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October 9, 2023

Mr. Theo Graham
Songwood Contracting
380 Herbert St., Unit B
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VIA EMAIL: theo@songwoodcontracting.ca

**RE: LETTER OF OPINION
SITE VISIT AND DEVELOPMENT PROPOSAL ASSESSMENT
2134 BLUE MOUNTAIN ROAD/BAKER,
LEEDS & THOUSAND ISLANDS**

As requested, we have undertaken an assessment of the development proposal for your lot at 2134 Blue Mountain Road, a site that we evaluated for Greg Baker for a then-proposed severance in 2021. The purpose of a natural heritage assessment prior to the approval of a severance is to assure the municipality that the severance would (or would not) result in a parcel with a suitable building envelope, which would be consistent with the natural heritage policies of the Provincial Policy Statement and of the Official Plan. When there is no specific development proposal for the resultant lot, such as when a lot is created for the purposes of sale, this may result in a specific development proposal that was not considered. A new owner, such as yourself, has the option of requesting an assessment of his or her specific proposal.

We have reviewed your development proposal, and the primary issue is that you propose to set the house further back on the lot than considered in our original assessment. We recommended that the house be located within 70 m of the lot frontage, consistent with the houses to the north and south.

I have reviewed our report and its recommendations. I note the following relevant points:

- There is no significant wetland, Area of Natural and Scientific Interest, fish habitat, Lake Trout habitat, or significant valleylands on or adjacent to the property.
- The woodland is not significant woodland.
- While we found no habitat for species at risk, there were potential features of value, which will be discussed below.
- While we identified no significant wildlife habitat, there were some features of value, which will be discussed below.

The proposed development is shown on the attached figure, along with the location of the stump that was flagged as a feature of potential value.

Given the points above, there was no immediate concern with pushing the building envelope deeper into the lot. We note that the proposed alteration is not excessive, with the front of the house at the rear of the 70 m depth identified, and the rear of the house at approximately 100 m setback from the road.

Species at Risk Features:

In 2021, we found a large stump that appeared to offer features of potential value for nesting by Gray Rat Snakes. We located the stump again in 2023 (site photographs are attached). It showed mild deterioration from what was observed in 2021, but nothing substantial. The stump offers natural substrate characteristics that make it appealing as potential nesting habitat for egg-laying snakes such as the Gray Rat Snake.

We discussed in our original report why we did not feel that the then-proposed lot would have an impact on these at-risk animals. We add two further points. First, the woodland is an isolated block of approximately 24 ha in a landscape largely cleared for agricultural purposes. The closest woodland of comparable or greater size is over a kilometer to the south, and roads fragment the landscape. We reiterate our opinion that Gray Rat Snakes are unlikely to occur in this remaining fragment of woodland. (The survey protocol for species at risk snakes in Ontario would require a minimum of ten site surveys to confirm that these snakes are not present; we consider that to be onerous for this small-scale development, so do not recommend it.) Second, it should be recognized that this stump will not exist on the property forever. It will naturally continue to decompose, and will gradually lose its value as nesting habitat. The fact that large stumps like this are not being replaced in the landscape, as tree girths do not achieve the size they once did, may be one contributing factor to the decline of these animals. Long-term zoning protection for a resource that will not last in the long term is problematic.

Because it is still present, and does still offer potential nesting habitat, we feel that it would be most appropriate to require that all development be kept a minimum distance of 30 m from the stump to provide a buffer between the potential habitat and adjacent residential use. As natural deterioration of this resource continues, it will lose its value, and at some point this restriction may no longer be appropriate. The deterioration may take many years. If this or a future landowner wishes to develop within 30 m of the stump, the municipality may wish to require an up-to-date ecological assessment of the area.

Significant Wildlife Habitat Features (SWH):

The main two potential SWH features identified were a vernal pool, which is located on the southern property line, approximately 190 m from the rear of the proposed house, and a large stump (discussed above). We note that neither of these features could be confirmed as SWH, but that given the size of the then-proposed lot, we felt that they

could easily be avoided while providing a reasonable building envelope. We confirm that, given the distance to your proposed house location, we have no concerns about impact from your proposed house upon the vernal pool area.

The other SWH that was discussed was Bat Maternity Colonies. Four of Ontario’s eight bat species are Endangered. The proposed house location does not alter our opinion, as discussed in our 2021 report, but we do note that the recommended cutting exclusion period has been lengthened (by the Province). We therefore amend our recommendation accordingly: that there be no clearing of woody vegetation (trees and shrubs) from April 1 to September 30. This will not only assure compliance with the Migratory Birds Convention Act, but will protect direct harm to bats that may be using trees on the property. Tree clearing outside of that period will not be an issue, as bats migrate off site to access winter hibernacula.

Recommendations:

- With respect to amending the zone requirements for the proposed lot, there are various approaches that the municipality may wish to consider. We can support extension of the building area to 110 m:
 The maximum setback of any structure on the property from Blue Mountain Road shall be 110m.

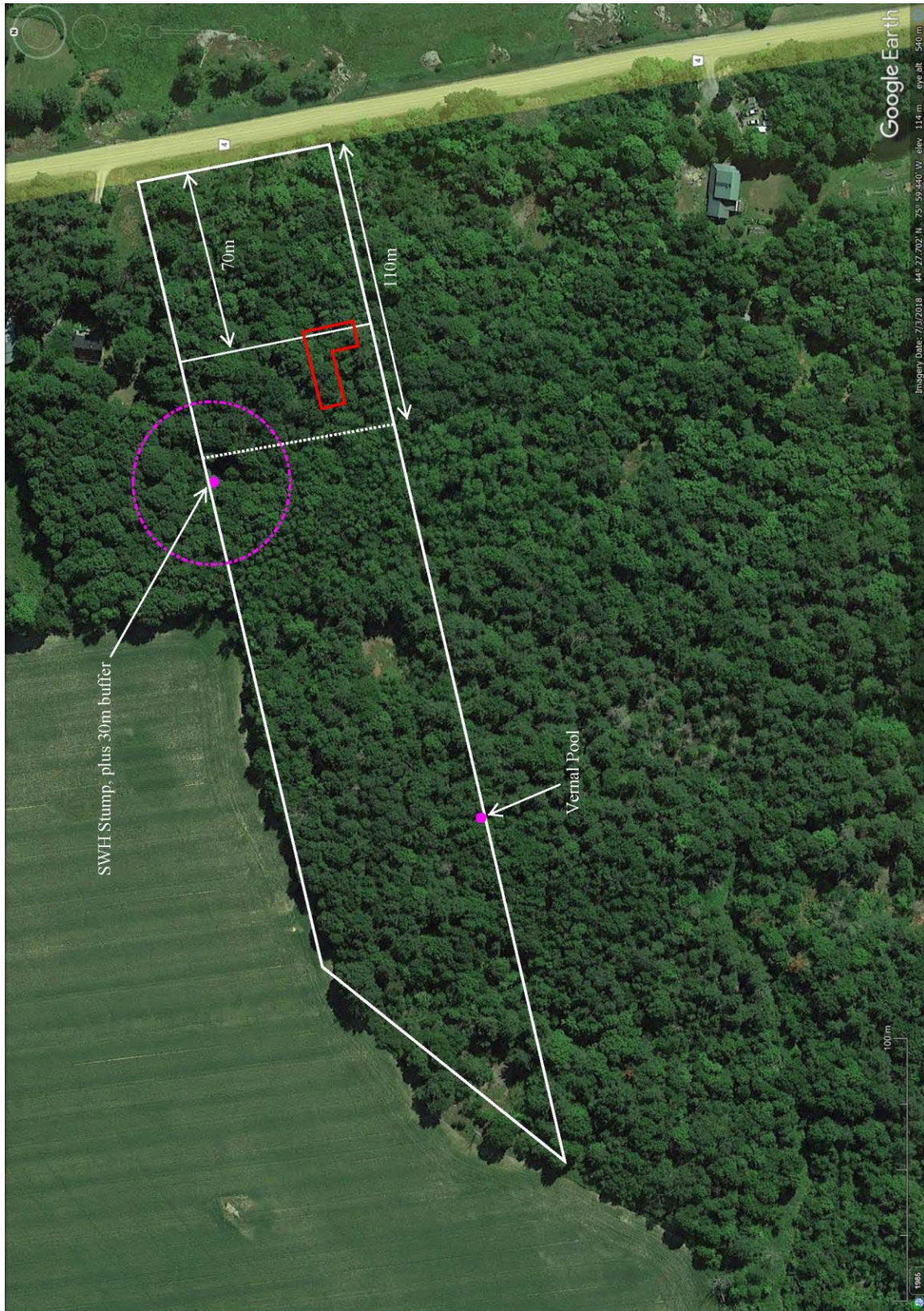
But this increased setback allowance should be *conditional* upon the overlay of a minimum 30 m setback/buffer from the SWH feature (stump), and it is noted that a blanket setback of 110 m would intrude within that buffer zone on the northern half of the property. The municipality might consider the SWH setback/buffer as a holding zone, perhaps, to recognize that it is not needed forever. It is noted that the exact location of the stump is N 44° 27.753’, W 75° 59.390’.

- With respect to protecting SAR bats, as well as being consistent with the requirements of the Migratory Birds Convention Act, we recommend that there be no clearing of woody vegetation (trees and shrubs) from April 1 to September 30.

Respectfully submitted,



Mary Alice Snetsinger
 Ecological Services



Approximate location of the proposed house (red) on the Graham lot. The pink dot and surrounding circle show the stump and 30 m buffer area. The existing 70 m and proposed 110 m road setbacks are indicated. See text for discussion. Base image from Google Earth.

Site Photographs. Taken by report author on September 21, 2023 unless otherwise noted.



Stump offering potential SWH on June 24, 2021 (left) and September 21, 2023.



Area of proposed house, featuring younger trees, and requiring less clearing.