

**CORPORATION OF THE CITY OF CAMBRIDGE
HESPELER WEST SUBWATERSHEDS STUDY WORKING COMMITTEE
MEETING NO. 12
MINUTES**

Thursday, June 3, 2004
Galt Room, Farmers' Market Building, Dickson St., Cambridge (Galt)

Committee Present: Councillor Rick Cowsill (City) (Chair), Erich Ritzmann (MGWA), John Vasiga (MGWA), Charlene Schiedel (MGWA), Nancy Davy (GRCA), Chris Gosselin (RMOW), Ken Cornelisse (MNR), Brian Cunningham (Small Property Owners), Wendy Wright (City), April Souwand (City)

Others Present: Ron McKitrick (alternate for Cathy Murphy (MGWA)), Brenda Khes (alternate for Ian Rawlings (Large Property Owners)), Mary and Larry Hammer (landowners), Steve Riorda (student with Ken Cornelisse MNR)

1. Call to Order

The meeting was called to order at 3:30 p.m. by Rick Cowsill.

2. Declarations of Pecuniary Interest

None

3. Confirmation of Minutes

Moved by Eric Ritzmann Seconded by Brenda Khes

THAT the Minutes of the Hespeler West Subwatersheds Study Working Committee meeting held May 6, 2004 be accepted:

CARRIED

John Vasiga asked a question about the GRCA Wetlands Policy regarding which policy applies to the HWSS. Nancy Davy responded that the HWSS was done using the old policy, as the new one had not been adopted. When the GRCA looks at wetland issues in the area, they would use the new policy when looking at what wetlands could be removed, as this is clearer than the old which did not provide direction on wetland removals. Ken Cornelisse asked if the new policy could be used when the study goes to Council for approval. Wendy Wright asked if the GRCA would have recommended a different buffer under their new policy. Nancy Davy indicated that her educated guess is that it would be the same (science and practice behind it is still the same). The use of Environmental Impact Statements (EISs) when there is a 30 m buffer can be done under the new policy as well as the old one. However, an EIS is not likely to reduce the 30 m adjacent to PSWs.

4. Presentation and Discussion– Natural Heritage System Enhancement and Stewardship Areas – Wendy Wright, City of Cambridge

Wendy Wright continued a discussion on Natural Heritage System Enhancement and Stewardship Areas, using a map showing the different types of buffers. She reminded the committee that buffers do not apply to existing development, but to development proposals. The purpose is to maintain the natural heritage system as it exists today when development occurs in the area. As an aside, it was announced that Ken Cornelisse has finished his review of the PSWs and produced mapping which he has shared with the MGWA and the City. This updated mapping will be used in the City's summary report.

Wendy Wright pointed out Table D2.5.1 Scoped and Full Site EIS Requirements in the Hespeler West Subwatersheds from the Subwatersheds Study. For proposed development within 30 m of a PSW, an EIS would have to be done. If a developer did not want to do an EIS, they could just keep the development outside the 30 m. If they wanted to reduce it, they could do an EIS (which may or may not be approved), to argue less. It was clarified that "discharge areas" in the first column are those outside of PSWs. There was discussion about the area of study that would be defined when one was doing an EIS. The MGWA is recommending buffer strips of 15 m between proposed development and a PSW in disturbed areas.

For potential ESPAs, the recommended buffer would be 30 m subject to an EIS. Wendy Wright pointed out the Region's Guidelines for EISs in the agenda package (Item 4g)). They have been adopted as an implementation guideline to the Regional Official Policies Plan. Chris Gosselin described the scoping of EISs which narrows down the scope of the study to be done, both with respect to the area and the issues to be addressed. This sets the boundaries and the rules for the developers and their consultants as well as Regional EEAC and staff. It was pointed out that enhancement of the ESPA is also something that is looked at through EISs. Erich Ritzmann asked how more than 30 m could be accomplished if that is what you are starting with. Chris Gosselin described a situation in the City of Waterloo where, due to the undulating topography adjacent to an ESPA and the difficulty in developing the area, the buffer went out to 110 m. The City policies were 7.5 m minimum to 10 m based on a Subwatersheds Study. However, he indicated that it was probably wiser to start with a conservative buffer (i.e. err on the side of caution), and through site-specific study, it could be pulled back. It is highly unusual to get more than the minimum. Erich Ritzmann questioned if the 30 m is not excessive, given the tableland nature of the wetlands. Chris Gosselin said that 30 m from wetlands is standard now. There was discussion that if an ESPA is not a wetland, 30 m might be excessive, but area-sensitive breeding birds could dictate a wider buffer than 30 m when a site specific EIS is done. The MGWA is recommending upland forest buffers of 3 metres from the dripline of trees.

John Vasiga asked about the potential ESPAs, and indicated they should not be shown on the map, as they have no status. Wendy Wright indicated that before the Region will approve the subwatersheds study, the Region would need to complete the ESPA study.

The Region needs to approve the subwatersheds study before development approvals can occur.

The next area discussed was buffers in the floodplains (no development areas anyway) which were coloured orange on the map. It was noted that the new floodlines will have to be put on the map.

Finally, the “other” high constraint areas with white buffers were discussed. Wendy Wright pointed out the tables in the agenda package (Item 4d) which provide information on these polygons with these buffers (Table 3). Wendy Wright is recommending that the buffers for these areas could be refined through further study at the community plan stage, rather than set 30 m now. We don’t have sufficient information at this time to determine what those buffers should be, if less than 30 m.

Erich Ritzmann indicated that the buffer sizes are still too generous for the other features that are within the agency mandates (especially the ESPAs). They would be looking for something that is considerably smaller than 30 m for the potential ESPAs, as often they are surrounded by agricultural uses, which have already disturbed the roots of the trees. He also said that he felt that we did have the information needed in the subwatersheds study to determine appropriate buffers from the “other” high constraint areas. The MGWA is recommending that plantations be buffered by 1 m and that other cultural features have no buffer.

Finally, Wendy Wright pointed out the buffers in red which are recommended to be removed (generally on the other side of a road from a natural feature).

Wendy Wright pointed out Item 4c) which is additional information on buffers in Moffat Creek. There was discussion about buffers in other areas. The consistency is not in the width of the buffer but in how you protect the environmental feature.

John Vasiga asked if the GRCA has been approving buffers of 15 m adjacent to PSWs. Wendy Wright indicated that in Blair, there is a development that had an EIS done and the buffers range from 15 m to 30 m from the PSW because a portion of the property is not adjacent to the PSW and the PSW boundaries are quite generous. Brenda Khes indicated that we are getting more detailed but the pit license is still not identified on any maps and it is getting frustrating to not see it shown.

Ken Cornelisse and Nancy Davy left the meeting at 5 p.m.

Charlene Schiedel pointed out the land that the City owns. She asked who pays for the environmental studies if the City wants to reduce the buffer. Wendy Wright answered that the City’s Economic Development Division would have to pay for these studies if they acted as the developer. However, if the buffers are studied further at the Community Plan stage, they would be funded through development charges. Wendy Wright indicated that the City plans to respect the recommended buffers and not do studies to reduce them on their lands.

There was discussion about reducing the width of the buffer adjacent to the potential ESPAs at this time. Rick Cowsill indicated that perhaps at the community plan stage, the specifics could be worked out, as a resolution is not readily apparent at this time. Brian Cunningham pointed out that smaller buffers seem to have been recommended by the agencies in other areas, adjacent to some wetlands that seem to be more significant. Wendy Wright indicated that getting wider buffers through an EIS is very difficult to do and that is why the conservative approach is taken up front. The MGWA has the opposite concern, that once the conservative buffers are put in place, it is difficult to argue for smaller buffers.

Chris Gosselin discussed the sensitivity of upland areas with respect to breeding birds and the dynamic nature of lists due to destruction of habitat that makes formerly non-listed species appear on the list. He supported the more conservative approach to buffers and that the scaling back occur at the time of development applications.

The Chair indicated that a compromise may not be able to be made at this time. Cambridge Council is not able to change provincial, GRCA or Regional issues.

5. Other Business

- a) Follow-up List – Wendy Wright indicated that the Moffat Creek buffer information is included in today's agenda package and Ken Cornelisse's work is done with respect to updating the wetland mapping.
- b) List of Topics for Upcoming Meetings – Wendy Wright distributed an update of the list of topics for upcoming meetings. Erich Ritzmann pointed out that MGWA concerns about high constraint areas need to be scheduled in. They will get their issues to Wendy Wright before the next meeting, in case the floodline information is not available.
- c) Field Visits – to be scheduled
- d) Ponds Discussion – Maple Grove Wetlands Association
- e) Memo from Hans Madan Re: Toyota Lands and Fill Regulations
- f) Charlene Schiedel asked about the notice in the May 28 Kitchener Record – Improvement of Maple Grove Road Class EA. She wondered if the comment was made regarding the need for wildlife crossings? April Souwand responded that the ESR does indicate that CEAC and MNR made these recommendations.

Rick Cowsill motioned to adjourn.
Meeting adjourned at 5: 51 p.m.

Next meeting – Allan Reuter Centre – 3:30 pm to 5:30 pm – Thursday, June 17, 2004