

Our ref: 11221659

21 January 2021

Paul Watson  
Tribute (Cobourg) Limited  
1851 Ironstone Manor, Unit 1  
Pickering, Ontario  
L1W 3W9

**Cobourg Trails Development, Cobourg Ontario- Environmental Impact Study Addendum**

Dear Mr. Watson,

GHD Limited (GHD) has prepared the following Environmental Impact Study Addendum Letter for Phase 2 and 3 of the Cobourg Trails Development, draft plan of subdivision. The original Environmental Impact Assessment report, dated October 5, 2017, was completed and submitted to review agencies for the past property owner and site plan. Since then, Tribute Communities has purchased the subject property, revised the site plans and is completing a resubmission for Phases 2 and 3. The following addendum letter discusses the new site plan, project interactions, impacts, mitigation measures, permitting and compliance with the 2017 EIS recommendations. In addition, a new figure has been provided to illustrate the new site plans and environmental setbacks.

Sincerely,



**Chris Ellingwood**  
Sr. Terrestrial and Wetland Biologist



**Amanda Smith**  
Sr. Fisheries Biologist

# **1. Introduction**

## **1.1 Background**

GHD Limited (formerly Niblett Environmental Associates Inc.) was retained by Tribute (Cobourg) Limited to prepare an addendum to the original Environmental Impact Assessment report, dated October 5, 2017 (NEA, 2017). The addendum will provide an update to the 2017 EIS for Phase 2 and 3 of the Cobourg Trails Development, draft plan of subdivision resubmission. The majority of the property is located within the Cobourg East Community Secondary Plan area in the Town of Cobourg in the County of Northumberland.

In July of 2018, the Town of Cobourg's Municipal Council approved an Official Plan Amendment and Zoning By-law Amendment to develop a 1,604-1,924 unit community. The Draft Plan of Subdivision for Phase 1 Lands was approved as a block plan, with each block containing permissions for a unit range to allow for flexibility during the detailed design of each phase. Draft Plan of Subdivision approval was received in April 2018 for Phase 1 of the development, with servicing allocation for up to 216 units. This Draft Plan submission for Phase 2 and 3 represents the next two phases of the Cobourg Trails development. Phase 2 and Phase 3 represent vital phases to the sequencing of development not only for the entirety of Cobourg Trail, but also for the implementation of the Cobourg East Secondary Plan as well.

## **1.2 Location and Study Area**

The subject properties encompass a total of approximately 107.3 ha (267 acres). The property is bounded on the south by Elgin Street East (County Road 20), Greer Road on the east and Danforth Road to the north. The property consists of Part Lots 11, 12 and 13, Concession 1 and Part lot 13, Concession A. The Bell property (17 ha/42 acres) is located south of Elgin Street East and west of Brook Road. Highway 401 lies just north (within 500 m) of the northern limit of study site.

## **1.3 Scope and Limitations**

This report has been prepared by GHD for Tribute Communities and may only be used and relied on by Tribute Communities for the purpose agreed between GHD and Tribute Communities as set out in section 1 of this report.

GHD otherwise disclaims responsibility to any person other than Tribute Communities arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report. GHD disclaims liability arising from any of the assumptions being incorrect.

## **2. Proposed Development**

### **2.1 Planning Summary**

The proposed development for Phase 2 forms the southern extent of Cobourg Trails and comprises 17.126 hectares (42.32 acres), and Phase 3 forming the northern extent and comprises 20.71 hectares (51.18 acres). In total, the two phases will comprise between 241 – 274 units in single detached, semi detached, and townhouse forms. Phase 3 will also comprise a new 0.96 hectare commercial block, which will provide small scale local non-residential uses in form of retail and service uses to serve the community. Phase 3 will include 5.73 hectares of new parkland, which includes about 4.0 hectares of community space in Phase 2, and a 1.33 hectare neighbourhood park and 0.4 hectare village square in Phase 3. In addition, stormwater management facilities and new trails to the natural heritage system will continue to follow the planned open space network generally as envisioned by Council in April 2018.

The proposed development will feature a robust new road network, which will include a hierarchy of local and collector roads to service the proposed development. Overall, the proposed development will continue the planned vision for Cobourg Trail and generally meet the spirit and intent of the Cobourg East Secondary Plan and complete community principles.

### **2.2 Phase 2**

Phase 2 is located south of Elgin St and west of Brook Road (Figure 1). The Phase 2 development plan will include single detached townhouses, a large community park (4.18 ha), one stormwater management pond, and an environmental protection area.

The stormwater management pond is located in the northwest of the phase (Block 14) measuring 1.14 ha. It will outlet to a tributary of Brook Creek. A total of approximately 6.34 ha of property in Phase 2 is designated as Environmental Protection (EP) (Blocks 15) and will be left in its natural state, preserving the woodlands, creeks and associated natural features and functions.

Servicing from Brook Road will include a 600 mm sanitary sewer to service the Phase 2 development. As this is gravity based, an alignment as far north as possible is proposed. To confirm this was feasible, GHD biologist met on site with GRCA staff, Town planner and Tribute Homes in October 2021 to view the proposed alignment.

The latest site grading plans (General Services Plan, D.G. Biddle & Associates Limited, Drawing D-1, Dec. 2021) shows that alignment of the sanitary sewer.

### **2.3 Phase 3**

Phase 3 is located north of Elgin St, south of Danforth Road, and east of Midtown Creek. The Phase 3 development plan will include three types of residential homes; singles, semi-detached and part lots. It will also include a commercial block to the north, stormwater management ponds, village square in the northwest, and a neighbourhood park in the south.

Two stormwater management ponds will be located within this phase. One stormwater management pond measuring 1.18 ha will be located in the northwest corner and will outlet to Midtown Creek. The second stormwater pond measuring 2.58 ha will be located in the southeast and outlet into the adjacent woodlot and ultimately, to the tributary of Brook Creek.

A total of approximately 1.95 ha of property in Phase 3 is designated as Environmental Protection (EP) (Blocks 129) and will be left in its natural state preserving the woodlands, creeks and associated natural features and functions. Grading of the site will involve decreasing the elevation of the high drumlin tops and lowering the grades on roadways and existing side slopes.

### 3. Impact Assessment

A review of the NEA, 2017 EIS report impact and mitigation sections was completed determine if all recommends, setbacks/constraints, and mitigation measures were carried forward into the updated site plans for Phase 2 and 3 of the Cobourg Trails Development.

The original recommended constraints from the NEA, 2017 EIS report– Figure 3 have been brought forward and overlayed with the updated Phase 2 and 3 site plans (Figure 1). The updated Figure 1 shows that all constraints have been maintained in Phase 2 and 3 and no encroachment on the protected habitats has occurred.

#### 3.1 Fish and Fish Habitat

The project fish and fish habitat impacts were discussed in the original EIS in *Section 6.4 Tributary to Brook Creek* and *6.5 Midtown Creek*. The following text replaces all of the original content related to Phase 2 and 3:

##### ***Section 6.4 Tributary to Brook Creek***

The unnamed tributary to Brook Creek enters the site from the east under Greer Road through a CSP culvert, flowing west into the centre woodlot, existing in the southwest corner moving across the property in a southwestern direction to the proposed Brook Road allowance at Elgin Street East crossing the road through a CSP culvert. The tributary is intermittent and no fish were observed over two seasons upstream of Elgin Street West. In addition, the tributary channel is not considered to be fish bearing due to blockages in the flow pattern and barriers created from the proposed Brook Road allowance berm, which has inadvertently realigned the tributary just north of Elgin Street East. However, the tributary supports direct fish habitat observed downstream/south of Elgin Street East, where fish were sampled in the spring of 2006 and 2015.

Within both Phase 2 and 3, the entire Brook Creek tributary (30 m from the watercourse high-water mark) will be designated as Environmental Protection (EP) with the exception of receiving stormwater flows from one stormwater pond in Phase 2 and one stormwater pond in Phase 3. No other in-water or near-water works are proposed.

It is recommended that the stormwater outfalls are designed to flow into a wet meadow or wetland habitat prior to reaching the creek and a spreader or similar feature should be used to dissipate flows. Although the tributary is an intermittent and has a warm thermal regime, the receiving main stem of Brook Creek is a cold water system and measures should be made to minimize thermal impacts to Brook Creek from the proposed stormwater ponds. It is recommended that the pond outlet design incorporate a bottom draw or underground infiltration gallery to cool or minimize heating of discharged stormwaters. The outfall for the pond should not discharge directly into wet meadows and thickets known to support breeding frogs that are sensitive to pollution and contaminants.

The purpose of the Fisheries Act, Fish and Fish Habitat Program is to conserve and protect fisheries and aquatic ecosystems in Canada. Specifically, the fish and fish habitat protection provisions are intended to prevent the death of fish or the harmful alteration, disruption or destruction of fish habitat (HADD) from projects taking place in and around fish habitat. In addition, the Act administers relevant provisions of the federal Species at Risk Act.

If a project has the potential to cause the death of fish, harmful alteration, disruption or destruction of fish habitat than an authorization is required from the Minister of Fisheries and Oceans as per Paragraph 34.4(2)(b) or 35(2)(b) of the Fisheries Act Regulations.

The stormwater outlets may have the potential to cause a HADD if the detailed design cannot meet the *DFO Measures to Protect Fish and Fish Habitat*. The project detailed design is required to fully assess the potential impacts to fish and fish habitat with respect to the Fisheries Act.

However, to comply with the Fisheries Act, all project work near and below the high-water mark must follow the protective provisions of the Fisheries Act by implementing the DFO Measures to Protect Fish and Fish



Habitat. If all project undertakings can: prevent the death of fish, maintain riparian vegetation, carry out work on land only, maintain fish passage, ensuring proper sediment and erosion control, and prevent entry of deleterious substances in water, than a Fisheries Act review and Authorization may not be required.

If proposed works cannot integrate the DFO protective measures and have the potential to cause a HADD, a Request for Review document must be submitted to DFO for formal project assessment to determine the next steps in project compliance.

An example of work that may trigger a Request for Review includes: work below the high water mark, including outflow structures, temporary or permanent increase in existing footprint below the high water mark, or temporary or permanent fill placed below the high water mark.

### **Section 6.5 Midtown Creek**

The headwater tributaries of Midtown Creek are located northwest of the proposed development and one reach bisects the north-west corner of the project, flowing south under Danforth Road in a south-westerly direction through dense grass meadows and narrow channel. The Midtown Creek headwaters provide direct and indirect fish habitat, amphibian and wildlife habitat.

The headwater tributaries of Midtown Creek have been zoned Environmental Protection (EP) and no development will occur within the EP boundary with the exception of stormwater flow from one stormwater pond in the northwest corner of the Phase 3 (Figure 1).

The same stormwater and Fisheries Act recommendation apply to Phase 2 and 3. It is recommended that the stormwater outfalls are designed to flow into a wet meadow or wetland habitat prior to reaching the creek and a spreader or similar feature should be used to dissipate flows. Midtown Creek is direct fish habitat and it is recommended that the pond outlet design incorporates a bottom draw or underground infiltration gallery to cool or minimize heating of discharged stormwaters. The outfall for the pond should not discharge directly into wet meadows and thickets known to support breeding frogs that are sensitive to pollution and contaminants.

The Fisheries Act also applies to Midtown Creek and all project work near and below the high-water mark must follow the protective provisions of the Fisheries Act by implementing the DFO Measures to Protect Fish and Fish Habitat. If all project undertakings can: prevent the death of fish, maintain riparian vegetation, carry out work on land only, maintain fish passage, ensuring proper sediment and erosion control, and prevent entry of deleterious substances in water, than a Fisheries Act review and Authorization may not be required.

If proposed works cannot integrate the DFO protective measures and have the potential to cause a HADD, a Request for Review document must be submitted to DFO for formal project assessment to determine the next steps in project compliance.

An example of work that may trigger a Request for Review includes: work below the high water mark, including outflow structures, temporary or permanent increase in existing footprint below the high water mark, or temporary or permanent fill placed below the high water mark.

## **4. Phase 2 Servicing from Brook Road**

There has been discussions with Tribute (Cobourg) Limited and Ganaraska Region Conservation Authority (GRCA) regarding the environmental features and constraints along the north side of Phase 2 (on the west side of Brook Road South of Elgin Street) for a road improvement that regrades the slopes and for a trunk sewer within the treed areas of the site.

The sloping and road regrading along the west side of Brook Road will impact the “peninsula” of the ELC community 14A FOC4-1 that extends towards Brook Road between 15 CUM1-1 and 17 CUT to allow for the sloping required for Street B (Figure 2). This minor intrusion into a regenerating cultural thicket will not have a significant impact on the woodland and no impacts on the wetland.

In addition, CIMA+ is working with Tribute (Cobourg) Limited on an external trunk sewer that will pass through Phase 2. To mitigate against excessive sewer depths related to the embankment on Brook Road the plan is to align the sewer through 15 CUM1-1 and cross the “peninsula” piece of 14A FOC4-1 where we would then run along the toe of the proposed slope for Street B at the north end of Phase 2 (Figure 1). This location was walked with the GRCA biologist and Town of Cobourg planner.

The angled trunk sewer alignment will require removal of a cultural thicket with European buckthorn and hawthorns, as well as path through an eastern white cedar community. It is proposed, that the construction envelope would be limited to the extent possible to limit tree removal. The impact on those communities would be limited to approximately 532 m<sup>2</sup> based on a 6 m allowance on both sides of the alignment for construction activities. However as European buckthorn is the dominant species in that alignment and adjacent to it. An invasive species management plan, as part of the landscaping plan, would include removal of a small patch of buckthorn and replacement with native tree species. The new tree planting would occur outside of the alignment, as trees are not conducive to being planted in service corridors. Tree species to be planted will include native species typical of the Cobourg area, including but not limited to: trembling aspen (*Populus tremuloides*), bur oak (*Quercus macrocarpa*), eastern white cedar (*Thuja occidentalis*) and balsam poplar (*Populus balsamifera*).

Provided the path through the trees is as narrow as possible, impacts will be limited. Delineating the construction limit and avoiding damaging any adjacent trees not necessary for removal is recommended as part of the site preparation and surveying work. GHD has recommended additional plantings of native trees in the small opening or even removing a few invasive buckthorn shrubs to the north and replanting with native tree species. A compensation ratio of 1:1 is recommended for tree removal within a buffer.

## 5. Conclusions

The development of Phase 2 and 3 will not significantly impact the watercourse, woodlands, wetlands, and their features or functions if the EIS recommendations are implemented. This has been achieved through the careful design, protective constraints and preservation of the central woodland, Midtown Creek, Brook Creek, and wetland habitat. The key natural heritage features and their functions will be maintained by the proposed phase plans.







