <Katie.Young@niagararegion.ca>

Subject: RE: Terms of Reference NW Welland Lands - 450,469,509 Rice Road

Hi Ron,

Thanks for meeting with me on-site yesterday.

As a follow-up to our site visit, I've attached an electronic copy of both the Subwatershed Study and Secondary Plan Recommendation Report prepared for the Northwest Welland Secondary Plan Area, which include the subject lands. Both documents provide information and outline requirements related to natural heritage, including the location of corridor linkages. Please ensure that the final EIS Report sufficiently addresses the information included in both documents.

Please feel free to reach out if you have any questions as you complete the EIS.

Thanks,

Adam

Adam Boudens, Msc

Senior Environmental Planner/Ecologist

Planning and Development Services

Niagara Region

1815 Sir Isaac Brock Way, P.O. Box 1042

Thorold, ON L2V 4T7

Phone: **905-980-6000 ext. 3770** Toll-free: 1-800-263-7215

www.niagararegion.ca



From: Boudens, Adam

Sent: Tuesday, May 31, 2022 11:55 AM

To: 'William Heikoop' <WHeikoop@ucc.com>

Cc: Lampman, Cara <Cara.Lampman@niagararegion.ca>; Karlewicz, Lori <Lori.Karlewicz@niagararegion.ca>; 'Sarah Mastroianni' <smastroianni@npca.ca>; Matt Vartanian <MattV@mountainview.com>

Subject: RE: Terms of Reference NW Welland Lands - 450,469,509 Rice Road

Hi William,

Regional Environmental Planning staff have reviewed the proposed Terms of Reference (TOR) prepared by Beacon Environmental (dated April 27, 2022) for the subject lands located at 450, 469 & 509 Rice Road, in the City of Welland. While the TOR is generally acceptable, we offer the following comments for your consideration:

The TOR states that an assessment of fish habitat will not be completed as the Aquafor Beech Report for Northwest Welland Secondary Plan Area 2019 established that fish do not occur within the section of the Drain traversing the subject lands. Staff have reviewed the Aquafor Beech report which states that fish community surveys were only conducted at the most downstream site (east of the subject lands) and as such recommends that further assessment be completed to determine the extent and significance of fish habitat. Therefore, staff recommend that an assessment of the watercourse be completed in accordance with an appropriate survey protocol (e.g., Headwater Drainage Feature Assessment, Ontario Stream Protocol, etc.) to characterize the watercourse (e.g., permanent, intermittent, etc.), unless the watercourse is assumed to be providing Fish Habitat.

As it relates to reptile surveys, staff require that at a minimum visual encounter surveys be conducted. Additional survey effort should be considered should potential habitat be identified on the subject lands.

Significant woodland boundaries must be staked in the field with Regional Environmental Planning staff. Please contact Adam Boudens, Senior Environmental Planner, adam.boudens@niagararegion.ca to coordinate a date/time.

As it relates to potential corridors on the subject lands, the Aquafor Beech report identified the preliminary location of 2 corridors, one running east-west and the other adjacent to the wooded feature that straddles the westerly property boundary. Consistent with Amendment No. 29 to the City of Welland's Official Plan, specifically Policy 7.3.1.6, "any development or site alteration within a Corridor shall require the completion of an EIS which shall demonstrate how development can be located, designed and constructed to maintain and, where possible, enhance the ecological functions of the natural heritage corridor in linking the natural heritage system or where an alternative corridor can be accommodated". This policy goes on to state that the following uses are permitted within natural heritage corridors:

Trails,

Stormwater management facilities, including Low Impact Development, if it can be demonstrated that these elements do not result in a negative impact on the natural heritage system, and;

Streets, if they are designed with special features to facilitate safe movement of wildlife through the linkage. These features may include, but are not limited to, traffic calming measures, eco-passages, minimized road widths, naturalized zones along the road, reduced speed limits and speed humps, and special signage. Street design will be in accordance with urban design direction and the recommendations of supporting EIS work.

As such, the EIS will be required to identify an appropriate location for the two corridors on the subject lands and address how the intent of this specific policy will be achieved. Preliminary corridor design details should be provided in the EIS.

Please include all relevant field survey data sheets (e.g., ELC Data Cards) as an appendix in the EIS.

The above comments are provided in effort to ensure that the development application will include all information needed to address the Core Natural Heritage System (CNHS) policies of the Region's Official Plan (ROP). Staff will review the completed EIS against the requirements in the proposed TOR and outlined above. Should Beacon Environmental be of the opinion that one or more of the requirements outlined above should not be included within the EIS scope; Regional staff may entertain a reduced scope if sufficient rationale is provided. Should the comments above be acceptable, staff will accept the Beacon Environmental proposed EIS TOR along with this email as the final EIS TOR, with both appended to the EIS.

Please do not hesitate to contact me if you have any questions or require additional information .

Thanks,

Adam

Adam Boudens
Senior Environmental Planner/Ecologist

Planning and Development Services, Niagara Region

1815 Sir Isaac Brock Way, P.O. Box 1042

Thorold, ON L2V 4T7

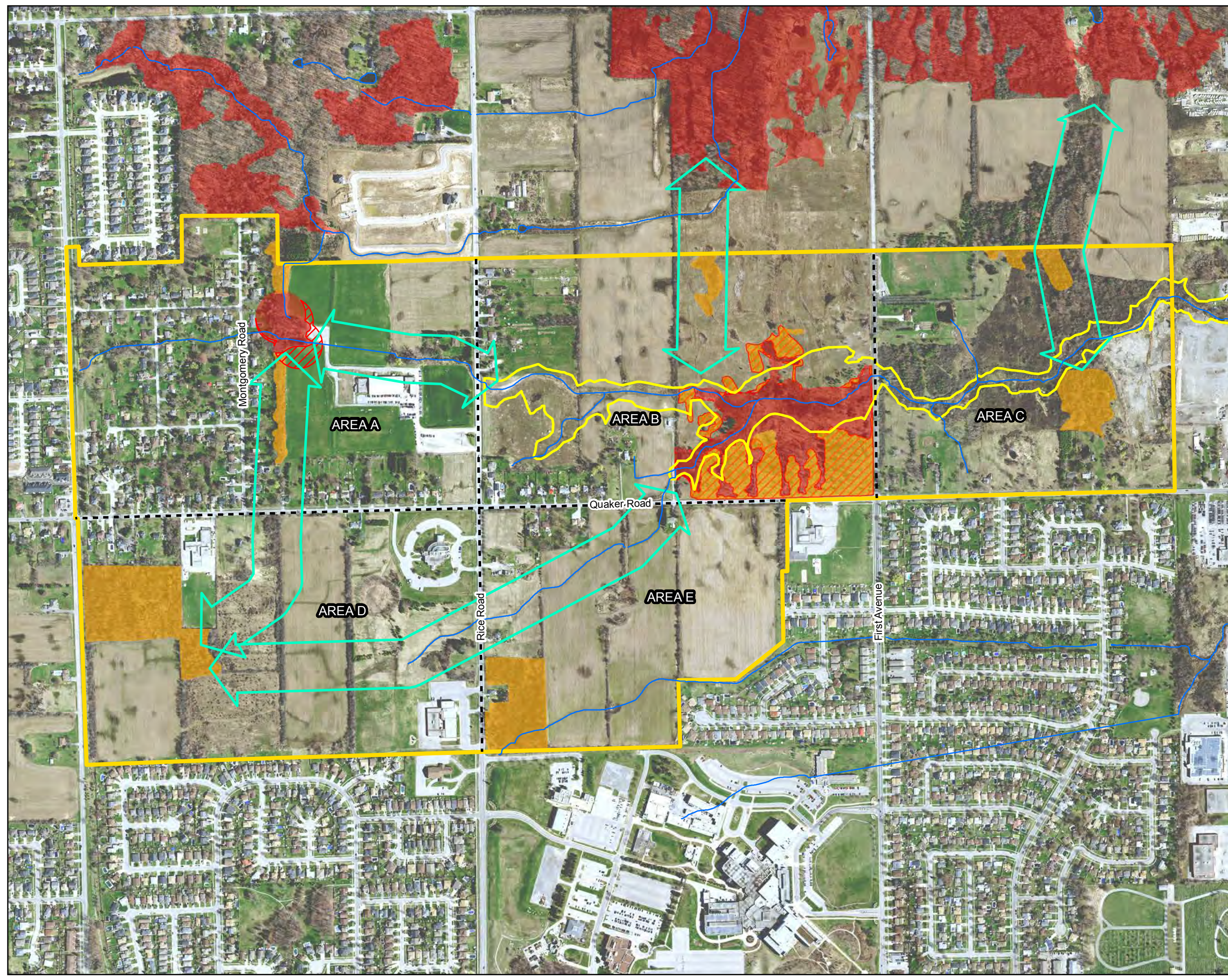
Phone: 905-980-6000 ext. 3770 Toll-free: 1-800-263-7215

Adam.Boudens@niagararegion.ca

Appendix B

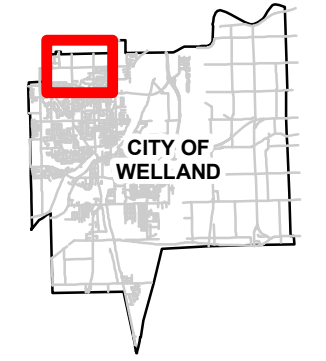


NWSPA Natural Heritage Figures



- Legend**
- Watercourse (NPCA)
 - Vegetation Survey Area Divisions
 - Environmental Protection Area
 - *Potential Environmental Protection Area
 - Environmental Conservation Area
 - Potential Corridor
 - NPCA Advisory Floodplain
 - Secondary Plan Boundary

(*) NOTE: Pending Further Assessment

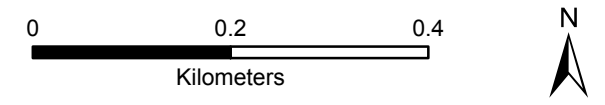


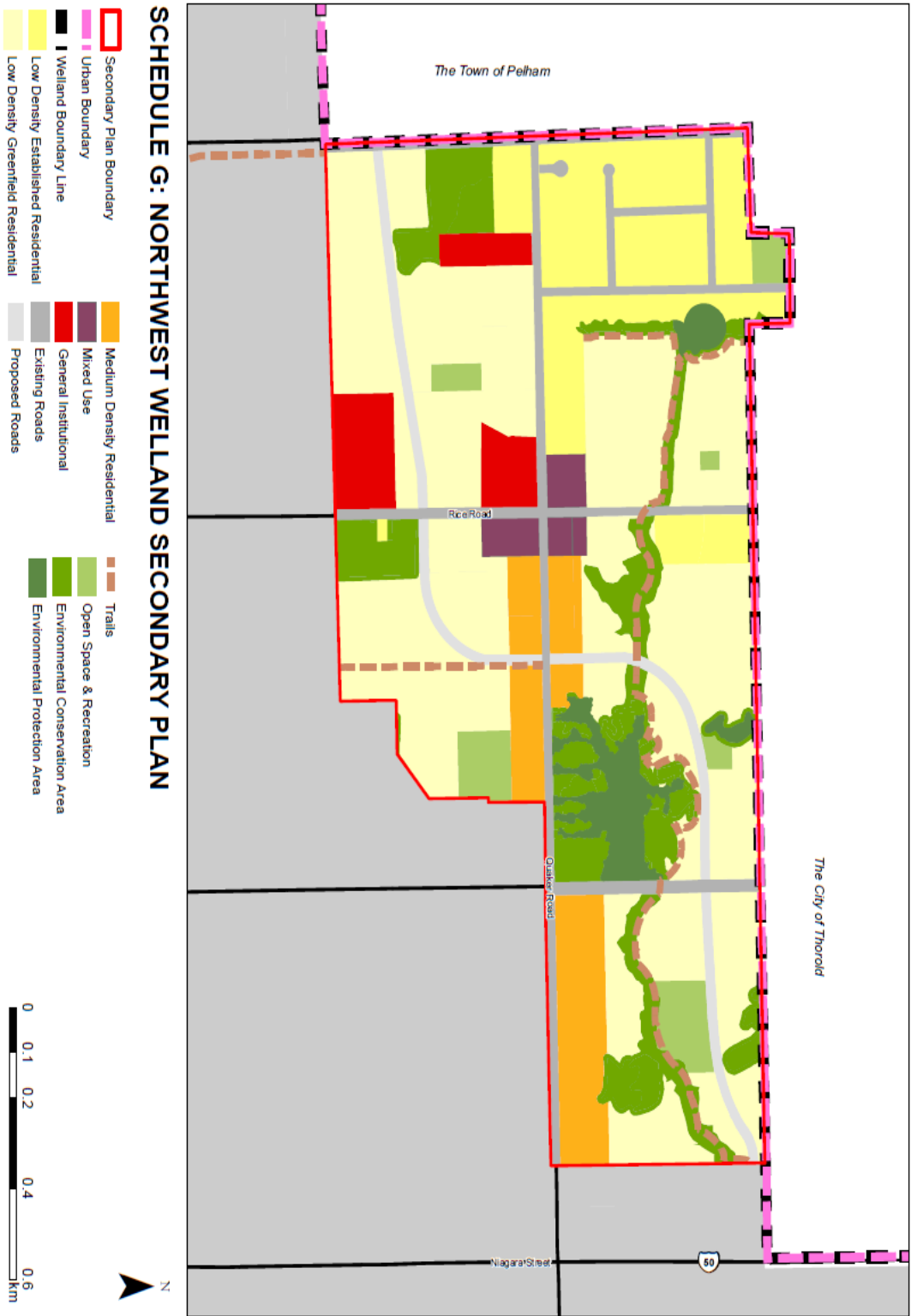
1:290,000

Figure 7.4

Potential Landscape Connections

Date: January 2019
 Projection: NAD83_UTM_Zone_17N
 Data Source: Niagara Peninsula Conservation Authority,
 City of Welland





Appendix C



Appendix C

Photographic Reference



Photograph 1. Shallow Marsh (MAS2) in the Drain Flow Channel Supporting Grasses and Large Bur-reed, May 26, 2022, Looking East Downstream



Photograph 2. Grass Meadow Marsh (MAM2) in the Drain Corridor



Photograph 3. Linear Thicket Swamp SWT2 Within the Drain Corridor



Photograph 4. Buckthorn Cultural Thicket Community (CIT1) That Dominates the Drain Corridor



Photograph 5. Buckthorn Cultural Thicket Community (CIT1) That Dominates the Drain Corridor

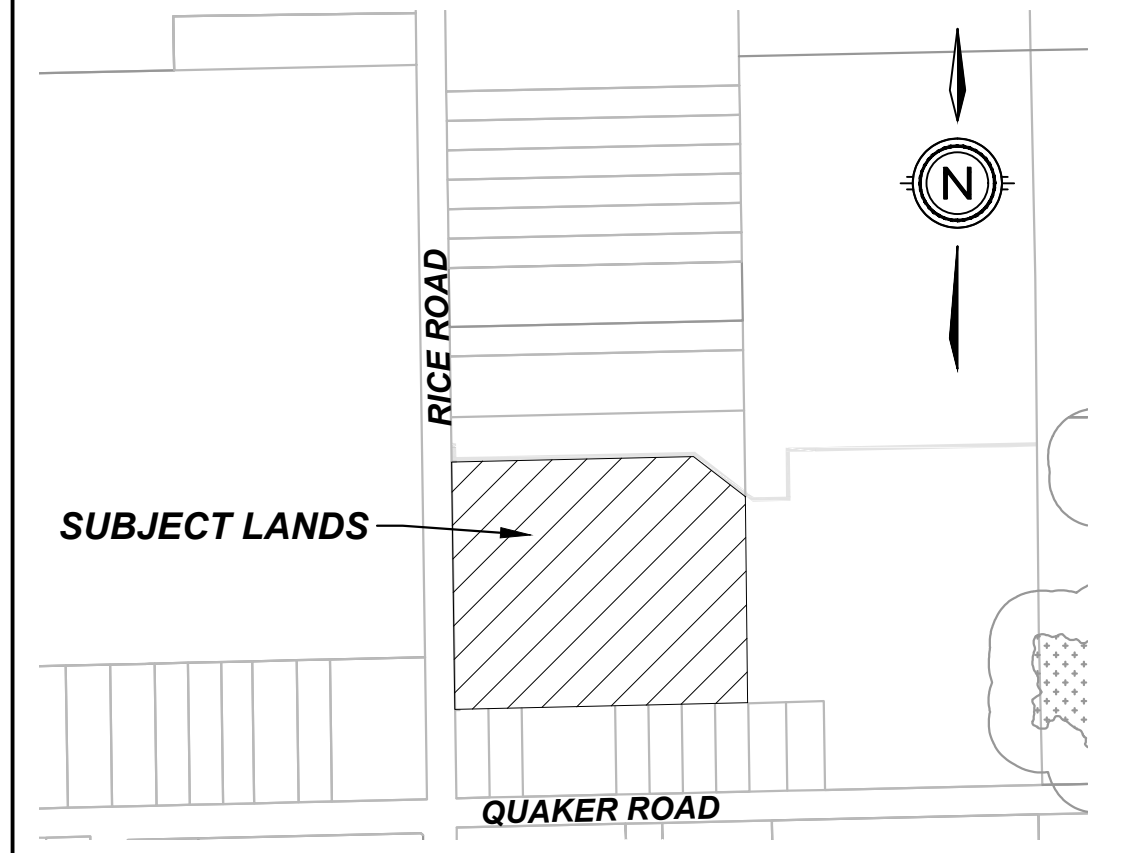
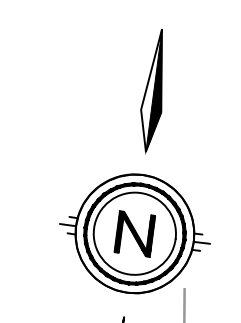
Appendix D



Proposed Draft Plan of Subdivision

450 RICE ROAD CITY OF WELLAND

EXISTING RESIDENTIAL



KEY PLAN
N.T.S.

LEGAL DESCRIPTION

PART OF TOWNSHIP LOT 174
GEOGRAPHIC TOWNSHIP OF THOROLD
NOW IN THE CITY OF WELLAND
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION TO THE CITY OF WELLAND
FOR APPROVAL.

BSF COMMUNITIES INC. DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

J.D. BARNES LIMITED DATE

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

- | | | |
|-------------|--------------------|-----------------|
| a) SEE PLAN | e) SEE PLAN | i) SILTY SAND |
| b) SEE PLAN | f) SEE PLAN | j) SEE PLAN |
| c) SEE PLAN | g) SEE PLAN | k) FULL SERVICE |
| d) SEE PLAN | h) MUNICIPAL WATER | l) SEE PLAN |

SITE STATISTICS

AREA	ha	% COVERAGE
BUILDING (139 UNITS)	1.262	37.98
ROADWAY/PARKING	0.962	28.95
LANDSCAPE	1.099	33.07
TOTAL	3.323	100.00
DENSITY		41.83 un/ha

#	ISSUED FOR REVIEW	DATE	INIT
0	ISSUED FOR REVIEW	2024-07-16	TA
	REVISION		



DRAWING TITLE	DRAFTING	TA
DRAFT PLAN OF VACANT LAND CONDOMINIUM	DATE	JULY 16, 2024
	PRINTED	JULY 16, 2024
	SCALE	1:400
	DWG No.	2201-DP
	REV	0

UNIT No.	UNIT AREA SQ. M	EXCL. USE AREA SQ. M	UNIT No.	UNIT AREA SQ. M	EXCL. USE AREA SQ. M
1	212.24	9.15	70	146.02	3.66
2	179.69	9.15	71	172.40	3.66
3	179.63	9.15	72	172.40	3.66
4	179.56	9.15	73	146.00	3.66
5	179.50	9.15	74	146.00	3.66
6	211.85	9.15	75	168.11	3.66
7	211.75	9.15	76	172.27	3.66
8	179.28	9.15	77	146.05	3.66
9	179.21	9.15	78	145.83	3.66
10	179.15	9.15	79	145.96	3.66
11	179.09	9.15	80	172.33	3.66
12	211.37	9.15	81	172.19	3.66
13	211.27	9.15	82	146.07	3.66
14	178.86	9.15	83	145.85	3.66
15	178.80	9.15	84	145.70	3.66
16	178.74	9.15	85	172.39	3.66
17	178.68	9.15	86	173.83	9.12
18	210.88	9.15	87	147.15	9.12
19	210.78	9.15	88	147.07	9.12
20	178.45	9.15	89	147.26	9.12
21	178.39	9.15	90	173.87	9.12
22	178.33	9.15	91	173.87	9.12
23	209.20	9.15	92	147.26	9.12
24	177.90	9.15	93	147.26	9.12
25	150.33	9.15	94	147.16	9.12
26	150.00	9.15	95	173.92	9.12
27	176.69	9.15	96	169.69	9.16
28	176.19	9.15	97	147.27	9.12
29	148.87	9.15	98	147.27	9.12
30	148.55	9.15	99	173.88	9.12
31	148.23	9.15	100	173.88	9.12
32	147.91	9.15	101	147.27	9.12
33	173.23	9.15	102	147.17	9.12
34	173.72	9.15	103	173.28	9.12
35	146.78	9.15	104	94.99	9.20
36	146.46	9.15	105	78.09	9.20
37	146.14	9.15	106	78.09	9.20
38	145.82	9.15	107	94.96	9.20
39	171.76	9.15	108	94.97	9.20
40	171.25	9.15	109	78.06	9.20
41	146.69	9.15	110	78.09	9.20
42	144.37	9.15	111	82.77	9.20
43	144.05	9.15	112	91.17	9.20
44	169.67	9.15	113	94.97	9.20
45	158.95	9.15	114	78.12	9.20
46	134.75	9.15	115	78.12	9.20
47	134.81	9.15	116	94.96	9.20
48	134.72	9.15	117	94.99	9.20
49	159.07	9.15	118	78.12	9.20
50	159.03	9.15	119	78.12	9.20
51	134.78	9.15	120	82.78	9.20
52	134.74	9.15	121	94.99	9.20
53	134.74	9.15	122	103.23	3.69
54	134.75	9.15	123	89.97	3.69
55	159.11	9.15	124	84.89	3.69
56	159.11	9.15	125	84.90	3.69
57	134.77	9.15	126	103.24	3.69
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60	134.69	9.15	129	84.85	3.69
61	159.19	9.15	130	103.19	3.69
62	159.06	9.15	131	97.53	3.69
63	134.89	9.15	132	89.85	3.69
64	134.89	9.15	133	84.81	3.69
65	134.81	9.15	134	84.81	3.69
66	134.72	9.15	135	103.11	3.69
67	159.27	9.15	136	103.09	3.69
68	171.83	3.66	137	84.79	3.69
69	145.93	3.66	138	84.78	3.69
TOT UN AREA	19888.86		139	103.09	3.69
TOT EXCL. USE	1075.15				
TOT LANDSCAPE	1263.71				
TOT LOT AREA	33227.72				

(FUTURE RESIDENTIAL)


REGIONAL ROAD 54 (RICE ROAD)



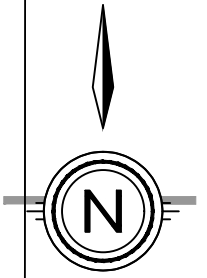
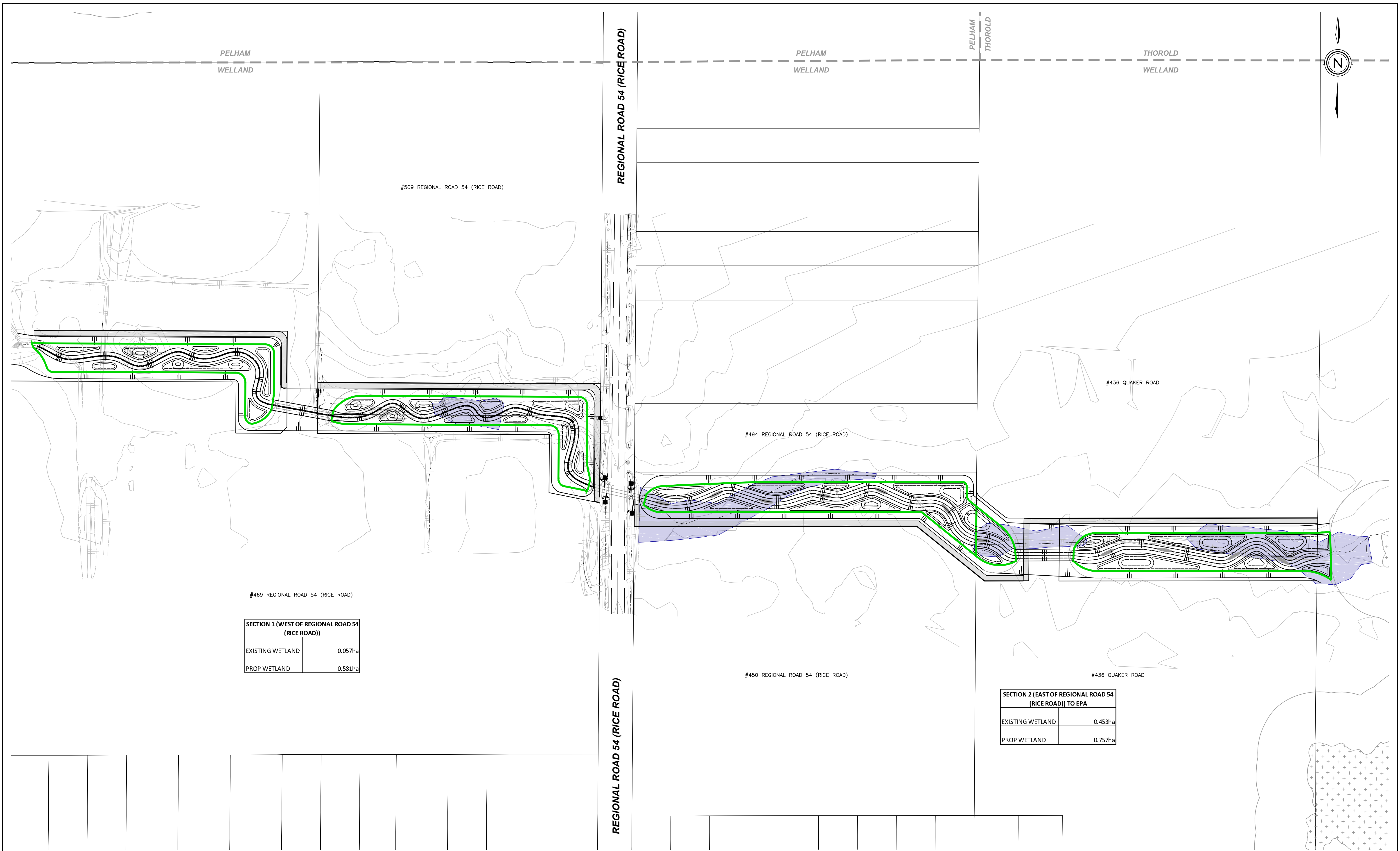
EXISTING RESIDENTIAL

N88°39'30"E
198.09m

Appendix E



Proposal Drain Realignment Design



#469 REGIONAL ROAD 54 (RICE ROAD)

SECTION 1 (WEST OF REGIONAL ROAD 54 (RICE ROAD))	
EXISTING WETLAND	0.057ha
PROP WETLAND	0.581ha

#436 QUAKER ROAD

SECTION 2 (EAST OF REGIONAL ROAD 54 (RICE ROAD)) TO EPA

EXISTING WETLAND	0.453ha
PROP WETLAND	0.757ha

- PROPOSED WETLAND AREA PROVIDED (TOTAL AREA = 3.885ha)
- EXISTING WETLAND STAKED OUT JUNE 14 2023 (TOTAL AREA = 2.618ha)

 <p>UPPER CANADA CONSULTANTS ENGINEERS / PLANNERS</p>	 <p>CITY OF Welland</p>	<p>TOWPATH DRAIN RE-ALIGNMENT WELLAND</p> <p>WETLAND AREAS 1</p>	<p>CONSULTANT FILE No. 21243</p> <p>DATE 2023-07-26</p> <p>PRINTED 2023-07-27</p> <p>SCALE 1:1000 m</p> <p>REF No.</p> <p>DWG No. 21243-WETLAND1</p> <p>REV 0</p>
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