**[WATERLOO REGION](https://www.therecord.com/news/waterloo-region.html)**

**‘If you can’t protect a tiny little piece (of land) in the middle of a sensitive forest, then what are we going to protect?’ activist asks**

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WATERLOO — Near the corner of Beavercreek Road and Conservation Drive is a forest with a field in the middle.

It’s called the Laurel Creek Forest, or Environmentally Sensitive Policy Area 80. Both Beaver and Laurel Creeks run through the area. It’s a mix of swamp and upland forest, and home to many species, including rare and significant ones. The area is identified as important for groundwater discharge.

The portion of Laurel Creek running through the area is still classified as a cold-water creek, meaning it can support more fragile fish species that rely on water that stays on average less than 19 degrees Celsius in summer. When the water becomes degraded, or the surrounding shade that keeps it cool is lost, the stream warms up and this dwindling habitat is lost.

The small field is known to locals as the “hole in the doughnut.” And it’s the subject of great controversy, because there’s a proposal to build housing on it.

It’s no secret the intersection of Beavercreek Road and Conservation Drive is slated for a large residential development, including the Northgate Subdivision which is proposed to include up to 975 residential units.

The owners of the property, Gabrielle Elizabeth Groff and a numbered company 1017081 represented by MHBC Planners, have proposed building a condominium complex on the “hole in the doughnut” as part of the Northgate subdivision. The plans currently include 14 separate lots in the area, which is roughly two hectares in size.

The “hole in the doughnut” is designated in the City of Waterloo’s Official Plan for low-density residential area. However, the forest that surrounds the field is considered environmentally sensitive policy area, and also provincially significant wetlands.

To build the condominium complex, an access road will need to be built through the environmentally sensitive policy area.

Community members who have been following and voicing opposition to development in the “hole in the doughnut” say the dirt-track laneway that originally gave access to the field was illegally widened.

Sean McCammon, an outdoor education specialist at the Laurel Creek Outdoor Education Centre which borders the field, wrote a letter to council alleging that trees lining the laneway were cut down and the stumps buried in mid-October 2005.

“Because I was doing classes at the nature centre, I heard the chainsaws going and I called the region bylaw officer and we walked out there together. And there were guys cutting down trees that were part of the environmentally sensitive policy area, and there was also a giant hole dug in the forest.

“The bylaw officer put a stop work order on the thing, but then the next day when we went back, all the trees were gone, and all the stumps had been pulled out of the ground and they buried them in this big hole that they dug in the forest.

The land owners’ environmental impact statement for the Northgate Subdivision states all tree removals done along the access lane were overseen by Region of Waterloo Staff.

The Region’s December 2017 response to the application states that not all tree removal was overseen by the Region.

These comments outline regional staff’s version of the tree removal on the property, saying that on Jan. 6, 2005, staff approved a notice of intent to cut trees under the supervision of a registered professional forester.

Two complaints of tree-cutting on the sensitive lands were received by the Region of Waterloo that year, according to the report, and another in 2009.

The comments went on to say that region staff and the Environmental Ecological Advisory Committee ultimately found that residential development is not well-suited for the hole in the doughnut, and that developing the field and access road will damage the surrounding sensitive habitat, and subsequent maintenance and future activities of the homeowners will damage the forest.

The comments recommended the land owners develop an ecological restoration plan for the area to further the Region’s Greenlands Network Objectives.

The development is now before the Ontario Land Tribunal, Ontario’s court to mitigate planning disputes. Because of this, regional staff and City of Waterloo staff have not commented for this article.

Paul Britton is the vice president of MHBC Planning, the land owners’ representative and consultant.

“It is important to keep in mind the lands have been designated for residential purposes in Waterloo’s Official Plan for many years,” Britton said in an email.

“In consideration of the detailed fieldwork and analysis undertaken by their consulting team, the owner’s perspective is the development of the lands in question is appropriate and will not have a negative impact on the natural heritage features or their functions.”

“We will review all professional opinions and reports prepared with respect to this matter as input to our consideration.”

When asked about the tree removal activity in the connecting laneway, Britton did not comment, citing that the matter was before the Ontario Land Tribunal.

Community advocates want to see the “hole” allowed to regenerate in order to offset some of the environmental damage that will be caused by the rest of the nearby subdivision development, to act as a buffer between the development and the Laurel and Beaver Creeks, to act as an ecological corridor to other nearby natural heritage features like the Laurel Creek Environmentally Sensitive Policy Area and others, and to protect the integrity of any nearby significant wildlife habitat.

“To think that cutting down trees in a protected forest is the thing that allows you to build your houses, and nobody puts the brakes on things early on,” says McCammon.

“Nobody says oh, ‘We’re going to take this guy to court to make him put the wetland back or regrow the trees,’ or anything like that. It’s just little incremental things, and then all of the sudden: Boom. You’ve got condos in the middle of the forest.”

“They’re sticking houses in every single nook and cranny of that area and a lot of it is environmentally sensitive, you’ve got two streams there. If you can’t protect a tiny little piece that’s in the middle of a sensitive forest, then what are we going to protect?”

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