



## Plan Review and Permitting Services Memo

**To:** Don Allin  
**From:** Jasmine Gibson  
**CC:** File  
**Date:** November 15, 2021  
**Subject:** Ecology Review of EIS for 1066 Syer Line, Cavan  
**Roll #:** 1509 001 003 18700  
**File:** PSTC-36


1. Reaches 1 to 5 and the 30-metre vegetation protection zone (VPZ) should be protected from development and site alteration to be consistent with provincial and regulatory policies. The protected areas include those features mapped in EIS Figure 4 and the following:
  - a) Reach 4 (swale/wetland or watercourse) and its 30-metre VPZ is missing from Figure 4 (yellow oval in Figure A). Given this feature is connected to similar features, field work was conducted during drought conditions, and a fulsome, multi-annual/seasonal review of hydrologic function

is not provided, please include reach 4 as a constraint to development to minimize risk of policy non-compliance.

- b) There is a watercourse (green oval in Figure A) associated with MTO's right-of-way not discussed in the EIS. This feature should remain zoned Natural Linkage (NL) until further information is provided.
2. The wetland boundary for MAM2-2 appears to end at the lot line – this typically does not happen naturally (red oval, Figure A). Figure B is a 2015 aerial image near MAM2-2; the vegetation on 1066 Syer Line is like MAM2-2. If agricultural fields are left unfarmed in this location, when development (grading, fill placement, construction) is finally proposed on the property the wetland vegetation may have already reclaimed the area around the mapped drainage features (SWDM4-5; SWD4; MAM2-2; and Reaches 1-5), which may affect the extent of development and setbacks regarding policy compliance.
3. Watercourse reaches 1 to 5 are regulated under the Conservation Authorities Act. Where realignment of watercourses is proposed, to be consistent with PPS section 2.2 and Otonabee Conservation policy 8.4(1) a fulsome review of the feature's ecological and hydrological function is required to confirm whether realignment is beneficial and to replicate function through natural channel design and offsetting. These components are missing from the current EIS.
4. There are known occurrences of Eastern Meadowlark, Bobolink and Barn Swallow (threatened grassland birds) in proximity of the property and Cambium confirmed Bobolink flythroughs via species-targeted surveys in 2021. While potential Category 2 and 3 habitats (foraging, perching), regulated by the Endangered Species Act (ESA) appear to be present, technical staff concur with Cambium that suitable nesting habitat may establish on lands no longer farmed (see point #2 above). Given the ESA is a development-driven legislation, which means prior to commencement of work (e.g., land clearing/excavation, roads, construction, etc.) the landowner must demonstrate compliance with the ESA for known occurrences of regulated features, to minimize risk of non-compliance adhere to the EIS recommendations #8-12 in Section 6 and address the following:
  - Follow 'ESA rules' applicable to grassland birds ([Bobolink and Eastern Meadowlark habitats and land development | ontario.ca](#) and [Alter a structure \(habitat for Barn Swallow\) | ontario.ca](#)); this may include additional field work prior to construction and/or project registration.
  - Consult MECP ([SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)) regarding ESA applicability on site. This may be applied as a condition of approval/development agreement to demonstrate consistency with PPS 2.1.7 in support of official plan amendments, subdivisions, site plan control, or minor variances.

If you have any questions, please contact the office.

Sincerely,

  
Jasmine Gibson,  
Planning Ecologist

