

August 22nd, 2024

Mackenzie Ceci
Senior Planner
City of Niagara Falls
4310 Queen Street
Niagara Falls, ON
L2E 6X5

Ms. Cara Lampman
Manager Environmental Planning
Regional Municipality of Niagara
1815 Sir Isaac Brock Way
Thorold, ON
L2V 4T7

Ms. Sarah Mastroianni
Manager, Planning and Permits
Niagara Peninsula Conservation Authority
3350 Merrittville Hwy, Unit 9
Thorold, ON
L2V 4Y6

Dear Ms. Ceci, Ms. Lampman and Ms. Mastroianni,

Re: EIS Terms of Reference – Chippawa Properties, City of Niagara Falls

Colville Consulting Inc. was retained by Laurence Avenue Group Limited to prepare an Environmental Impact Study (EIS) to assess potential ecological impacts associated with potential future development for multiple adjacent properties located in the Chippawa area in Niagara Falls. This Terms of Reference (ToR) provides an outline of the scope of work required of the EIS that will form part of the application package associated with this development. This ToR has been prepared to outline the proposed inventories and assessments that have already been completed and/or will be completed as a part of the preparation of the EIS.

PROPERTY DESCRIPTION

The Subject Property consists of fourteen property parcels located east of Willoughby Drive, between Cattell Drive and Weinbrenner Road, as is shown in Figure 1. The approximate size of the Subject Property is 11.01 ha (27.21 acres). The Subject Lands are bisected by a drainage feature that conveys stormwater from urbanized lands west of these properties, northeast to the Niagara River. Surrounding land uses are predominantly residential and commercial, with a golf course to the east and residential development to the north and south.

There are currently no structures on the Subject Lands, with the majority of the properties consisting primarily of periodically mowed meadow. Hedgerows occur on both sides of the drainage feature that bisects the lands, as well as on the eastern and southern edges of the Subject Lands. A review of historical air photos indicates that the entirety of these lands were under

agricultural production until at least 1971, and that the drainage feature was not built until the 1980s.

Based on our review of background information, it is our understanding that there are no mapped natural heritage features on the Subject Property (see Figure 2). Although not located on the Subject Lands, a portion of the Usshers Creek Provincially Significant Wetland Complex is located south of Weinbrenner Road, however no portion of this wetland is located within 30m of the properties. Niagara Region mapping also indicates that there is a portion of Significant Woodland to the east of the Subject Lands.

No features regulated by the Niagara Peninsula Conservation Authority (NPCA) are located on the property, however the drainage channel that bisects the lands, as well as the watercourse to the east of the property are likely regulated areas. These natural heritage features adjacent to the Subject Property are shown in Figure 2.

PROPOSED DEVELOPMENT

Proposed development on the Subject Property consists of a residential development with a mix of apartments and townhouses totalling 978 units, along with associated amenities including parking, roadways, landscaping and open greenspace. A proposed concept plan is provided in Appendix A.

REVIEW OF BACKGROUND INFORMATION

The following is a summary of natural heritage features currently mapped on the Subject Property.

Regional Niagara Official Plan

Our review of the Niagara Region's Official Plan Natural Environment System mapping (Schedule C2) indicates that no natural heritage features are located on the Subject Property. The constructed ditch that bisects the Subject Lands has been identified as an intermittent stream in mapping, however this ditch is located on City of Niagara Falls property.

Located west of the property is an additional constructed ditch, which has been identified as an intermittent stream. This ditch has been constructed primarily to convey storm water to the Niagara River. West of the ditch is a treed area associated with the golf course that has been designated as Significant Woodland. No portion of the woodland occurs on the Subject Property. These features will be assessed and evaluated through our studies.

City of Niagara Falls

Our review of the City of Niagara Falls Official Plan, the entirety of the Subject Property is designated as Residential. Directly east of the Subject Property is a thin strip of land that's designated as Environmental Conservation Area, which is associated with the woodland within the nearby golf course. There is also a node of land south of the Subject Property across the road that is designated as Environmental Protection Area, related to the wetland in that area.

Niagara Peninsula Conservation Authority

Our review of background mapping indicates that no features regulated by the Niagara Peninsula Conservation Authority (NPCA) are located on the Subject Property. The constructed channel associated with Caronpost Road has been identified as a regulated watercourse, as has the

channel west of the property. Neither of these channels occur on the property, however portions of these channels are located less than 15m from the Subject Lands.

Ministry of Environment, Conservation and Parks

The Ministry of Environment, Conservation and Parks (MECP) is responsible for the administration of the Endangered Species Act (ESA).

A review of Natural Heritage Information Center (NHIC) mapping and data previously provided by the Province indicates that **Red-headed Woodpecker (Endangered), Northern Bobwhite (Endangered), Eastern Meadowlark (Threatened), Wood Thrush (Special Concern), Eastern Wood-pewee (Special Concern), Barn Swallow (Special Concern) and Snapping Turtle (Special Concern)** have the potential to occur on or adjacent to the Subject Property.

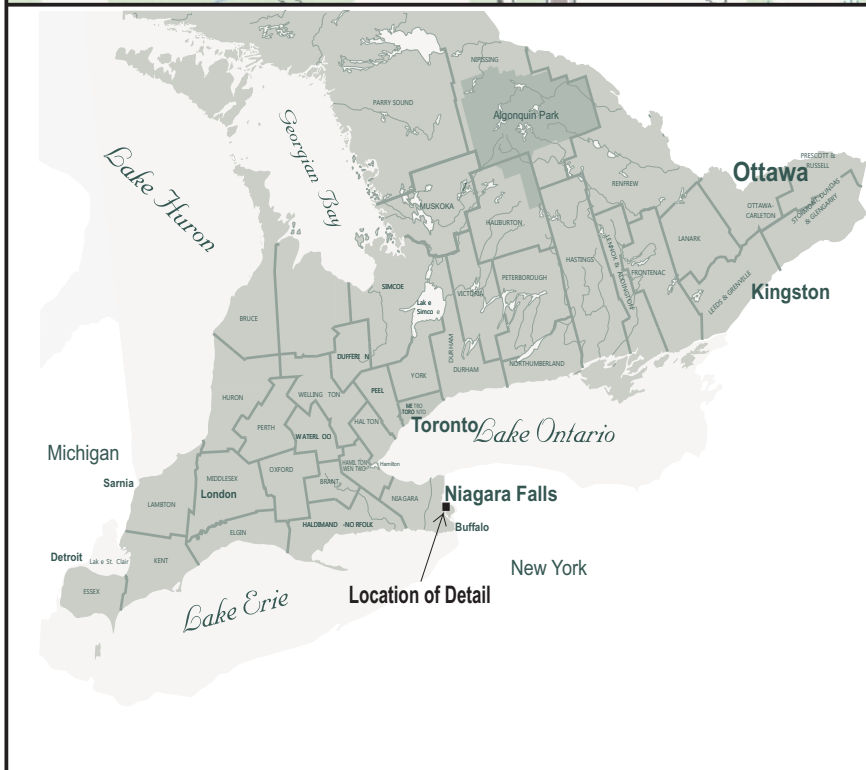
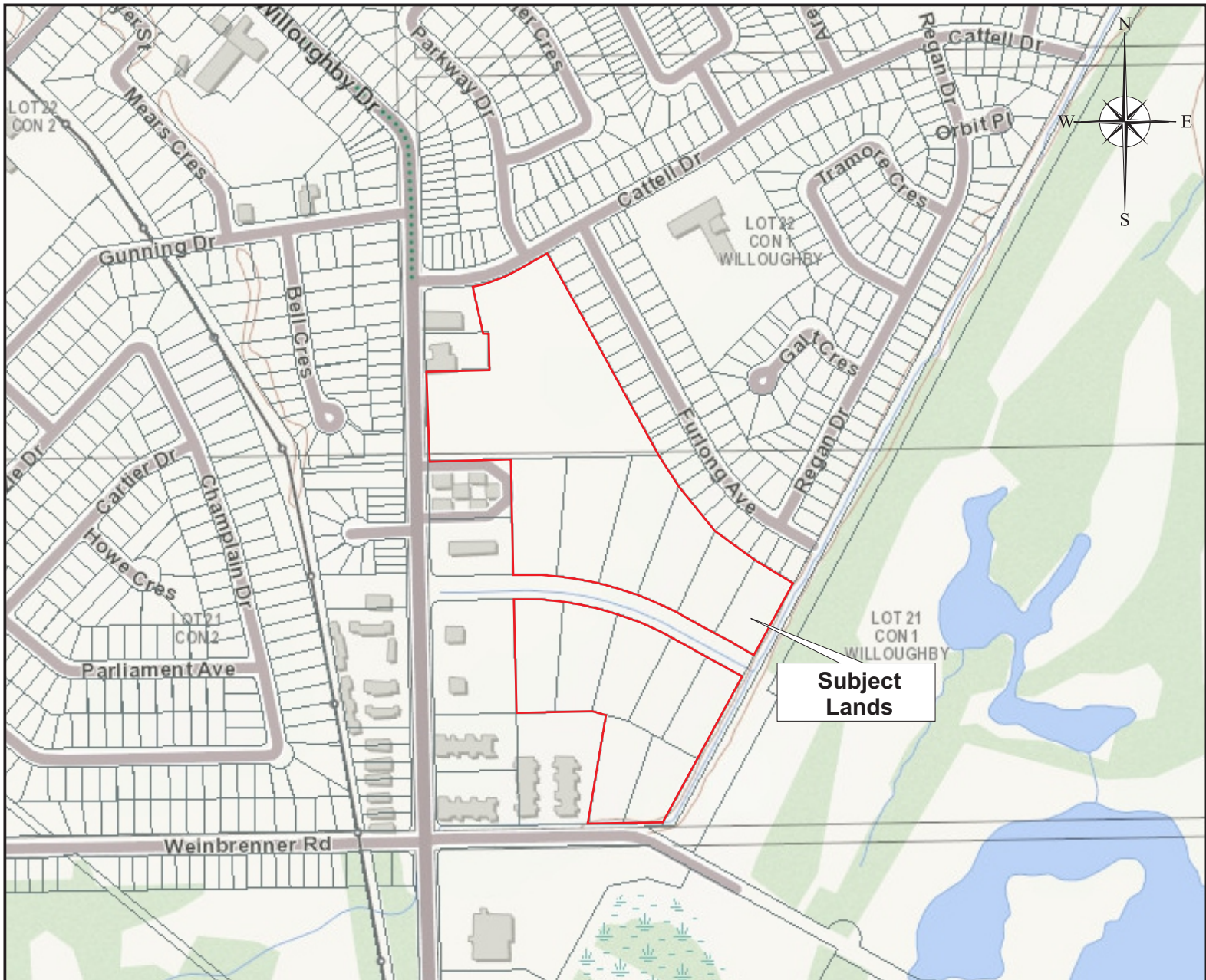


FIGURE 1
Location Map

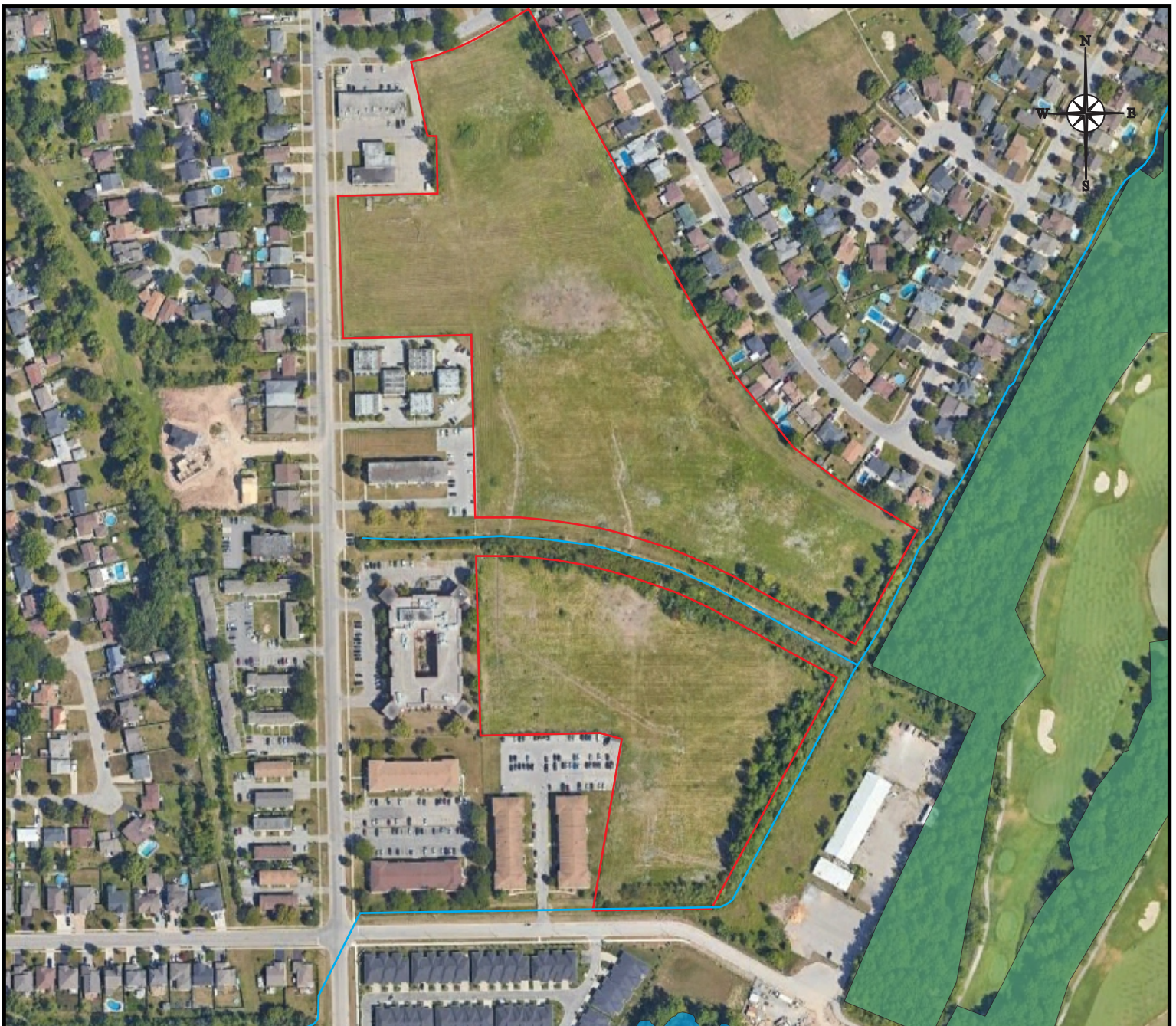
Environmental Impact Study
Chippawa Properties, City of Niagara Falls

Prepared for:
Ollie Switch Developments

Prepared by:
COLVILLE CONSULTING INC.

DATE: August 2024

FILE: C18033



Legend

- Property Boundary
- Watercourses
- Provincially Significant Wetland
- Provincially Significant Woodland

Figure 2
Mapped Natural Heritage Features

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PROPOSED SCOPE OF WORK

This EIS is intended to build upon a Natural Heritage Constraints Assessment that was previously completed for the property. As indicated above, there are currently no natural heritage features on the Subject Property which have been included within the Region's Core Natural Heritage System. There is however natural heritage features mapped on properties adjacent to the Subject Property including a Provincially Significant Wetland to the south and Significant Woodland directly to the east associated with the Legends on the Niagara Golf Course.

To assess the extent of natural heritage features on the property and determine the impact of the proposed development on these features, we are intending to complete the following inventories and assessments as part of the EIS.

- 1) Botanical inventories of the property and adjacent lands, with inventories to be conducted in the summer and fall ;
- 2) Complete an assessment and description of vegetation communities on the property using the Ecological Land Classification System for Southern Ontario;
- 3) Conduct breeding bird surveys on and adjacent to Subject Lands, incorporating two surveys completed at least 15 days apart;
- 4) Complete an assessment of potential bat roosting habitat on the property using methods established by the Ministry of Natural Resources and Forestry;
- 5) Complete amphibian call surveys following Marsh Monitoring Protocols to assess amphibian use of the property and adjacent lands;
- 6) Conduct active hand searches for reptiles and amphibians using methods outlined by the MNRF. The intent of this assessment will be to document any reptile and amphibian species that may be using the Subject Lands, as well as determine the location of any potential reptile hibernacula;
- 7) Conduct an assessment of habitat and ecological functions of the drainage channels adjacent to the property generally following the Headwater Drainage Features Protocol;
- 8) Complete Species at Risk and Significant Wildlife Habitat screenings for the property; and
- 9) Document incidental wildlife observations during site visits, including any species of insects that may be considered locally rare or species at risk.

Upon completion of the review of background information and field inventories, the results of our analysis will be compiled in a report that will be prepared in the context of applicable policies of the Niagara Region, City of Niagara Falls and NPCA, as well as consider the guidance provided in the Natural Heritage Reference Manual. This EIS will also identify the location and status of any species at risk observed during inventories.

The EIS will assess conformity with the applicable federal, provincial and local environmental policies and will include relevant background information from the NPCA, Niagara Region, City of Niagara Falls and Ministry of Natural Resources and Forestry (MNRF).

I trust this Terms of Reference and scope of work is satisfactory to the Niagara Region, the City of Niagara Falls and the NPCA. Please do not hesitate to contact the undersigned at 905-935-2161 should you have any questions regarding this matter. Alternatively, you can reach myself or Ian Barrett by email at nash@colvilleconsultinginc.ca or ian@colvilleconsultinginc.com respectively.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Nash", enclosed in a thin black rectangular border.

Nash Colville B.A., CISEC-IT, CERPIT
Colville Consulting Inc.

A handwritten signature in black ink, appearing to read "Ian Barrett", enclosed in a thin black rectangular border.

Ian Barrett, M.Sc.
Colville Consulting Inc.