

*November 16, 2023*

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Township of Leeds and the Thousand Islands  
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Dear Ms. Lambert:

**Re: Review of EIA Addendum Review Responses Provided by Ecological Services, Kehoe Marine EIA**

McIntosh Perry Consulting Engineers Ltd. (McIntosh Perry) was retained by the Township of Leeds and the Thousand Islands in a Peer Review function to review the supporting documentation (an EIA Addendum) for an application to consolidate the existing zoning, permit the continuation of rural industrial and marine manufacturing uses, open storage and one new storage building. The application was made by Kehoe Marine.

The proponent retained Ecological Services to conduct the required study in support of the application. The Environmental Impact Assessment (EIA), and its addendum provided the basis of our initial review. Jeff King, Vice President, Environmental with McIntosh Perry completed the initial review of the EIA Addendum on September 26, 2023. Rob Snetsinger of Ecological Services provided a response to the review on October 12, 2023.

This letter represents the comprehensive review of the responses to the original EIA Addendum evaluation submitted by Rob Snetsinger of Ecological Services. As seen below, we first provide Mr. Snetsinger's response, followed by our comment.

**Environmental Impact Assessment Responses**

**ES Response:** "As Mr. King correctly points out, the EIA addendum was a continuation of the original EIA produced on Oct. 14, 2020. In that document, natural heritage features were provided via the ELC map on page 10, which is a satellite overlay. The entire Kehoe property area adjacent to the river, including where the conversion of a residential area to a storage area is to take place was identified in the ELC map as Cultural. A Cultural site is one that is influenced more strongly by cultural activities than those cultural activities that define the natural heritage culture features eco-types (i.e., CUM, CUT, CUP, CUW) listed in the ELC manual. The upland portion of the Cultural site identified in the Oct. 14, 2020 EIA includes parking, offices, fabrication buildings, marina buildings, marine fabrication storage, and residential dwellings. It had no natural heritage significance, and was not part of a natural heritage system of any note.

The adjacent open water next to the conversion area was identified as SAS1, and was described in the EIA as:

*The non-marina portion of McCrae Bay is dominated by submergent vegetation with no clear dominant species. Common species present include milfoil, eelgrass, Elodea, Chara, and Potamogeton species. It contains good fish habitat features and was classified as suW1 by Atkinson and Huizer (1991) as part of their wetland evaluation and noted to contain “pondweeds, milfoil, filamentous algae”.*

Detailed survey maps of the proposed conversion area have been produced by Hopkins Chitty Land Surveyors Inc., and by Riggs Engineering and we defer to staff at Kehoe Marine to submit these for review along with this review response.”

**MP Comment:** The response provides sufficient details for a better understanding of the natural features as described in the EIA Guidelines. This comment is no longer a concern.

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**ES Response:** “MNRF, CRCA, and the County were aware of the approved wetland boundary changes in 2022, but these were not yet made public via NHIC mapping at that time. However, the changes are now available on the MNRF’s Natural Heritage Information Centre (NHIC) web site (see blue area in adjacent image). For context with this image, we have provided the approximate area where the conversion from the residential area to a work storage area is to take place. As can be seen, most of the offshore conversion area is PSW, which as noted earlier, is an SAS1 ELC type.”

**MP Comment:** The information and photo provided show that the wetland boundaries have been changed. If the Conservation Authority has approved any reductions in development distance from the wetland, then this comment is no longer a concern.

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**ES Response:** “It was our understanding at the time of writing the addendum that there would be a 30 m building setback, but we had no way to confirm this. Our noted lack of confirmation, as discussed with Kehoe Marine at that time, was intended as a reminder that confirmation would be needed. This has since been rectified and shown in the mapping produced by Hopkins Chitty Land Surveyors Inc., as well as by Riggs Engineering. We defer to staff at Kehoe Marine to submit mapping for review along with this response. We also provide part of the concept plan produced by Fotenn Planning and Design, showing a 34 m setback for the “Open Storage” area.”

**MP Comment:** The information and screenshot photo provided show that the anticipated set-back distance will be at least 30 m from the wetland boundary. If the Conservation Authority has approved any reductions in development distance from the wetland, then this comment is no longer a concern.

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**ES Response:** “The impact history of the property was covered in the Oct. 14, 2022 EIA, including a 1961 aerial photograph that shows that the residential dwellings and boathouse that were removed in 2023, in order to accommodate the conversion to a work storage yard were in place. We know that site alteration and marina activity predate 1961, but at the very least, we are confident in stating that the site has had at least 60 years of notable cultural impact. This would greatly reduce its potential for ecological significance, and accordingly, it was our opinion that it was the only adjacent river, containing fish habitat and PSW, that had natural heritage significance. In the

following 2022 image, part of the residential area (house, boat house, ornamental trees) that was removed to accommodate the work storage yard is shown, along with the retained rental residence further east. The image also shows some of the trees that were removed, which in the left foreground of this image includes a Norway Spruce, a White Pine, and a Manitoba Maple. The septic field for the house was located between the house and the boathouse. The age of the septic system, sandy soils, and close proximity to the river means it would have a much-reduced ability to prevent nutrients from entering the river.

In the following image, we see “Area B” which was assessed in the Oct. 14, 2022 EIA, and will be the location of the approved future pier. This area is adjacent to the work storage area that was assessed in the addendum. Two notable observations in the image area:

1. A lack of upland natural heritage significance.
2. The instability of the shoreline that necessitated the pier work in order to minimize sedimentation impacts, among other impacts.

The following image shows the area converted for work storage purposes. It was accommodated by the removal of existing residential buildings, existing septic systems, and by site regrading.”

**MP Comment:** The information and photos provided allow the reviewer to better understand the area being utilized. We generally agree that there should be limited additional impacts and provided mitigation measures are employed to reduce sedimentation this comment is no longer a concern.

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**ES Response:** “The sedimentation that was noted in the Oct. 14, 2022 EIS was from the existing loading areas to the west of the conversion area. The reduction of that sedimentation that will result by the construction of the approved piers was one of the main reasons for our support for that project.”

**MP Comment:** This review comment is no longer a concern. The issue was adequately addressed in this response.

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**ES Response:** “An Overall natural heritage improvement to the identified features of significance (i.e., PSW and associated fish habitat) from the conversion is anticipated, and noted in the EIA addendum. Specifically:

- Removal of three residential buildings that were 14m, 14m, and 23m to the river, as well as associated residential outbuildings that were even closer.
- Removal of three old (i.e., >50 years) septic systems that were about 10 m from the river and the Ivy Lea PSW.
- Removal of a derelict boathouse and structural railway ties containing creosote that were in the river and the Ivy Lea PSW.

With respect to stormwater controls, we noted that engineered sedimentation systems can equal, and sometime have better functionality that naturalized buffers at reducing sedimentation impacts, although engineered systems cannot duplicate the natural heritage habitat attributes of a naturalized and/or riparian buffer. However, the conversion area has no riparian habitat due to the existing gabion wall, and given the cultural impact history of the

site, it had no natural heritage significance. Therefore, there will be no loss of significant natural heritage features or loss of buffering functionality with the use of an engineered system.

We are not qualified to assess the efficacy of the proposed stormwater engineering systems and normally defer to the engineering professionals to provide that information. In this case, we respect the ability of Riggs Engineering to come up with an appropriate system, and understand that they have done so in consultation with the CRCA and MECP. In particular, we recommend that Mr. King be provided with the July 31, 2023 technical letter written by Stu Seabrook (P. Eng.) of Riggs Engineering and the August 25, 2023 letter written by Emily Stu of the CRCA. This latter letter was a review of the proposed engineered systems. With respect to a shoreline buffer, a 3-meter-wide clear stone buffer strip was proposed adjacent to the gabion baskets. For this, the CRCA noted:

*The buffer would provide approximately 27 metres cubed of storage and would assist in decreasing the rate of runoff into the wetland. Staff supports this recommendation and believe it will help minimize impacts to the wetland.*

Further noted by CRCA:

*Staff have reviewed the above-mentioned documents and feel that it has been demonstrated through lot level controls and grading that post-development peak flows will not impact neighbouring properties.”*

**MP Comment:** The information provided demonstrates an understanding of the restoration and improvement opportunities within the property boundaries. This issue was adequately addressed, and this comment is no longer a concern.

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**ES Response:** “The trees removed within the conversion area that were greater than 15 cm DBH included a small Norway Spruce, a mid-sized White Pine, a larger Manitoba Maple, two younger Manitoba Maple, and two small Norway Maple. This list does not include the trees (Manitoba Maple and Norway Maple) that were removed to accommodate the approved pier work, that is east/adjacent to the conversion area.

None of the trees were observed to have visible cavities or decay for bat roost/maternity purposes. From our work elsewhere on numerous projects associated with the Parkway, there is no shortage of bat available trees, and the removal of the trees within the conversion property did not constitute the loss of a limiting bat habitat feature.”

**MP Comment:** Based on the information provided, this comment is no longer a concern. The issue was adequately addressed in this response.

### Closing

The EIA and EIA addendum comment responses appear to address all concerns outlined in the original review. Photos and mapping provided demonstrate the validity of statements in the EIA and EIA addendum. Based on the information provided in the responses, the reviewer agrees that the changes proposed will result in net gain, considering the future development improvements will reduce sediment loading and the removal of the existing structures/septics was completed carefully. Upon review of the comment responses from Ecological

Services, McIntosh Perry would support the perceived conclusion (no concluding statement was provided in the EIA Addendum) that there will be no *significant impacts* to natural heritage features as a result of this application.

**Limitations**

This letter was produced for the exclusive use of the Township and is intended to provide peer review guidance regarding the proposal for development for 507 1000 Islands Parkway, 515 1000 Islands Parkway, 14 McCrae’s Bay Lane, 26 McCrae’s Bay Lane, 30 McCrae’s Bay Lane, and 36 McCrae’s Bay Lane (Township File Number D14-2023-007), Ivy Lea, Ontario. It involved the review of an EIA and Addendum prepared by Ecological Services as well as the review response provided by Ecological Services. The Report was reviewed by McIntosh Perry; however, no field verification of any information was conducted.

Any use which a third party makes of this review and response, or any reliance on decisions made based on it, without a reliance letter are the responsibility of such third parties. McIntosh Perry accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this review.

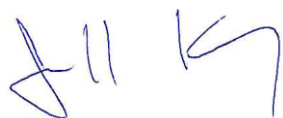
In evaluating the provided documents, McIntosh Perry has relied in good faith on information provided by individuals as noted in the Report. We assume that the information provided is factual and accurate. We accept no responsibility for any deficiencies, misstatements or inaccuracies contained in the Report as a result of omissions, misinterpretation or fraudulent acts.

The findings, conclusions and/or recommendations of this letter are only valid as of the date of this letter. No assurance is made regarding any changes in conditions subsequent to this date. If additional information is discovered or becomes available at a future date, McIntosh Perry should be requested to re-evaluate the conclusions presented in this letter, and provide amendments, if required.

We trust that this letter meets your present requirements. Please contact Jeff King if you have any questions about this review.

Respectfully Submitted,

**McIntosh Perry Consulting Engineers Ltd.**



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