

# Technical Memorandum

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**To: Megan Berkers**

**From:**  
Karisa Tyler,  
Jesse Snider,  
Dirk Janas

**Company: Dillon Consulting (City  
Peer Reviewer)**

**SLR Consulting (Canada) Ltd.**

**cc: City of Belleville**

**Date:** April 16, 2025

**Project No.** 244.024334.00000

**Revision** 1

**RE: *Technical Memorandum – Peer Review Comment Responses for the  
Environmental Impact Study (Phase 1 Lands) and Environmental Constraints  
Analysis for Black Bear Ridge Resort***

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SLR Consulting (Canada) Ltd. (SLR), formerly Palmer, is pleased to provide the following Technical Memorandum to City of Belleville, its peer reviewer (Dillon Consulting), and external partner agencies in response to peer reviewer comments (up to and including April 16, 2025) regarding SLR's *Environmental Impact Study* (EIS) report dated August 14, 2024. Comments received from Dillon Consulting are provided within the *Master Comment Matrix* dated October 8, 2024.

The objective of the following Technical Memorandum is to streamline the pre-consultation submission process. Following submission of this Technical Memorandum to participating agencies and their peer reviewers, a revised EIS will be submitted by SLR. SLR's proposed revisions to the EIS are provided below, in order of comments received from the peer reviewer. Please refer to SLR's *Master Comment Matrix*, dated April 16, 2025, for responses relating to report and figure revisions, as well as additional comments that were discussed during a virtual meeting with Dillon Consulting, the City of Belleville, the Biglieri Group, and SLR on March 17, 2025.

As part of the previous Technical Memorandum submission SLR had included updated figures to address the comments provided in the *Master Comment Matrix* by Dillon Consulting. During this iteration of the Technical Memorandum two additional figures have been provided; one illustrating the fragmentation of the woodlands in the northwest corner of the Subject Property and one illustrating the proposed Right of Way (ROW) alignment through the Natural Heritage System corridor (along an existing roadway corridor and disturbance-based area) in the southeast corner of the Phase 1 Lands (discussions related to the ROW configuration are still ongoing).

## Responses to Peer Reviewer Comments

### Comment A1

It is unclear where the outer boundaries for the Additional Lands end as the line weights are the same as the Subject Property (assumed). It is recommended that line weights/ symbols used in mapping are reviewed to ensure items are not being covered up.

#### SLR Response

Please see the attached, revised figure set.

### Comment A2

Note - City's peer review consultant also reviewed the TOR in May of 2024 and had no comments.

#### SLR Response

Section 3.2 has been updated to state:

A Terms of Reference was submitted to Quinte Conservation on June 22, 2022, and to the City of Belleville on June 27, 2022 (Appendix A). Palmer received a response from the City of Belleville on July 6, 2022, a response from Quinte Conservation on April 27, 2023, and a response from the City's Peer Review Consultant (Dillon Consulting) in May 2024 with no comments (Appendix A).

### Comment A3

Table 1 notes that a Headwater Drainage Feature (HDF) Assessment occurred on June 8, 2022. This is late in the season and would be considered toward the end of the second assessment timing window. Under 3.3.2, the aquatic habitat methods are high level and do not address methods related to HDFs. Please add some language into Section 3.3.2 discussing HDF methods and why only one late spring assessment was completed.

#### SLR Response

Sections of the Environmental Impact Study (EIS) have been updated as follows:

##### 3.3.2.1 Aquatic Habitat

- Prior to field investigations, aquatic habitats within and adjacent to the Subject Property were queried via the NHIC database as well as from the Black Bear Ridge Environmental Impact Study report (MNAL, 2004). During the field reconnaissance, habitat opportunities for aquatic species on and adjacent to the Subject Property were then assessed by comparing habitat preferences of species deemed to have potential to occur given the current site conditions and referencing the previous 2004 MNAL report.
- Additional surveys of aquatic habitat outside of Phase 1 Lands may be required in future development phases in order to review and confirm the features and functions to be considered during the detailed design for these areas (i.e., appropriate mitigation and/or protection).



### 3.3.2.2 Drainage Features

- Prior to field investigations, drainage features within the Subject Property were queried via aerial imagery as well as from the Black Bear Ridge Environmental Impact Study report (MNAL, 2004). An assessment of drainage features was carried out on June 8, 2022, by Palmer staff to characterize their extent and function within the Subject Property. From Palmer's review, these drainage features are identified as heavily altered and/or man-made and would not be regulated by Quinte Conservation (P. McCoy, Personal Communication, 2024). Therefore, Headwater Drainage Feature (HDF) assessment protocols were not applied to the features on the Subject Property. It is our understanding that the HDF assessment protocol is not a required methodology for the evaluation of these features within the QC jurisdiction.
- Additional surveys of drainage features outside of Phase 1 Lands may be required in future development phases in order to review and confirm the features and functions to be considered during the detailed design for these areas (i.e., appropriate mitigation and/or protection).

### Comment A4

The outer boundaries of the Corbyville Swamp in the legend do not match the figure as the ELC boundary is covering. In areas where those wetland boundaries are visible on the Corbyville PSW and Foxboro Swamp PSW, they are very faint.

The watercourse running through the Corbyville PSW is showing as purple but not in the legend.

The limits of the Phase 1 lands are somewhat unclear on this figure as the line width is the same as the Subject Property boundary.

#### SLR Response

Please see the revised figure set attached.

### Comment A5

When reviewing the data presented in Table 2 against Figure 4, there seems to be some discrepancy with a few of the points:

Station 4- Notes a SPPE call code of 3, GRTR call code of 2-6, but the figure is showing as "Chorus Detected" for both species.

Station 8- Notes a GRTR call code 3, BULL call code of 2, but both are showing as "Chorus Detected".

Station 12- Notes SPPE call code of 3, GRTR call code 2-6, but both showing as "Chorus Detected".

Based on the Amphibian Observation Diagram, it is understood that Chorus Detected should be Code Call 3. If that is incorrect, perhaps provide a quick summary on that in the report.



## SLR Response

Breeding amphibian discussions have been updated in Section 4.4.1 within the EIS. The following sentence has been added to the end of the paragraph in Section 4.4.1 to provide clarity on how data is presented, “(i)n the case where an amphibian species was recorded during multiple surveys, at a singular station, the highest abundance code was mapped (Figure 4).”

## **Comment A6**

Palmer states that *Flow peaked in the spring season, with little to no flow observed within the feature during summer and winter months*. How was this determination made if spring HDF assessments were not conducted?

It would be helpful in this section, discussion on drainage features was separated from watercourses, and assign labels to each feature in the mapping for ease of reference (i.e. A, B, C). The features are difficult to see on the figures due to the faint colour- recommended to make these more prominent.

Within this section, there should be a discussion on the functions of these HDFs based on the guidelines (i.e. management recommendations) with tables. It is also recommended that commentary be provided on conditions based on only having a summer site visit.

## SLR Response

The following sections within the EIS have been updated to provide clarity:

### 4.5.3 Watercourses and Drainage Features

Watercourse and drainage feature surveys were conducted on June 8, 2022 for the Subject Property. All drainage features identified on the Subject Property were noted as intermittent by Palmer staff. There are two drainage features within the Phase 1 lands (Drainage Feature A and B), and two to the north within other phases (Drainage Feature C and D). Little to no flow was observed within the features during the summer and winter months. It is Palmer’s assumption that the flows peak in the spring season for all drainage features during the spring freshet. While spring surveys were not completed, all drainage features observed on the Subject Property are presumed to be man-made (based on site characterization and review of historic air photos) and/or previously altered by a previous owner for recreational purposes and/or future development (Figure 4). The development is believed to be designed to continue to maintain flow through the subject property and convey flows to the existing natural features.

- 4.5.3.1 Intermittent Tributary
  - An intermittent tributary of Moira River, in the southeastern portion of the Subject Property, originates in the Migratory Bird Sanctuary and flows south through Other Wetlands, online constructed ponds, and the Corbyville PSW prior to exiting under Harmony Road (Figure 4). A dam structure sits at the southern end of the Bird Sanctuary, acting as a fish barrier. No channelized flow was observed within the southerly reach of the watercourse (i.e., Corbyville PSW) in June 2022 and May 2024. Despite this, in the 2004 MNAL report, the watercourse was noted as a “fish-bearing water body”, with a number of cyprinid species recorded. In 2024, Palmer recorded Great Blue Heron hunting within and adjacent to the



online ponds further suggesting fish species are present. During Palmer's 2024 survey, overland flow was noted as entering and dispersing into the Corbyville PSW (MAS2-1) from a constructed pond to the north.

- 4.5.3.2 Drainage Feature A
  - Located in the southern part of the property in the Phase 1 lands, an intermittent drainage feature was observed originating from east of the Subject Property and includes altered and straightened portions of the channel as visible from the air photo on Figure 4. Palmer did not observe any flow within the drainage feature in May of 2024. A defined channel with exposed substrate was not evident and there were areas where intermittent flow appeared to spread and be undefined. There was some ponding observed within the cultural meadow in the area of the eastern Subject Property boundary. The channel primarily consisted of dense, wet-meadow species within the property, with some areas of defined banks upstream and ill-defined, gradual banks east of the property, which in part appears to be a result of anthropogenic alteration. It is Palmer's understanding that this feature likely does not directly support fish habitat.
- 4.5.3.3 Drainage Feature B
  - A short, intermittent drainage feature found in the northwestern part of the Phase 1 lands follows local topography and presumably feeds two ponds on the western side of the golf course lands. The feature originates in the east from under the main Black Bear Ridge access road via a culvert (Figure 4). The drainage feature was noted as being constructed and consisted of rip-rap and meadow species throughout. No flow was observed during Palmer's June 2022 survey. This appears to be a man-made or altered feature as part of the golf course and irrigation ponds.
- 4.5.3.4 Drainage Feature C
  - An intermittent, drainage feature (originating from a constructed pond onsite) runs in an easterly direction, bisecting the Subject Property and ultimately draining onto the adjacent golf course lands (Trillium Woods Golf Course). Palmer understands that this drainage feature was built under an agreement made between the previous landowner and the Trillium Woods landowner, to supply the adjacent owner during spring and fall freshet (Michalski Nielsen Associates Limited, 2004). The feature is characterized by its constructed banks (e.g., rip-rap) and is considered a replica of the "Swilken Birn" (MNAL, 2004). A series of water control structures and corrugated culverts are also present throughout the feature. Low to no flow was observed during the winter and summer months of 2022. Further surveys may be required to assess the feature's functions in future development phases, particularly through the eastern portion that flows through the woodland where there is a more defined and naturalized channel.
- 4.5.3.5 Drainage Feature D
  - An intermittent, drainage feature exists in the northwest corner to direct water north toward Moira River from the unevaluated wetland along Homan Road (Figure 4). The drainage feature utilized a series of culverts and dug channels to



direct flow under existing dirt laneways and through fragmented, treed areas. Banks of the feature, through the cultural communities, are relatively steep (0.5 m tall) and are largely vegetated with meadow species. Further surveys may be required to assess feature function in future development phases.

### **Comment A7**

It is recommended that for those species that do not receive protection under the ESA, Palmer notes that they will be addressed accordingly under Section 5.2 (SWH).

It is recommended that potential SAR bat habitat be added to a figure.

### **SLR Response**

The following revisions have been made to Section 5.1 of the EIS:

Suitable forest and treed habitat for SAR bats is present within the Subject Property including within the Phase 1 Lands. A snag tree survey was conducted for the Phase 1 treed areas on January 7, 2025 during leaf-off conditions. Several treed communities within the Subject Property were determined to be potential SAR bat habitat. Survey methods and findings of the snag tree survey can be found within Sections 3.3.5 and 4.4.3 of the revised EIS. Additional targeted surveys (e.g. acoustic monitoring) may be required within these communities to confirm SAR bat presence/absence. If required, the acoustic monitoring is proposed to be completed at a future date based on the timing of the approvals and advancement of site works. Consultation with MECP is recommended to ensure compliance with the ESA. Compensation may be required for the removal of treed communities if SAR bat habitat is confirmed to be present.

Currently, Monarch Butterfly is listed as a species of Special Concern. Habitat for the Monarch butterfly is present throughout the Subject Property, specifically within meadow communities. A Monarch Butterfly was observed by Palmer staff within the southern meadow communities of the Phase 1 Lands.

Special Concern species and their habitat are not protected under the ESA and will be discussed under Section 5.2.

### **Comment A8**

It is suggested that the terms Candidate and Confirmed be used when referring to SWH, as this is how the guidelines are structured. If the area meets the ELC Ecosite description and/or the Habitat Criteria, or it might, then I would consider that Candidate until further studies are completed. If an area does not meet either of these, it should be screened out.

For example, Raptor Wintering Area- if the meadow habitat does not meet the size criteria, it should be screened out.

For bats, there is no minimum area for woodland as long as it meets the definition of a woodland. The 10 snags/ha is the snag density that has to be met, regardless of size. That being said, some of the woodlands within the Phase 1 Lands would be screened out based on composition (coniferous vs. deciduous or mixed). That being said- all areas could be considered potential SAR bat habitat.

It is recommended that the Moira River be considered Candidate habitat for Turtle Wintering, as there likely won't be a way to confirm this, regardless.





If there is no evidence of Reptile Hibernacula, it should be screened out.

It is recommended Old Growth Forest be considered Candidate- there may be no way to confirm this one either.

Turtle nesting could be Candidate if there is evidence of suitable areas for this.

For Eastern Wood-pewee, it is agreed that suitable SWH is not present within Phase 1 Lands to be considered SWH- please elaborate on why. Forest composition?

All Candidate and Confirmed SWH should be mapped on a figure, for the whole property.

### SLR Response

The following revisions have been made to Section 5.2 of the EIS:

The following SWH were identified as confirmed or candidate within the Subject Property, with Confirmed SWH being illustrated on Figure 5:

- **Seasonal Concentration Areas of Animals**
  - Waterfowl Stopover and Staging Area (Aquatic): Confirmed
  - Bat Maternity Colonies: Candidate
  - Turtle Wintering Area: Candidate
- **Rare Vegetation Communities**
  - Old Growth Forest: Candidate
- **Specialized Habitat for Wildlife**
  - Woodland Raptor Nesting Habitat: Candidate
  - Amphibian Breeding Habitat (Wetlands): Confirmed
  - Woodland Area-Sensitive Bird Breeding Habitat: Confirmed
- **Habitat of Species of Conservation Concern**
  - Special Concern and Rare Wildlife Species: Confirmed

A Waterfowl Stopover and Staging Area (Aquatic) SWH (Figure 5) was originally identified through MNAL's *Environmental Impact Study* for the onsite Migratory Bird Sanctuary (Michalski Nielsen Associates Limited, 2004). As a conservative approach, it is assumed that this Sanctuary is still considered Confirmed SWH and is protected from the proposed development. Impacts and mitigation measures are discussed in Section 8 and 9.

Bat Maternity Colonies SWH may be present within the Subject Property, specifically within the existing large tracts of forest in the northern portion of the site. There are two hedgerow communities within the Phase 1 Lands that exceed the > 10 snags/ha Candidate SWH criteria however, hedgerows are not classified as "forests". Thus, in accordance with the Ecoregion 6E guidelines, Bat Maternity Colonies SWH is not present within the proposed development limit of the Phase 1 Lands but may be present elsewhere on the Subject Property. Further surveys in the northern development phases may be necessary as part of the future stages of the project.

Turtle Wintering Areas may be present within the Subject Property, specifically within the Moira River and the large, permanent wetlands (e.g., bird sanctuary wetland). The SWH criteria states that constructed ponds are not to be considered SWH. No direct or indirect observations have been made by Palmer staff to date and thus, remains 'Candidate' for the Subject Property.



Old Growth Forest SWH may be present within the Subject Property, specifically within the Foxboro Swamp PSW in the northeast and outside of the proposed development limits. In general, old growth forests are not common in Southern Ontario primarily due to extensive, historical logging and farming practices. It is believed to be unlikely that this SWH is present on the Subject Property. Additionally, the Foxboro Swamp PSW is currently protected from the proposed development. The Foxboro Swamp community is considered 'Candidate' SWH. No old growth forests were observed within Phase 1 Lands.

Woodland Raptor Nesting Habitat SWH is considered 'Candidate' due to potentially suitable habitat present within Foxboro Swamp, as well as single territories recorded for both Sharp-shinned Hawk and Broad-winged Hawk outside of Phase 1 Lands. At least one nest of the above species would be expected to be present on the Subject Property. SWH criteria was not met for Phase 1 Lands.

Breeding amphibian surveys, conducted by Palmer staff in 2022 and 2023, indicated the presence of Amphibian Breeding Habitat (Wetlands) SWH within two of the constructed ponds on Phase 1 Lands, north and east of Corbyville PSW (one pond associated with Station 8 and one pond associated with Station 9, Figure 4 & 5). Low numbers of Northern Spring Peeper and Leopard Frog were recorded at station 8. A chorus of Gray Treefrogs were recorded at both station 8 and 9. The presence of Bullfrog at these locations meets the criteria for SWH. The remaining amphibian survey locations throughout the Subject Property did not meet the SWH criteria. Impacts and mitigations are discussed in Sections 8 and 9.

Woodland Area-Sensitive Bird Breeding Habitat SWH was confirmed on the Subject Property, in association with five woodland area-sensitive birds (based on Ecoregion 6E criteria) (Figure 4 & 5). Additional forest area-sensitive birds (OMNR, 2000) were observed by Palmer. No habitat for this SWH category was observed within the Phase 1 Lands and will not be discussed further.

Special Concern and Rare Wildlife Species SWH is present on the Subject Property; fourteen Special Concern Eastern Wood-Pewee territories were recorded during Palmer's breeding bird surveys, three of which are within Phase 1 Lands (Figure 4 & 5). However, it is Palmer's opinion that none of the Eastern Wood-Pewee territories within Phase 1 Lands warrant SWH designation. Reasons being that two of the three occurrences of Eastern Wood-Pewee within Phase 1 Lands were within hedgerows (i.e., low quality relative to woodlands) and the third occurrence was observed within the protected Significant Woodland FOC2-2. Despite its Special Concern status, Eastern Wood-Pewee is considered relatively common throughout Southern Ontario. Thus, Palmer ecologists relied upon professional experience to determine SWH designation on the Subject Property. Six territories of Special Concern Wood Thrush were recorded outside of the Phase 1 Lands. SWH designation for both Special Concern species was confirmed in the Area Outside Phase 1 Lands. Due to the relatively disturbed nature of the Phase 1 Lands, SWH for other Special Concern and rare wildlife species is unlikely to be present.

## **Comment A9**

It is recommended for ease of reference that this Figure and Figure 5 be separated into a few figures, versus how Figures 4 and 5 are currently presented.

Suggestions as follows:

Map all species observations on one figure.





Map all SWH on one figure- separate by Candidate vs. Confirmed.

Map all SAR/ Potential SAR habitat on one figure.

Map all Significant Woodlands and Wetlands on one figure.

Some of these could be combined, but with such a big site, it's difficult to understand what is going on.

Then provide a summary as you have in Figure 6.

#### SLR Response

Please see the *Master Comment Matrix* for SLR's detailed response and the revised figure set attached.

### **Comment A10**

The rationale for grouping the woodland blocks should be revisited.

Based on the NRHM (MNRF, 2010),

*Woodland openings: A bisecting opening 20 metres or less in width between crown edges is not considered to divide a woodland into two separate woodlands. The area of the developed opening (e.g., maintained public road or rail line) is not included in the woodland area calculation.*

As a result, the entire woodland area to the north should be considered one contiguous woodland (Blocks A, B, C, D).

Please note that this would not preclude development in these areas. As referred to in Section 2.2.1 of the EIS Report, under the City OP, Section 3.5.5 (related to EP area):

*The predominant use of such areas and lands in the vicinity should be related to conservation to preserve the natural qualities that have warranted designation. However, use of such areas or lands adjacent to these areas (within 120 metres of the tree dripline for significant woodlands, significant valleylands, and fish habitat) for other activities or land uses such as residential may be permitted, provided that it can be demonstrated through an environmental impact study (EIS) carried out in accordance with Section 3.5.6 of this Plan, and in accordance with Sections 2.1.5 and 2.1.8 of the PPS, that no negative impact on the natural features or ecological functions for which the specific area has been identified would occur.*

Please amend reference to Other Woodlands throughout the report, as required based on the above. Of course, for the areas outside of the Phase 1 Lands, specifics can be addressed at a later phase.

#### SLR Response

The following text has been added to Section 5 of the EIS:

Significant Natural Heritage Features on the Subject Property have largely been grouped into "Blocks" (Figure 6). The use of "Block" mapping and descriptions is in our opinion useful for characterization of the different natural features within the property as the types of features and functions vary in relation to areas of protection, proposed development, and the different phases of the project. The extent of each Block was determined using several criteria including the



degree of connection and type of natural heritage feature, historical disturbance, and the current development plan phasing for the Subject Property.

The following revisions have been made to Section 5.3 of the EIS:

In addition to the above, a previous application has been submitted for the Black Bear Ridge lands for a Zoning By-Law Amendment for various Residential Zones and Community Facility Zones, which included the woodlands in the northwest corner of the Subject Property (Bousfield, 2003). The road network proposed in the northwest corner of the property within this application was started, resulting in the fragmentation of this tract of woodland. The initial construction of the road network included full tree removal, grubbing of stumps and in some areas the creation of a roadbed. The roadways have been maintained by mowing over the years and in most areas the road networks functions as a distinct physical disconnection between the woodland blocks. This fragmentation resulted in the woodlands no longer being considered contiguous. These roadways have continued to be maintained until the present day and as such it is our opinion that these woodlands should not be considered contiguous with one another. The supplementary figure provided with the April 16 (2025) submission of this Technical Memorandum further illustrates the areas in which a greater than 20 m gap persists between woodland fragments due to the ongoing mowing and maintenance. In many cases the gap well exceeds 20 m as seen, for example, south of the Mixed Forest (3.7 ha) woodland. These woodland edges largely consist of meadow and shrub species, some of which are non-native and/or invasive. These include European Buckthorn (*Rhamnus cathartica*), Multiflora Rose (*Rosa multiflora*), Tatarian Honeysuckle (*Lonicera tatarica*), Smooth Brome (*Bromus inermis*), Common St. John's-wort (*Hypericum perforatum*), Oxeye Daisy (*Leucanthemum vulgare*), Garden Bird's-foot trefoil (*Lotus corniculatus*), Yellow Sweet-clover (*Melilotus officinalis*), Wild Parsnip (*Pastinaca sativa*), and Tufted Vetch (*Vicia cracca*). Some areas are more represented by native species as well; however, there is no progression of woodland regeneration and the woodland edge areas continue to be characteristic of open meadow or thicket habitat. Given the reasons detailed above, these fragmented woodlands have therefore been identified as Other Woodlands within the EIS report (**Figure 6**).

## Comment A11

Refer to comments above on the drainage features section.

### SLR Response

The following revisions have been made to Section 5.5 of the EIS:

All drainage features identified on the Subject Property were noted as intermittent by Palmer staff. Little to no flow was observed within the features during the summer and winter months. All drainage features observed on the Subject Property are presumed to be man-made and/or previously altered by a previous owner for recreational purposes and/or future development (Figure 5). Quinte Conservation Authority confirmed with Palmer staff that the drainage features on the Subject Property are not regulated (P. McCoy, Personal Communication, 2024).

- 5.5.1.1 Intermittent Tributary
  - An intermittent tributary, in the southeastern portion of the Subject Property, originates in the Migratory Bird Sanctuary and flows south through Other Wetlands, online constructed ponds, and the Corbyville PSW prior to exiting under Harmony Road (Block F, Figure 5). Fish barriers (e.g., culverts, dam) are



present within the watercourse and no flow was observed within the southerly reach of the watercourse (i.e., Corbyville PSW) in June 2022 and May 2024. Despite this, in the 2004 MNAL report, the watercourse was noted as a “fish-bearing water body”; it is Palmer’s opinion that this is still likely the case in its upper reaches, specifically for warmwater species. The intermittent tributary will be retained and protected as part of the proposed development. A 30 m buffer has been applied to the watercourse riparian corridor and associated wetlands. Impacts and mitigations are discussed in Section 8 and 9.

- 5.5.1.2 Drainage Feature A
  - An intermittent drainage feature was observed originating from a constructed, online pond, transecting the southeastern cultural meadow and coniferous plantation communities of the Phase 1 Lands and exiting the Subject Property to the east (Figure 5). Palmer did not observe any flow within the drainage feature in May of 2024. It is Palmer’s understanding that this feature does not directly support fish habitat. Impacts and mitigations are discussed in Section 8 and 9.
- 5.5.1.3 Drainage Feature B
  - A short, intermittent drainage feature follows local topography and presumably feeds two ponds on the western side of the golf course lands, originating in the east under the main Black Bear Ridge access road via a culvert (Figure 5). No flow was observed during Palmer’s June 2022 survey. The intermittent and low flow nature of the feature indicates that fish habitat is unlikely to present however, may be present within the constructed pond downstream. Impacts and mitigations are discussed in Section 8 and 9.
- 5.5.1.4 Drainage Feature C
  - An intermittent, drainage feature (originating from a constructed pond onsite) runs in an easterly direction, bisecting the Subject Property and ultimately draining onto the adjacent golf course lands, Trillium Woods Golf Course (Figure 5). A series of water control structures and corrugated culverts, acting as potential fish barriers, are present throughout the channelized feature. Low to no flow was observed during the winter and summer months of 2022. Potential for indirect or direct fish habitat is present, as reported in MNAL (2004). Further surveys may be required to assess feature function. Impacts and mitigations for this feature will be discussed in future development phases.
- 5.5.1.5 Drainage Feature D
  - An intermittent, drainage feature exists in the northwest corner to direct water north toward Moira River from the unevaluated wetland along Homan Road (Figure 5). The drainage feature utilized a series of culverts and dug channels to direct flow under existing dirt laneways and through fragmented, treed areas. Little to no flow was observed in June 2022. It is unlikely that this feature directly provides fish habitat however, the Moira River downstream is known fish habitat. Further surveys may be required to assess feature function. Impacts and mitigations for this feature will be discussed in future development phases.

In Section 8.2.4 and 9.2 of the revised EIS, potential impacts and recommended mitigation measures for surface water features within the Phase 1 Lands are discussed, respectively.



## Comment A12

Palmer notes in this section that habitat for Bobolink and Eastern Meadowlark will be compensated for through O. Reg 242/08. Since the release of the new regulations, O. Reg 242/08 no longer covers these species. This should refer to either 829/21 or 830/21.

Please also amend reference to Other Woodlands, as necessary.

### SLR Response

The following text has been revised in Section 6, paragraph 3, of the EIS:

Grassland meadow habitat associated with Habitat of Threatened and Endangered Species (Bobolink and Eastern Meadowlark), is currently proposed to be removed in Phase 1 Lands. Thus, no buffer is applied. It's acknowledged that removal of this habitat will require conformity through O. Reg. 829/21 (Government of Ontario, 2022) or regulations applicable at the time of the removal activity.

## Comment A13

In Figure 5, the site plan is difficult to see. Please update so it is clear where there is encroachment/ removal of vegetation communities and features and quantify.

### SLR Response

Please see the revised Figure 8 attached.

## Comment A14

This section refers to vegetation and tree removal and references Figure 7; however, this information is not included in Figure 7.

### SLR Response

The following revisions have been made to Section 8.2.1 of the EIS:

While no identified significant natural feature areas will be removed within the Phase 1 Lands, through the proposed development, some vegetation and tree removal will occur (**Figure 8**). This will consist of the removal of agricultural lands, 'cultural' vegetation communities, and an area of *Other Woodlands*. Most of the proposed development will occur in pre-existing agricultural lands and 'anthropogenic' areas (i.e., mowed lawn).

## Comment A15

Update table [EcoRegion 6E Criteria Schedule] accordingly.

### SLR Response

Please see Appendix D of the Revised EIS for an updated EcoRegion 6E SWH Assessment table.

The following revisions have been made to Section 8.2.3 of the EIS:

**Table 6** lists candidate or confirmed SWH within the Phase 1 Lands and whether impacts and mitigation measures are required. Additional details on the location of each was given in Section



5.2. Impacts of SWH present in the Area Outside Phase 1 Lands will be discussed in future development phases.

**Table 6. Impacts to Significant Wildlife Habitat (Phase 1 Lands)**

SWH Category	Confirmed, Candidate or Potential	Impacts Anticipated
Waterfowl Stopover and Staging Area (Aquatic)	Confirmed	None, as the Migratory Bird Sanctuary and its associated buffer (30 m) will be retained.
Turtle Wintering Area	Candidate	No impacts expected as the Migratory Bird Sanctuary will be retained, and site conditions will continue to provide habitat opportunities within the local landscape.
Amphibian Breeding Habitat (Wetlands)	Confirmed	Limited alteration of habitat at Breeding Amphibian Station #8 is proposed to accommodate residential lots. Limited alteration of habitat at Station #9 may be required to accommodate the upgrade of an existing gravel driveway. Residential development typically impacts Bullfrog habitat through removal of deep water, shoreline vegetation, and the increase of contamination and human/pet predation (Ministry of Natural Resources and Forestry, 2014). If the mitigation measures discussed in Section 9.5 are implemented, it is Palmer's opinion that negative impacts would be minimal and that habit should persist in these ponds and adjacent ponds. Protection of the water quality will be necessary as part of the works within the edge of the pond.

The following revisions have also been made to Section 9.5, paragraph 3 and 4 of the EIS:

Turtle Wintering Area SWH is potentially present within Phase 1 Lands (and within the greater Subject Property); however, no evidence has been observed by Palmer to date. Currently, Candidate Habitat for turtle wintering in Phase 1 Lands (i.e., Migratory Bird Sanctuary) is proposed to be retained. A prescriptive buffer of mostly 30 m has been applied to Significant Wetlands within Phase 1 Lands. Additionally, erosion and sediment control measures and riparian enhancement efforts are recommended to minimize negative impacts associated with the proposed development to SWH areas (i.e., at the north end of the southern residential development area).

Amphibian Breeding Habitat (Wetlands) SWH was confirmed within two constructed ponds (ponds below Station #8 and #9) of the Phase 1 Lands. The Bullfrog requires deep, permanent water with emerging plants to support spawning and hibernation (Ministry of Natural Resources and Forestry, 2014). Limited encroachment into Station #8 pond is proposed to accommodate residential lots; deep, permanent water is expected to be sustained within the Station #8 pond. Encroachment into the Station #9 pond may be required for upgrading works along an existing gravel laneway to the west. Similar to the Station #8 pond, deep, permanent water is expected to be sustained as part of the road works. The naturalized and complex state of the ponds (e.g., floating logs, boulders, abundant aquatic vegetation) are recommended to be maintained. It is recommended that erosion and sediment control and stormwater management measures, as



well as timing windows for in-water works, be carefully implemented to maintain the quality of existing Bullfrog habitat. Riparian enhancement efforts are recommended to minimize negative impacts associated with the north side of the southern proposed development.

### **Comment A16**

Section 9.1.3 addressed potential wetland / wetland buffer compensation for unevaluated wetlands which appears acceptable, however, there is no discussion on compensation for tree / woodland removal within the Phase 1 Lands.

Please refer to the City of Belleville Tree Canopy and Natural Vegetation Policy that refers to no net loss of canopy cover within City limits. This should be addressed in the landscaping and planting plan for the development and addressed at a high-level within the EIS Report.

#### SLR Response

The following text has been added to Section 9.1.3, paragraph 3, of the EIS:

Where applicable, compensation for tree removal will be determined in consultation with the City of Belleville and its *Tree Canopy and Natural Vegetation Policy* (2019). The 2019 policy report mandates the protection and enhancement of canopy cover within the municipality, where applicable, with a 1:1 tree replacement ratio for tree removal on Municipal lands. A tree replacement ratio was not provided for the removal of trees on privately owned lands in the City's document. Section 3.1 of the City's *Draft - Proposed Tree Cutting By-Law* (2015) states the by-law does not apply to lands outside of the "urban serviced area" delineated on Schedule B of the City's Official Plan. A Landscape Plan for the development of Phase 1 Lands will be provided in future design stages. In general, restoration of vegetation protection zones for natural features should consist of hardy, native plantings. Additional recommendations are provided in Section 9.3.

### **Comment A17**

Same comment as above about Bobolink/ Eastern Meadowlark Regulation.

For SAR bats, have snag / cavity searches been conducted? It is reasonable to suggest that higher quality habitat is present to the north, however, you should qualify the habitat being removed to be sure. It is agreed that for any potential habitat removal (e.g., FOM community) an Information Gathering Form should be submitted to MECP for their review.

Compensation for removal of woodland features may be required based on removal of SAR habitat.

#### SLR Response

Bobolink and Eastern Meadowlark are both Threatened grassland species. A Bobolink territory was observed in the hayfields west of the snowmobile trail and several Eastern Meadowlark territories in the meadow north of the Corbyville PSW and in the lands west of the snowmobile trail, within the Phase 1 Lands. Prior to the completion of activities where this habitat is removed, habitat compensation would have to occur in accordance with Ontario Regulation 829/21, or applicable regulation at the time of the activity.





Potential SAR bat habitat may occur in the forests and hedgerows within the Phase 1 Lands. Twenty-nine snag trees were identified in the proposed development areas of the Phase 1 lands during field surveys in January 2025. The snag tree survey results are provided in the updated EIS. Additional suitable habitat can be expected in areas outside of Phase 1 Lands (e.g., Foxboro Swamp) that will be protected thereby retaining habitat availability within the local landscape. In addition, higher quality potential bat habitat (e.g., maple/ash swamp) present within the southwest part of Phase 1 Lands will be retained as part of the proposed development. Consultation with the MECP is ongoing, to ensure compliance with the ESA. Additional surveys (e.g., acoustic monitoring) may be required to confirm species presence/absence. If SAR bat habitat is determined to be present within Phase 1 Lands, the MECP may require submission of an Information Gathering Form. Mitigation and compensation measures (e.g., timing windows and bat boxes, respectively) are likely to be required.

### **Preliminary Comments Regarding the Proposed Right-of-Way (ROW)**

City of Belleville Fire & Emergency Services Department Comment as per the *Master Comment Matrix* (October 8, 2024):

*As per NFPA 1141, when we are over 600 households, we will be looking for a minimum of 3 access routes. The master plan appears to only show 2. If only 2 are shown, the east development would only be served by one access and depending on how many households are proposed, they may need 2 accordingly. If you are looking as this is one development another access point would be required unless there are over 600 in that area.*

City of Belleville's Peer Reviewer (Dillon Consulting) Comment as per Email Correspondence (April 11, 2025):

*Thank you for your email. I have taken a look at the figure provided [SLR's Figure titled "Potential ROW Alignment"] and I think a meeting at this time may be preliminary. Based on your figure it appears as though you are providing a 10m buffer between the ROW and the PSW, with some areas of encroachment resulting in disturbance within 6-7m of the PSW. Elsewhere in your EIS you have maintained a 30m buffer which is in alignment with Quinte Conservation Authority's policies. I do not see justification on why a reduced buffer would be acceptable in this area.*

*Further, looking at the area of encroachment into the pond, it appears as though less impact would occur if you moved the ROW further east to where the pond narrows. It appears that the area of encroachment in this scenario would be closer to 0.07ha rather than the proposed 0.16ha. Based on this information and the reduced buffer required in the proposed location it appears to me as though the least ecologically impactful area would be the previously discussed location.*

### **SLR Response**

The currently proposed ROW alignment (SLR Figure "**Potential ROW Alignment**" – see attached) would account for a minimum 10 m buffer (at its closest point) from the Corbyville PSW staked boundary. The 3:1 slope proposed as part of the west side of the ROW alignment would comprise part of this 10 m buffer. In other words, following the construction of the roadway, the final 3:1 sloping between the west side of the road and the wetland limit will be restored and vegetated using hardy, native plantings. A cross section of the proposed ROW is provided on the **Potential ROW Alignment** figure for additional clarification. Currently, the



lands within the 10 m PSW buffer are largely anthropogenic, consisting of a gravel laneway, mowed lawn, and meadow species. Temporary disturbance within the 10 m PSW buffer would result in the removal of the existing gravel laneway and provide a buffer to the Corbyville PSW that is not currently present. Permanent disturbance related to the proposed ROW would occur entirely outside of the minimum 10 m PSW buffer. Additionally, in areas where the buffer between the PSW and proposed development is larger than 10 m, additional plantings are possible, resulting in a variable buffer where the minimum distance is 10 m. This will result in an overall average buffer width of greater than 10 m. As such, SLR believes that the currently proposed ROW alignment provides an overall net benefit (enhancement) to the current PSW feature. Additionally, the existing culvert underneath the current gravel laneway would be upgraded to allow for fish and wildlife passage, as well as to maintain hydrologic inputs to the PSW downstream.

While SLR agrees that the ROW alignment alternative recommended by Dillon Consulting via email (April 11, 2025) does move the ROW development away from the PSW feature and reduces the total area of encroachment into the constructed pond east of the current gravel laneway, the addition of a second culvert upstream of the PSW brings about additional ecological concerns. This includes larger impacts to potential fish habitat whereby the proposed ROW may now impact two constructed ponds (to the east and the west) instead of one and the introduction of a second culvert may decrease the potential for fish passage. Secondly, the alternative ROW alignment has the potential to impact confirmed Significant Wildlife Habitat associated with amphibian breeding habitat (resulting from the presence of Bullfrog). This habitat was noted in the constructed pond east of the proposed alternative alignment and consequently this alignment could have impacts to that habitat. Furthermore, the alternative ROW alignment proposed by Dillon Consulting would require more extensive alteration to the current landscape (i.e., fish and herptile habitat, as well as the current golf course layout) when compared to SLR's proposed ROW alignment which utilizes an existing laneway and culvert.

It should be noted that discussions with the project team and the Peer Reviewer regarding the preferred ROW alignment is ongoing. The ecological impacts of all alternatives have been and will continue to be considered.

## Statement of Limitations

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## Closure

We trust this information will meet your current requirements. Please do not hesitate to contact the undersigned should you have any questions or require additional information.

Regards,

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