

Thursday, January 15, 2015

BEL-214454

Toronto and Region Conservation Authority
Planning and Development
5 Shoreham Drive
Downsview, ON M3N 1S4

Attn: Mark Rapus, Senior Planner

Re: Terms of Reference for Scoped Natural Heritage Impact Study (NHIS) and Ravine Stewardship Plan (RSP) for 1087,1091, and 1095 Leslie Street, Toronto

Dear Mr. Rapus,

The purpose of this letter is to submit, for your review and approval, Terms of Reference for a scoped Natural Heritage Impact Study (NHIS) and Ravine Stewardship Plan (RSP) in support of a residential/commercial re-development project for Deltera Inc. (Tridel) at 1091 – 1096 Leslie Street in the City of Toronto. Beacon Environmental was retained by Deltera to prepare these studies in support of the re-development application.

Notably, while the NHIS and RSP studies were not specifically identified as required in support of this application on the City of Toronto Planning Submission Checklist (dated October 22, 2014), it is our understanding from our telephone conversation on January 8, 2014 that the TRCA did recommend that these studies be undertaken during the October 16, 2014 pre-consultation meeting, but that they were left off the checklist accidentally. Therefore, these Draft Terms of Reference for these studies is being provided as the first step in getting this work underway.

As you are aware, the subject property is located on the north east corner of Leslie Street and Eglinton Avenue East in the Banbury Don Mills Neighbourhood. It is situated across the street from Willet Creek and Sunnybrook Park which form part of the City of Toronto's Natural Heritage System. City of Toronto Official Plan policies require that any development proposals near the Natural Heritage System be supported by a NHIS that demonstrates that the development will not adversely impact the Natural Heritage System.

Portions of the subject property are also identified as Ravine and Natural Feature Protection Area (RNFPA). These portions of the property are subject to the Ravine and Natural Feature Protection By-Law (Chapter 658 of the Municipal Code). Under this by-law, a permit is required to remove trees or conduct any site alterations within the RNFPA. The application for a permit requires an inventory of trees, tree removal, protection and replacements plans, as well as stewardship and rehabilitation plans (i.e., formally known as a Ravine Stewardship Plan (RSP)). It is our understanding that tree inventory and removal, protection and replacement plans are being submitted by Scott Torrance Associates as part of the current application. Beacon Environmental will be using this information, in conjunction with the information collected through the NHIS, to prepare a RSP to support the permit application process.

To streamline the process, the RSP will be appended to the NHIS and will include details of a strategy to naturalize the ravine area, as well as any buffers and setbacks.

The City has guidelines (City of Toronto, 2006) for preparing an NHIS. The guidelines are comprehensive and require characterization of the natural features and evaluation of many aspects of the development proposal (e.g., slope analysis, grading, drainage, tree removals, servicing, building impacts to birds, etc.).

However, it is my understanding through our telephone conversation that given the nature of the re-development proposal and the fact that the site is somewhat removed from the Natural Heritage System, that the TRCA is amenable to scoping the requirements of the NHIS and RSP for this site.

Beacon Environmental has prepared the following Draft Terms of Reference that outline our proposed approach to a preparation of a combined NHIS and RSP. Our approach will include the following:

1. Biophysical characterization of the natural features on and immediately adjacent to the subject property (i.e. slopes, vegetation, drainage, etc.) based on available background information and information collected from the site assessment, which will be completed in the winter of 2015;
2. Screening of the subject property for potentially suitable habitat for endangered and threatened species through consultation with MNR and information collected from the winter site assessment;
3. Identification of opportunities for habitat restoration and enhancement of existing features and rehabilitation of affected features through the RSP limited to the ravine area and including consideration of recommended buffer and setback areas;
4. Impact assessment to identify the net environmental impacts associated with the proposed development; and
5. Policy conformity analysis to demonstrate that the proposed development complies with applicable environmental legislation, policies, and regulations.

It is our understanding that TRCA has already visited the property and does not require staking of slopes or vegetation features as these are well defined and are already clearly depicted on the survey plans. Therefore this component has also been excluded from our scope of work.

As you are aware, the TRCA regulates valleylands and ravines and requires a fill/site alteration permit for any development or site alteration proposals within TRCA regulated areas. On the subject property, the TRCA regulation limits apply to all lands within 10 m of the City's RNFP. It is our understanding that the NHIS and RSP studies will be reviewed as part of the TRCA permitting process.

To ensure that the NHIS and RSP studies are scoped and prepared to the satisfaction of the City and TRCA, we have prepared the following Draft Terms of Reference for your review and consideration. The Draft Terms of Reference are presented on the following page and describe the various study components.

Draft NHIS and RSP Terms of Reference

Purpose

The NHIS and RSP will be prepared utilizing available background information and will be supplemented with the findings of field investigations aimed at characterizing natural heritage features and their associated functions. The NHIS will identify development constraints and opportunities, assess potential impacts of the proposed development on these features and functions, and make recommendations for impact avoidance and mitigation. The RSP will identify opportunities for restoration and enhancement of existing natural features as recommend remediation measures where necessary.

Background Review

Background information related to natural heritage resources in the vicinity of the property will be compiled and reviewed. This will include available aerial photography, natural resource mapping, data available from the TRCA, the Ministry of Natural Resources and Forests (MNRF) and the Natural Heritage Information Centre (NHIC), and any other relevant information.

In addition, the relevant environmental/natural heritage policies that may apply to the subject property including, but not limited to, the Provincial Policy Statement, City of Toronto Official Plan and By-laws, TRCA Living City Policies and TRCA Regulations will be reviewed and considered in relation to the proposed development and its potential impacts on the Natural Heritage System.

Field Studies

Site investigations will be completed by an Ecologist over the winter of 2015 who will characterize the natural heritage features at the site, identify development constraints, assess potential impacts and screen for suitable habitat for Species at Risk that have been recorded in the vicinity of the site.

Vegetation communities will be mapped and classified in accordance with the Ecological Land Classification for southern Ontario (Lee *et al.*, 1998).

Incidental winter wildlife observations will also be recorded.

Analyses

A number of analyses will be completed utilizing the information obtained through the background review and scoped field surveys.

The significance and sensitivity of natural heritage features on site and in the adjacent lands will be assessed to determine which features qualify as significant using applicable criteria (i.e. RNFP, Natural Heritage System, Environmentally Significant Areas, significant wildlife habitat, significant wetlands, significant woodlands, significant valleylands, habitats of endangered and threatened species, and ANSIs) and represent constraints to development.

Ecologically appropriate buffers will also be established based on sensitivity of any significant features to the proposed land use changes.

An impact assessment will be undertaken to assess the potential impact of the proposed development on the existing significant natural features and their ecological functions. The impact assessment will include recommendations for impact avoidance, mitigation and enhancement as appropriate.

Finally, a policy conformity analysis will be completed to identify how the proposed development complies with applicable provincial and municipal policies and regulations.

Reporting

It is proposed that the NHIS and RSP be prepared using the following report outline:

Section 1 - Introduction: This report section will include a description of the study purpose, objectives and scope of work, study area, study team members and roles.

Section 2 – Methods: This report section will describe the various methodologies used to characterize the biophysical environment, including background reviews and field surveys.

Section 3 - Environmental Policy Framework: This report section will summarize the environmental planning context for the NHIS, including a description of provincial and municipal environmental legislation, policies and regulations directly relevant to the NHIS and RSP.

Section 4 – Existing Conditions: This report section will summarize the findings of the background reviews and field investigations. It will describe the biophysical environment and identify the significance and sensitivities of the biophysical resources using established criteria.

Section 5 - Constraints and Opportunities: This report section will identify natural heritage related to the proposed development. The constraint analysis will be used to identify appropriate buffers to the significant natural heritage features and / or areas in relation to the proposed redevelopment. Opportunities for enhancement of the ravine environment will be identified.

Section 6 - Description of the Proposed Development: This report section will describe the proposed development. The description will include a summary of proposed grading activities, servicing and stormwater management, and subdivision design.

Section 7 - Impact Assessment and Recommended Mitigation: This report section will describe potential anticipated impacts of the proposed development on the identified significant natural heritage features and functions as well as appropriate mitigation measures (e.g., restoration and enhancement of the natural features).

Section 8 – Recommended Mitigation: This report section will describe appropriate mitigation measures that are recommended to be implemented in the design, construction and post-development phase to prevent/minimize impacts to natural heritage features. This will

include details of a strategy to naturalize the ravine area and any recommended buffers and setbacks.

Section 9 - Policy Conformity Analysis: This report section will evaluate the proposed development plan and identify how it conforms to applicable environmental legislation, policies, and regulations at the provincial and municipal levels.

Section 10 - Conclusions: This report section will include a high level summary of the study findings and recommendations, and make concluding remarks including a statement of net impacts.

We trust that the Draft Terms of Reference presented above are sufficiently comprehensive to address the requirements for a scoped NHIS and RSP for the subject property. Should you have any questions or wish to discuss the study requirements further, please do not hesitate to contact me.

Yours truly,

Beacon Environmental



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cc: Lynn Poole – City of Toronto
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