

March 16, 2022

Mr. Arash Barati
Bara Group (River Oak) Inc.
58 Cotswold Crescent
North York, ON
M2P 1N2

Dear Mr. Barati:

**Re: 2163-2169 Sixth Line, Town of Oakville
Scoped Environmental Impact Study (EIS)**

Background

LGL Limited was retained by the Bara Group (River Oak) Inc. to carry out a scoped Environmental Impact Study (EIS) for a redevelopment located at 2163-2169 Sixth Line in the Town of Oakville, Ontario. The proposal entails the redevelopment of a 0.72 ha parcel of employment lands to a mixed-use community comprised of retail, medical, residential and amenity spaces. The location of the property is shown in **Figure 1**.

The property is designated 'Neighbourhood Commercial' on Schedule I – Central Land Use of the Town of Oakville Official Plan (2009) and there are no natural heritage features/areas identified on the property. The West Morrison Creek valley located adjacent to the property is designated as 'Natural Area' on Map Schedule I – Central Land Use of the Town of Oakville Official Plan. The property in relation to the 'Natural Area' is shown in **Figure 2**. The presence of 'Natural Area' adjacent to the property triggers the requirement to prepare an EIS in accordance with Policy 16.1.9(f) of the Oakville Official Plan, the Oakville Development Application Guidelines and the Provincial Policy Statement. This EIS has been scoped since there are no natural heritage features located on the property itself.

Existing Conditions

A desktop review of secondary source information was carried out to identify natural heritage features/areas located on and adjacent to the Property. Based on this desktop review, there are no natural heritage features/areas located on the property. The absence of natural heritage features on the property was

confirmed through air photo interpretation and a site visit conducted in the fall of 2021. Detailed, multi-season surveys were not conducted on the property due to the timelines associated with the development application; the date of contract award; the absence of natural heritage features located on the property and the existing developed condition of the property.

The West Morrison Creek valley is located immediately east of the property and is identified as a 'Natural Area' in the Oakville Official Plan. West Morrison Creek flows into the Morrison Westwood Diversion Channel, which flows into Sixteen Mile Creek. The West Morrison Creek valley supports natural and semi-natural vegetation communities, wildlife habitat and fish habitat in West Morrison Creek. A recreational trail is located within the valley feature immediately east of the property.

The Property is not regulated by Conservation Halton under Ontario Regulation 162/06. Based on discussions with Conservation Halton, it was confirmed that the physical top of bank corresponds with the recreational trail located in the valley feature east of the property.

Based on the site visit and a review of historical and current air photos available from Google Earth, the lands immediately east of the property between the property line and the recreational trail are considered a mineral cultural woodland (CUW1) according to Ecological Land Classification (ELC) definitions, since woody vegetation cover ranges from greater than 35% to less than or equal to 60%. This area is regenerating and comprises young woody vegetation, with several mature trees located along the east property line.

The vegetation community located east of the recreational trail is considered deciduous forest (FOD) based on mapping prepared by Conservation Halton and confirmed by LGL Limited. While these two vegetation communities are classified differently according to ELC, the two vegetation communities are considered contiguous because the gap between the CUW1 and FOD communities is less than 20 m wide, as per Section 7.3.2 of the Natural Heritage Reference Manual (MNRF 2010) and Section 1(w) of the Halton Region Tree By-law No. 121-05. As a result, it is our professional opinion that the valley feature extends to the dripline of the cultural woodland community (CUW1) located along the east property line. The location of ELC vegetation communities is shown in **Figure 2**.

West Morrison Creek directly supports fish habitat; however, the distance of West Morrison Creek from the property boundary is in excess of 70 m and the area is vegetated, which is considered a sufficient setback to avoid impacts to West Morrison Creek.

A review of the Natural Heritage Information Centre (NHIC) database indicates occurrence records for three species at risk - Eastern Milksnake, Northern Bobwhite and Redside Dace - within the 1 km grid square that includes the property. The property is considered unfavourable for the two terrestrial species due to urban development and species habitat requirements; therefore, no terrestrial species at risk are present. The occurrence record for redside dace does not appear to be from West Morrison Creek based on a review of DFO Aquatic Species at Risk mapping.

Proposed Development

The existing development is a commercial plaza including a grocery store, pharmacy, take out restaurants and other small businesses located at 2163 Sixth Line and a professional centre including a physiotherapy centre and dentist office located at 2169 Sixth Line. The extent of existing development ranges from approximately 2.0 m to 5.0 m from the east property line.

The redevelopment entails a mixed-use, nine storey building with 247 residential units and 737 m² of retail and dental space. The development proposal is shown in **Figure 3**. The extent of proposed development is approximately 4.0 m from the east property boundary.

The property will be serviced by municipal water mains and sanitary sewers located along Sixth Line. Stormwater from non-permeable surfaces will be collected and discharged to a detention tank located under the parking garage, which will control discharge to an allowable rate. An oil/grit separator will be located downstream of the detention tank to treat runoff prior to discharge to the municipal storm sewer located along Sixth Line. An infiltration facility located on the property will provide a treatment train approach for water quality treatment as well as providing water balance for the 5 mm rainfall event. A green roof will be situated on the roof of the building and terrace.

Adjacent Lands and Setbacks

As mentioned previously, the property is located adjacent to the West Morrison Creek valley. The recommended setback from the valley feature is defined in several ways. According to the Oakville Official Plan, a 7.5 m setback is required from the stable top of bank of minor valleys, including West Morrison Creek, while a 10 m setback is required from the dripline of significant woodlands (e.g. the cultural woodland (CUW1) and deciduous forest (FOD) communities). Whichever setback is greater of the two typically prevails. The 7.5 m setback from the stable top of bank is consistent with Conservation Halton policies as well

(Conservation Halton 2020). Because this is a redevelopment application, existing setbacks from natural heritage features, which range from 2.0 m to 5.0 m on the property, are typically acceptable for new development, unless there are specific conditions that would warrant a greater setback.

The new development provides a continuous setback of at least 4.0 m from the east property line, which, on average, is similar to the existing setback from natural heritage features. While the setback does not meet the requirements of the Oakville Official Plan, the setback is considered reasonable given that the property is already developed and this distance is adequate to maintain the ecological integrity of the adjacent cultural woodland (CUM1) community since this vegetation community has re-established with the existing development in place. This cultural woodland community is regenerating from a cleared state as indicated by review of historical air photos.

Environmental Protection

In order to avoid, minimize or mitigate potential impacts from the proposed redevelopment of this property, the following best management practices are recommended:

- An erosion and sediment control plan should be prepared and implemented to avoid the migration of sediments from the property to catch basins and ditches. The erosion and sediment control plan should be prepared in accordance with OPSS 805 – Temporary Erosion and Sediment Control Measures and the Erosion and Sediment Control Guide for Urban Construction (TRCA 2019). As a minimum, temporary erosion control fencing should be installed around the perimeter of the work area.
- A vegetation clearing timing restriction of April 1 to August 31 should be implemented to avoid the nesting period for most bird species. In the event that vegetation clearing (individual trees) must be undertaken between April 1 and August 31, a nest survey should be conducted by a qualified avian biologist to identify and locate active nests of species covered by the *Migratory Birds Convention Act*. If an active nest is located, a mitigation plan shall be developed and provided to Environment Canada – Ontario Region/MECP for review prior to implementation.
- The building and property, given its close proximity to the West Morrison Creek valley, should employ bird-friendly design principles in accordance with: CSA A460:19 - Bird Friendly Building Design (Canadian Standards Association 2019); Bird-Friendly Best Practices: Glass (City of Toronto 2016); and, Best Practices for Effective Lighting (City of Toronto 2017).

- A chain link fence should be installed along the east property line to prohibit random pedestrian access to the West Morrison Creek valley. A single access point should be established to allow access from the property to the recreational trail within the valley.
- Tree protection measures should be implemented in accordance with the Tree Inventory and Protection Plan (Kuntz Forestry Consulting 2021).
- Stormwater should be collected from nonpermeable surfaces located on the property and managed in accordance with best management practices, including quality and quantity control and low impact development (LID) principles. Stormwater will receive treatment from an oil/grit separator prior to discharge to the municipal storm sewer located along Sixth Line. The building and terrace will also support a green roof.

Based on our review of existing natural heritage information, air photo interpretation and a site visit performed in fall 2021, it is our professional opinion that the proposed development will have no negative impacts on natural heritage features/areas or their ecological function on or adjacent to the property.

Please feel free to contact me if you have any further requirements.

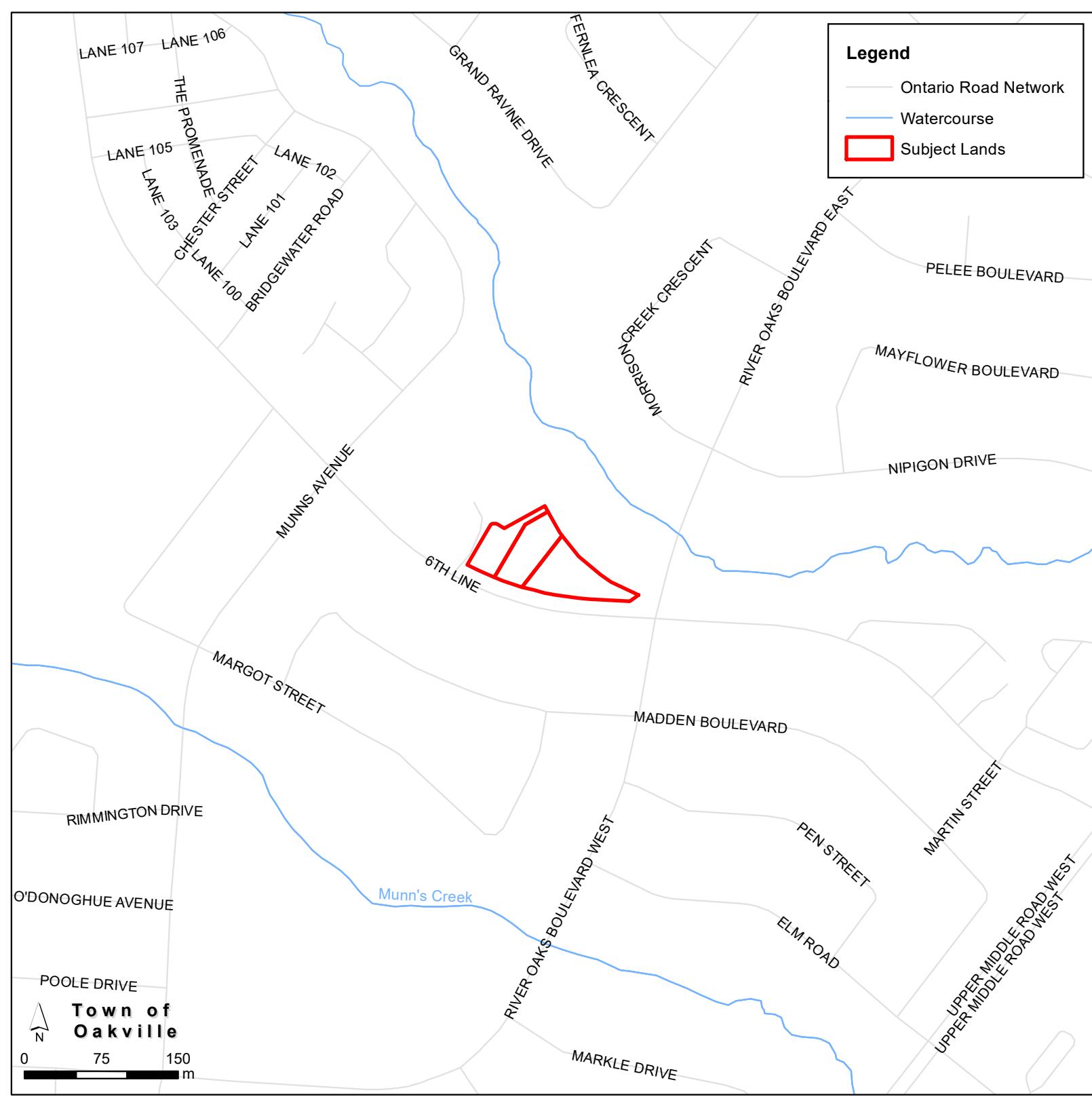
Yours sincerely,

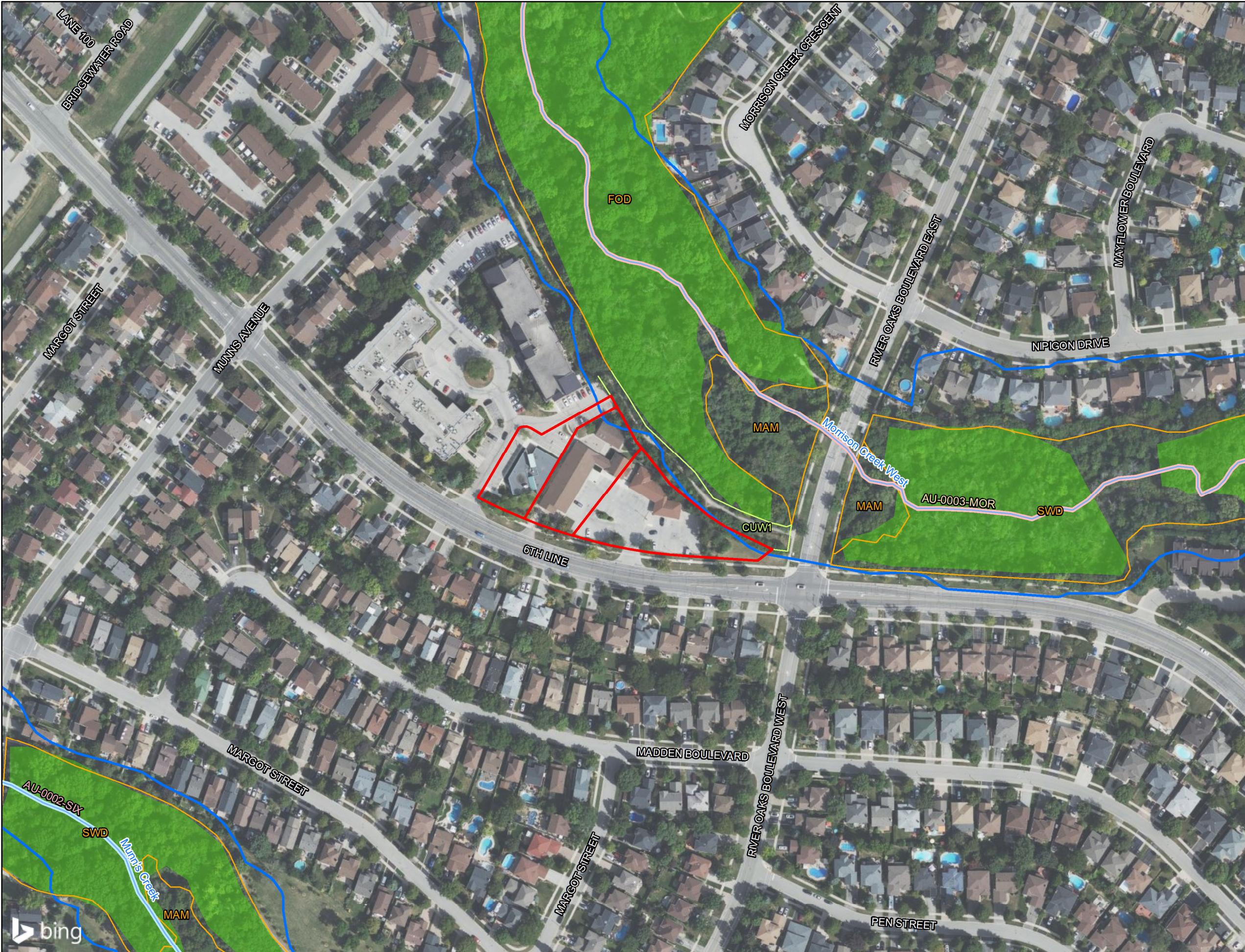
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Grant N. Kauffman, M.E.S.
Vice President, Ontario Region
Senior Planning Ecologist

Attachment





LEGEND

	Subject Lands
	Watercourse
	Cool Water Thermal Regime
	Warm Water Thermal Regime
	Wooded Area
	Approximate Regulation Limit (Conservation Halton)
Vegetation Communities	
	ELC (Conservation Halton)
	ELC (LGL)
CUW1	Mineral Cultural Woodland Ecosite
FOD	Deciduous Forest
MAM	Meadow Marsh
SWD	Deciduous Swamp

Data Sources: LGL Limited, Conservation Halton & Ministry of Natural Resources and Forestry (LIO). Contains information licenced under the Open Government Licence - Ontario.

0 50 100 m

2163 and 2169 6th Line
Existing Conditions
Background Information



Project: TA9159	Figure: 2
Date: December, 2021	Prepared By: JJP
Scale: 1 : 2,000	Checked By: LMC



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Project: TA9159	Figure: 3
Date: March, 2022	Prepared By: AM
Scale: 1 : 650	Checked By: GNK