

Memo

To: Mayor and Members of Council
From: Planning Services Department & Environmental Policy Department
CC: Former Hospital Site Project Team
Date: November 22, 2016
Subject: Chimney Swifts on the Former Hospital Site

PURPOSE

This memo has been prepared to document what is known about the chimney swift roost in the original Oakville Trafalgar High School (OTHS) building, and the requirements for the maintenance or replacement of chimney swift habitat. Information is also provided about recent chimney swift habitat replacement projects undertaken elsewhere.

KEY FACTS

- The chimney swift is a migratory bird species recognized by the federal *Species at Risk Act*, and listed as “Threatened” under Ontario’s *Endangered Species Act*. “Threatened” means the species lives in the wild in Ontario, is not endangered, but is likely to become endangered if steps are not taken to address the factors threatening it. In Canada, the chimney swift population has
- Each summer, a flock of about 150 chimney swifts occupy the four triple-flue chimneys of the original OTHS building at 291 Reynolds Street, which has been vacant for over 20 years.
- In accordance with the *Endangered Species Act*, the town will be required to maintain or replace the existing chimney swift habitat as part of the redevelopment of the former hospital site. Information on similar projects is provided.
- In the [Spring 2016 Update](#) about the Former Hospital Site Project, the town committed to providing an update this fall “about the chimney swifts and how best to handle them moving forward as well as a status update about the former OTHS structural review.”

THE BUILDING

The Halton District School Board closed its original OTHS location at 291 Reynolds Street in 1992. The oldest portion of the building, built in 1908, was designated by By-law 1994-011 as a property of historical and architectural value and interest pursuant to the *Ontario Heritage Act*.

The property was acquired by Halton Healthcare Services and incorporated into the former hospital site. The more contemporary portions of the high school building were demolished in 2001 to allow for the construction of the Wyndham Manor Long Term Care Centre. The original (1908) portion of the high school has remained vacant since that time.

A structural review in July 2016 confirmed that, despite the poor condition of the interior elements, the former high school's structure is in good condition overall. The four chimneys that serve as chimney swift habitat also appear to be stable. Subject to certain repairs, the building was deemed suitable for incorporation into the design of the new South East Community Centre.



Above: Oakville Trafalgar High School, 2010
(Source: Town of Oakville)

Right: Oakville High School, date unknown
(Source: Trafalgar Township Historical Society)



THE OTHS CHIMNEY SWIFT ROOST

Each year, a flock of approximately 150 chimney swifts migrate from the upper Amazon basin of South America to roost in the four triple-flue chimneys of the former OTHS building (on the former hospital site), typically from April to October.

Since 2012, SwiftWatch Canada ([Bird Studies Canada](#)) has been monitoring the site, and has hosted public information evenings annually. This chimney swift roost is significant. While any given chimney will only support one breeding pair, roosts such as the one found at the former OTHS site, may provide habitat for hundreds of birds.

The following table provides a summary of events and activities related to chimney swifts on the former hospital site.

Date	Event / Activity
Pre-2009	Chimney swifts have been known to inhabit the former Oakville Trafalgar High School (OTHS) building at 291 Reynolds Street for a number of years.
2009	Chimney swifts are listed as “Threatened” under Ontario’s <i>Endangered Species Act</i> (ESA), and the federal <i>Species at Risk Act</i> (SARA).
02-10-2010	Bird Studies Canada (BSC) initiated correspondence with the town and Halton Healthcare Services (HHS) about the chimney swifts at the former OTHS.
May 2012	BSC initiated SwiftWatch monitoring of chimney swifts in Halton Region, including the former OTHS site.
06-22-2012	Formal notice was provided to the town by the Ministry of Natural Resources that chimney swift presence was identified at the former OTHS site.
07-03-2012	Email correspondence between the town and Bird Studies Canada clarified the status of swifts and the anticipated plans for the hospital site (including the former OTHS building) following the closure of the hospital.
08-22-2012	Conservation Halton and BSC hosted a “Swift Night Out” public event at the former OTHS site. Twenty-nine people attended, and 112 chimney swifts were observed entering the building.
11-15-2013	Email correspondence between town and BSC confirmed that there were no records on file of chimney swifts habitat in any of the hospital buildings.
08-14-2014	A Swift Night Out event was hosted by BSC at the former OTHS site.
06-04-2015	A Swift Night Out event was hosted by BSC at the former OTHS site.
08-10-2015	A Swift Night Out event was hosted by BSC at the former OTHS site.
12-01-2015	The town assumed ownership of the former hospital site, including the former OTHS building.



Left: A bird's eye view of the chimneys at 291 Reynolds Street (Source: Town of Oakville, GIS)

Below: Chimney swifts returning to a chimney at dusk (Source: Winnipeg Free Press, File Photo)



There are no known chimney swift roosting sites in the other buildings on the former hospital site. In April 2016, the large chimney stack of the old hospital's main building was capped to prevent the potential for nesting after decommissioning and prior to demolition.

LEGISLATION AND REGULATIONS

Since 2009, Chimney swifts have been listed as "Threatened" under Ontario's *Endangered Species Act*. Since July 1, 2013 proponents wishing to repair, maintain, modify, replace or demolish a chimney that is habitat for chimney swifts have been required to follow certain rules as set out in Ontario Regulation 242/08 (General) under the *Endangered Species Act, 2007*. The rules relate only to the chimney and not to other areas of habitat.

A proponent of alterations to a chimney that is chimney swift habitat must:

- register the work and the affected species with the Ministry of Natural Resources and Forestry before the work begins;
- minimize the effects of the activity on chimney swifts;
- in most cases, create and maintain new habitat for chimney swifts;

- report sightings of rare species and update registration documents, if needed;
- monitor the new habitat that is created and report on certain observations; and,
- prepare and maintain records that relate to the activity and the habitat.

Details on the current process and requirements for the replacement of chimney swift habitat may be found at: <https://www.ontario.ca/page/alter-chimney-habitat-chimney-swift>

The preferred course of action would always be to keep an existing chimney swift roost intact. In cases where this was not possible, artificial habitat towers have been used. These are structures built to resemble a chimney, in or near the location of the original chimney. This approach has proven successful in more southern climates. However, according to Bird Studies Canada 2013 Annual Report, none of the 34 artificial habitat towers placed in Ontario was being used by chimney swifts. Since that time, artificial habitat tower projects in Guelph and Hamilton have noted limited success, and monitoring is ongoing. Earlier this year, an artificial habitat tower project was initiated at the University of Toronto Mississauga.

The maintenance of chimney swift habitat is one of many factors to be considered in the generation of potential designs for the new community centre. Once there is a proposed design, or some design options, we will have a better appreciation of the potential impacts to the former high school building and its chimneys.

APPROVALS REQUIRED

A number of *Planning Act* approvals related to land use will be necessary in order for the redevelopment of the former hospital site to proceed (i.e., official plan amendment, zoning by-law amendment and site plan). A number of supporting drawings and studies will ensure that the amendments and site plan adhere to related policies and standards established by all levels of government.

It is noted that changes to the former high school building will also require:

- Council approval of a heritage permit; and,
- documentation, prepared to the satisfaction of the Ministry of Natural Resources and Forestry, regarding the alterations to the chimneys and the maintenance or replacement of the chimney swift habitat.

Planning ahead is critical in undertaking work that will affect the chimneys, and must take into account the following:

- Steps must be taken to prevent the birds from building nests or entering the chimneys during their active season, generally between April and October (e.g., capping the chimneys prior to the anticipated work beginning).
- If the work (construction) will be completed in a single active season, no habitat compensation will be required. The displacement of chimney swifts from their usual habitat for one active season is allowed.
- If the work will extend beyond a single active season, and the swifts will continue to be prevented from using their original chimney habitat, suitable compensation habitat must be created within 2 km of the site.

SIMILAR PROJECTS

Following is a summary of projects where alterations to and/or the destruction of chimney swift habitat required the replacement of habitat.

As noted previously, artificial habitat towers (“fake chimneys”) have not generally been observed to be effective replacements for demolished chimney swift habitat in Ontario.

1. Goldie Mills

Guelph, Ontario

In this case, the creation of compensation habitat was required to enable the demolition of a building containing chimney swift habitat to make way for a new library. The City of Guelph worked with the Ministry of Natural Resources and Forestry (MNRF), through the *Endangered Species Act* (ESA) permit process in 2011, to establish appropriate compensation of habitat.

The Goldie Mills chimney, an existing freestanding chimney on a nearby site, was restored as chimney swift habitat (i.e., uncapped, door sealed at the bottom). Work was completed outside of the active season, during the months of the year that the impacted chimney swift population was out-of-town.

There was an agreement by the city to monitor the chimney for four years, including a commitment to alter to the structure if it did not appear to be used by the impacted chimney swift population (e.g., the installation of a heat source in the base because it was not warmed by an attached building). Initial monitoring indicated some success as swifts have begun using the new structure.

Reference:

- <http://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTEyODY3&statusId=MTcyNDIx>

2. Former Veldhuis Greenhouse

Dundas, Ontario

The former Veldhuis Greenhouse property adjacent to the Desjardins Canal in Dundas is being redeveloped into public green space by the Hamilton Conservation Authority, in partnership with the City of Hamilton.

The greenhouse's two-storey red brick chimney was an active chimney swift roost, and it has been kept intact to maintain the habitat. The reinforcement of the chimney and demolition of the surrounding buildings was done outside of the birds' active season.

A small chimney swift population has continued to use the site.



References:

- www.hamiltonnews.com/news/veldhuis-project-moving-forward/
- <https://rebuildhamilton.com/tag/chimney-swifts/>

3. Timothy Street Park

Mississauga, Ontario (Streetsville)

In this case, artificial habitat towers ("fake chimneys") were constructed to attract chimney swifts to the area and provide a safe harbour for the birds. The project has been a collaboration spearheaded by local residents and the South Peel Naturalists' Club (SPNC). Apprentices at the Ontario Masonry Training Centre in Mississauga built two 5.5 metre (18 ft.) towers with donations from industry organizations in 2011. The chimneys were installed at the Timothy Street Park in the spring of 2016, and SPNC is providing the monitoring.

References:

- <http://www.mississauga.com/blogs/post/5474395-one-man-s-struggle-to-save-the-chimney-swifts/>
- <http://www.mykawartha.com/blogs/post/6453672-new-swift-watch-program-takes-flight-in-mississauga/>

4. Robie Tufts Nature Centre Wolfville, Nova Scotia

This project involved the removal of a building while maintaining the chimney, which was incorporated into an outdoor nature centre / interpretive display.

Chimney swifts began roosting in the chimney in 1979 after the decommissioning of the Old Farmers Building. The building was demolished in 1989, but the local naturalist club and business development corporation joined forces to protect the chimney. The Robie Tufts Nature Centre was constructed around the chimney stack in 1990. It is now a tourist attraction and continues to house a chimney swift population.



Reference:

- <http://wolfville.ca/robie-tufts-nature-centre.html>

CONCLUSION

This memo documents what is known about the chimney swift roost in the original Oakville Trafalgar High School (OTHS) building, and the requirements for the maintenance or replacement of chimney swift habitat. Information is also provided about recent chimney swift habitat replacement projects undertaken elsewhere.

The Facilities and Construction Management (FCM), Environmental Policy and Planning Services departments are working together to ensure that Species at Risk considerations are included as part of the redevelopment of the former hospital site, as well as future projects (e.g., post office).

Prepared by:

Lesley E. Gill Woods, BES, MCIP, RPP
Senior Planner, Policy Planning and Heritage
Planning Services

Donna Doyle, BSc, MES, MCIP, RPP
Senior Environmental Policy Analyst
Environmental Policy