

COMMENTS FEBRUARY 13, 2007 PEC MEETING

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To: Members of the Planning and Environment Committee

**Re: Zoning - Part of 4798 Bank Street (File No. D02-02-06-0144)**

The Sierra Club of Canada is opposed to the rezoning of Area B adjacent to Bank Street and the part of Area B directly east of the OMB defined Leitrim Wetland which was designated as Provincially Significant Wetland by the OMNR in 1989 and delimited as wetland by Cumming Cockburn Ltd. in 1990. These areas should remain as Open Space.

The Sierra Club also opposes the zoning for the western part of Area A which was designated as Provincially Significant Wetland by the OMNR in 1989 and delimited as wetland by Cumming Cockburn in 1990. This wetland area should be rezoned as Open Space.

**Area B immediately west of Bank Street**

This area contains part of Urban Natural Area 108, a point of interest that isn't even mentioned in the rezoning application.

Urban Natural Area 108 is an impressive woodland area containing an abundance of old trees ranging up to 175 years in age. The section of the woodland extending from the present day channel of Findlay Creek to just beyond the original creek channel (Section 1) is predominantly wetland. It is the most biodiverse part of the woodland, containing at least 21 species of uncommon native plants, most of the old trees and a population of the **Nationally Endangered Butternut, *Juglans cinerea* (Listed in Schedule 1 of the Federal Species At Risk Act).** **Butternut is also listed as a Threatened Species in the Ontario Species At Risk Act (SARO).** It is the City's responsibility to protect these threatened Butternut trees and their habitat, most of which occur in Area B.

The City was alerted to the presence of Butternut in this area in 2004 during the public consultation phase for the Leitrim Community Design Plan.

On February 18, 2001, I sent a report entitled CEDAR WOODS ADJACENT TO FINDLAY CREEK WEST SIDE OF HIGHWAY 31 (BANK STREET) to Shaun Thompson, Ontario Ministry of Natural Resources. The report contained a description of UNA 108 and a vascular plant list. In the description of Section 1 (described above), it states: "Although Cedar is the dominant tree, there are sizeable Black Ash, Red Maple and Butternut populations". A copy of this report was also given to the City in 2004.

A very brief description of Section 1 appears in the January -March 2001 Trail & Landscape (Vol. 35, No.1, pg. 21): "Mixed woodland in an area bounded by the original Findlay Creek and the channelized Findlay Creek. Never cultivated and quite beautiful. Seven species of trees in the 100-year-old range, four species in the 150-year-old range. Cedars up to 175 years old and the remains of 200-year-old elms stand in a sea of ferns. Plants of interest include: Nodding Trillium, Cristate Wood Fern, Water Hemlock and Wild Currant. This area is threatened".

The evaluation of UNA 108 done for the City amazingly missed the many Butternuts, the old trees, and other very evident tree species such as Black Ash, Yellow Birch and Black Cherry. It listed only 73 of the 161 species of vascular plants observed and only 3 of the 21 uncommon species. Consequently, a low rating was assigned to the woodlot. Interestingly, in the addendum to UNA Site 108 *Appendix: Native biodiversity*, I am listed in the Data source for the vascular flora observed: "A. Dugal (May 1991 and November 2003)". **Yet less than half the species I observed are in the vascular flora list.** UNA 108 requires a proper re-evaluation before additional damage is done.

(The developer has already cut down the southern part of the forest, thus decreasing forest cover and contravening the objective of the Official Plan **to increase forest cover**).

**NOTE:** In the revised March 6, 1996, Regional Conditions Final Approval, Tartan Development Corporation Subdivision, Leitrim Growth Area (Phase 1), Condition 51 states: "The cedar woods along Findlay Creek, west of Highway 31 shall be considered for protection in the final plan intended for registration, as part of the parkland review (Conditions 52 and 53)". Even the City of Gloucester, a municipality with a poor environmental record, realized the importance of UNA 108.

**NOTE:** The proposed Open Space zoning of the Area D block (closest to Bank Street) to Open Space is a positive step, as it will hopefully conserve part of UNA108.

#### **Area B directly east of the OMB defined Leitrim Wetland and the wetland part of Area A**

The western parts of Areas A and B which were formerly considered to be part of the Provincially Significant Leitrim Wetland (by OMNR 1989) and delimited as wetland area by Cumming Cockburn in 1990, are **still wetland and should be zoned Open Space**. The developers proposed rezoning of Area D to Open Space is appreciated, but it only conserves a portion of the wetland in Area A.

According to my field notes, the wetland in Areas A and B contain several wetland communities such as Alder thickets, Willow scrub and marshy patches.

Prior to developer activities, (i.e. the construction of the wetland berm), there were **two** Regionally Significant and at least **ten** Uncommon vascular plants in the area. (See Appendix A). The City is responsible for protecting regionally significant species, according to the provincial government.

**NOTE:** The latest Federal Screening report for the LRT corridor states, with respect to the Threatened Blanding's Turtle: "The Albion Road (Leitrim) Wetland has potential to serve as

suitable habitat". As the wetland in Areas A and B is part of the actual/scientific Leitrim Wetland, this land should not be developed.

### **Additional reasons for denying rezoning**

#### **1. Climate Change.**

The burning of fossil fuels is not the only source of greenhouse gases. The destruction of carbon sinks also releases these climate changing gases. The obliteration of wetland areas releases large amounts of carbon dioxide, methane and nitrous oxides --- all greenhouse gases! Woodlands are also carbon sinks and their destruction will release more carbon dioxide into the atmosphere. Removal of these carbon sinks also decreases the City's ability to remove and store "greenhouse" gases from the atmosphere. Kyoto Protocol? Smart Growth??

The Intergovernmental Panel on Climate Change (2500 scientists from 130 countries) unequivocally states that current trends toward potential catastrophic global warming has been induced by human activity. As the heading of The Seattle Times Editorials proclaims: "We owe it to our children to ramp up the global warming fight". Denying this rezoning would be a chance for Ottawa to demonstrate its desire to become part of the solution rather than a profligate contributor to climate change.

#### **2. Importance of Wetlands**

Scientists have repeatedly stated that wetlands are among the most important components of the biosphere and their ongoing destruction ultimately results in adverse consequences.

The Manual of Implementation Guidelines for the Wetlands Policy Statement (Province of Ontario, November 1992, ) lists the following ecological functions:

- the controlling and storing of surface water and the recharge and discharge of ground water**
- maintaining and improving water quality, aiding in flood control, and protecting shorelines from erosion;**
- trapping sediments which would otherwise fill watercourses;**
- supporting and initiating complex food chains which are ultimately essential to a broad spectrum of living organisms, including humans;**
- providing important habitat for a wide variety of plant and animal species;**
- immobilizing some contaminants and nutrients;**
- reducing some contaminants to less damaging compounds;**
- assisting in maintaining water quality in adjacent lakes and streams that support fish populations; and**

**- providing corridors for wildlife movement.**

**NOTE:** In the Official Plan, under Air Quality and Climate Change, there is a policy of "Maintaining and enhancing forest cover and treed areas and protecting wetlands as carbon sinks and natural filters of pollution". Why is the Official Plan being ignored?\_

3. Decline in Abundance of Wildlife Species

The destruction of the wetland and woodland areas will result in a decline in local wildlife, especially birds.

4. Decrease in Forest Cover

One of the objectives in the Official Plan is to increase tree cover to 30%. This rezoning application will result in a decrease of tree cover. (Being a rural resident, I am well aware that we are losing, not gaining , forest cover).\_

5. Designing with Nature

In the Official Plan, under Natural Features and Functions, a "design with nature" approach is to be used. "This approach entails measures such as retention of vegetation, consideration of wildlife habitats and respect for natural drainage". This rezoning is certainly at odds with a "design with nature" approach. An appropriate "design with nature" approach would have conserved UNA108, the wetland areas in the western part of the proposed development, the well-developed fence row vegetation along the Blais Road right-of-way ( containing many species of trees and shrubs which provide food for wildlife), the narrow band of trees along Bank Street (to provide a natural barrier to loud traffic noise and wildlife habitat, and the small, over 70-year-old woodland, (clearly visible in 1945 aerial photographs), adjacent to the southwest corner of the Transport Canada lands ( for wildlife habitat).

**QUESTION:** Starting a few hundred feet west of the Transport Canada land is a berm which runs parallel to the Blais Road right-of-way. What zoning is proposed for this structure?

**In conclusion, the Sierra Club of Canada opposes the rezoning of Area B adjacent to Bank Street and those parts of Areas A and B, adjacent to the OMB delimited Leitrim Wetland, which were designated as Provincially Significant Wetland by the OMNR in 1989 and delimited as wetland by Cumming Cockburn Ltd. in 1990. These areas should be zoned as Open Space.**

**Albert W. Dugal**

**On behalf of the Sierra Club of Canada**

**APPENDIX A - IMPORTANT VASCULAR PLANT SPECIES IN THE WETLAND IN AREAS A AND B (ADJACENT TO OMB WETLAND)**

**Regionally Significant**

Autumn Willow ( *Salix serissima* )

Canada Manna Grass ( *Glyceria canadensis* )

**Uncommon**

False Nettle (*Boehmeria cylindrica*)

Clearweed (*Pilea pumila*)

Great Water Dock (*Rumex orbiculatus*)

Hairy Gooseberry (*Ribes hirtellum*)

Slashed Avens (*Geum laciniatum*)

Purple-leaved Willow-herb (*Epilobium coloratum*)

Narrow-leaved Willow-herb (*Epilobium leptophyllum*)

Tufted Loosestrife (*Lysimachia thyrsiflora*)

Turtlehead (*Chelone glabra*)