

**Review of: Johnstone Family Subject Lands Status Report (version 2)**

dated December 7, 2012, by Biologic Inc.

Reviewers: S. Levin, S. Sanford, G. Sass  
April 9, 2013

**Patch 10094 as a significant component of the natural heritage system**

Despite attempts to deflect from the application of the City's Woodland Guidelines, this report identifies that this patch contains a Significant Woodland (and would have under the city's old Guideline as well). Although the entire Patch 10094 is covered by second growth forest the study suggests only a small part will be retained post-development. This is unacceptable, particularly as in Appendix A, the October 29, 2011 note from City's ecologist notes that the whole patch is a significant component of the natural heritage system. Consultant has ignored this. EEPAC concurs with the City ecologists in that Patch 10094 is a Significant Woodland, also containing locally significant wetlands and Significant Wildlife habitat. Nothing new in the Revision speaks against this conclusion.

If the Subject Lands Status Report identifies any lands that, in the estimation of the City, may meet the criteria for determining significance set out in Section 15.4 for specific components of the Natural Heritage System, the City shall require the preparation of an Environmental Impact Study for these lands in accordance with the requirements of 15.5.2. Lands that satisfy the criteria for significance shall be designated as Open Space in conjunction with any Official Plan amendment required for the proposed development.

**Recommendation 1:** An EIS is required for any development proposal and Patch 10094 be designated Open Space as per the City's Official Plan policy 15.5.2b.

**Hydrology**

Consultant properly points out that development to the north of subject lands will negatively impact the hydrology of the wetlands and any downstream receiving waters (some of which are fish bearing [p.25]). The hydrological dynamics might already have been changed significantly as evidenced by the shrinking size of wetlands, although that shrinkage was probably more caused by the incredibly dry climatic conditions of 2012. This highlights why wider areas than "subject site" must be studied during EAs and EISs (i.e. upstream development can have a significant impact of downstream ecosystems). In the case of Patch 10094, the two wetlands and fish bearing drainages south of the subject lands will receive a lot less flow.

**Recommendation 2:** Any future EIS must consider off site downstream impacts on water quality, quantity and hydro-period. This may require investigations and data gathering on property owned by others.

**Recommendation 3:** As the decline of the flows were caused by the city, part of the budget for the Bradley avenue extension construction should include compensation on other lands (marsh) or a contribution to the woodland acquisition fund for acquisition in another area.

**Recommendation 4:** A water-budget must be determined for the wetlands contained in Patch 10094 (difficult after hydrology has already been changed!) and the necessary flows reestablished using clean water.

### **Environmental Management Strategy**

It is suggested that the wetland in the North-East (where the Bradley extension cuts through) be recreated in the meadow marsh in the western part of the patch as an ash / elm swamp. How this will be done given the redirected flows in the north and EAB is unclear. The section on management strategy (section 7) is very general and defers all details to an EIS.

**Recommendation 5:** The future EIS must provide a “who, what, and when” level of detail of the proposed Environmental Management Strategy, especially considering loss of function directly by the construction of Bradley extension as well as the indirect hydrological impact of redirected water to the north of subject lands.

It must be noted that the study is misleading when on page p. 10-11 it repeats that there was a “lack” of field study by AECOM during the development of the Southwest Area Plan. It does not mention that the landowner did not permit AECOM on site during SWAP (see SWAP natural heritage strategy work by AECOM).