

November 20, 2020

AG File No. 20525-1

City of Belleville
City Clerk's Office
169 Front Street,
Belleville, ON
K8N 2Y8

Attention: Mr. Matt MacDonald,
City Clerk

**Re: Zoning Application (B-77-113) – 20 Blessington Road, Belleville, ON
Response to Environmental Comments**

Dear Sir;

We are in receipt of comments from Baldwin Law regarding their review of our Environmental Constraints Memorandum (dated June 1, 2020), amongst other submissions related to the above noted proposed development. In addition we have received an email forward from the City of Belleville (City) whereby a local resident (email dated September 30, 2020) noted the observation of a Snapping Turtle (*Chelydra serpentina*) in the general area of the proposed development. The following is Ainley's response to the provided comments pertaining to the Environmental Constraints Memo, as well as the concerns raised related to the Snapping Turtle observation.

Comment 1 (provided by Baldwin Law): The RFA Report states that the Environmental Report includes a review of environmental constraints and a review of species at risk.

However, the Environmental Report states that a field study was conducted April 22, 2020, but it does not include any species specific SAR surveys.

As the Environmental Report identifies the potential presence of seventeen (17) species at risk, the City should also require specific SAR surveys. The Environmental Report did identify the likelihood of Bats or other migratory breeding birds being present. Particularly, the presence of Bobolink and Eastern Meadowlark were identified but dismissed. The proposed solution to have vegetation clearing occur between April and October does not adequately address the loss of habitat resulting from the proposed development.

In short, the Environmental Report does not adequately address the concerns to species at risk, which should be thoroughly considered by Quinte Conservation and the City in review of the Application.

Response to Comment 1:

During a review of background data sources, seventeen (17) Species at Risk (SAR) were identified as having the potential to occur in the general project area. Background data sources included features such as the Ministry of Natural Resources and Forestry's Natural Heritage Make-a-Map feature, the Ontario Reptile and Amphibian Atlas, the Ontario Breeding Bird Atlas, iNaturalist, and eBird. Habitat suitable for these species was then compared to the existing site conditions of the proposed development property as observed during field investigations completed by Ainley Group on April 22, 2020. As a result of this review and comparison, the initial list of species was shortlisted to the following five (5) species with potential to be present on the subject lands:

- Little Brown Myotis (*Myotis lucifugus*) - Endangered
- Tri-colored Bat (*Perimyotis subflavus*) - Endangered
- Common Nighthawk (*Chordeiles minor*) – Special Concern
- Eastern Wood-pewee (*Contopus virens*) – Special Concern
- Snapping Turtle (*Chelydra serpentina*) – Special Concern

The presence of habitat for Eastern Meadowlark (*Sturnella magna*) and Bobolink (*Dolichonyx oryzivorus*) was reviewed during the field visit on April 22, 2020. During the site visit, the subject lands were noted to be row planted with Winter Wheat (*Triticum spp.*). Habitat preference for these species' is noted to include agricultural fields of perennial cover crops (hay fields), alfalfa fields, weedy borders of croplands, orchards, as well as pasture lands with medium to tall grass vegetation. Row crops are not considered to provide suitable habitat for these species, and neither Eastern Meadowlarks or Bobolinks were observed on the subject property during the field investigation. Based on the observed existing site conditions and historical aerial photographs, the subject lands are not anticipated to provide suitable habitat for these species.

With respect to identified SAR bat species, the deciduous forest community along the south property boundary was identified to have potential use by day roosting bat species. The current concept plan for the proposed development is not anticipated to require vegetation clearing within this feature, resulting in no loss of habitat for the above noted SAR bat species.

The remaining species noted above are listed as Special Concern on the *O. Reg. 230/08 – Species at Risk in Ontario List*. Special Concern species (including associated habitat) are not afforded protection under the Ontario *Endangered Species Act*.

Comment 2 (Provided by local resident): We are in the process of reporting today to the provincial government the sighting last night of this very large At Risk Snapping Turtle. We believe it to be Chelydra Serpentina. This was coming across the road from the creek area and 20 Blessington. My neighbor and wife were able to get it off the road safely last night. I believe it needs to be noted. According to the Status and Protection listed, the Snapping Turtle is currently listed under the Ontario Endangered Species Act

(AS A SPECIES OF SPECIAL CONCERN) and under the federal species at Risk Act. The species has also been designated as the specially protected reptile under the Ontario Fish and Wildlife Conservation Act. The habitat of this species is further protected in Ontario by the Provincial Policy Statement under the planning act.

During the presentation on July 6, and the subsequent environmental report from Ainley from April 22, there was no mention of this Turtle from the property. I understand there may be some more reports being filed and perhaps they are mentioned in that and I'm not totally familiar with the process that will bring the staff report back to PAC but I did want to make you aware to allow for response within the report how to protect this species.

Response to Comment 2:

As noted above, the potential for Snapping Turtle to be present within the study area was identified by Ainley Group. The Environmental Constraints Memorandum noted that the adjacent watercourse may provide a suitable movement corridor for Snapping Turtles; however, no wetlands or habitat appearing suitable for Snapping Turtles are present within the development footprint. The current concept plan for the development maintains a setback from the watercourse well in excess of 30 m, which is interpreted to limit impacts to this movement corridor.

In addition, Snapping Turtles are listed as a Special Concern species, which are not afforded protection under Ontario Species at Risk legislation. Federal species at risk legislation does not apply to the subject property.

Please do not hesitate to contact the undersigned if you have any questions or concerns.

Sincerely,

AINLEY GRAHAM & ASSOCIATES LIMITED



David Davison, B.Sc. (Env)
Environmental Planner



Scott Reynolds, B.Sc. (Env), EP
Senior Environmental Planner