



January 6, 2023

Martina Chait-Hartwig
Acting Clerk
Township of Douro-Dummer
894 South Street, PO Box 92
Warsaw, Ontario, K0L 3A0

Dear Martina Chait-Hartwig

Re: ZBA File No, R-05-22 for Consent B-21-22 and B-22-22, Gary Bolton, 4131 County Road 32, Township of Douro-Dummer, Roll # 152201000314620; ORCA FILE: PPLD-2261

The Otonabee Region Conservation Authority (Otonabee Conservation) has received the above noted circulation regarding the proposed Zoning By-law Amendment as a condition of consent. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The land in question is currently zoned Rural Zone (RU). The effect of this By-law Amendment is to rezone the severed parcels (Lot A and Lot B) from the Rural Zone (RU) to the Special District 255 Zone (S.D. 255) to address a lack of frontage (the parcels front on the Rotary Greenway Trail).

A portion of the retained parcel is proposed to be rezoned from the Rural Zone (RU) to the Special District 256 Zone (S.D. 256) to address a reduced lot area and to address a lack of frontage (this portion of the property fronts on the Rotary Greenway Trail). In addition, the Special District 43 Zone (S.D. 43) is proposed to be amended to accurately reflect the location based on the survey prepared by J.B. Fleguel, dated January 28, 2005 and to recognize the existing buildings and structures and their setbacks.

This rezoning is required as a condition of Consent File B-21-22 and B-22-22, that were conditionally approved by Peterborough County on November 2, 2022.

Otonabee Conservation's interest in this application is four-fold:

1. *Otonabee Conservation has reviewed this application through our mandated authority under Ontario Regulation 686/21, pursuant to the Conservation Authorities Act, to ensure consistency to natural hazards policies in any policy statement or provincial plan issued under the Planning Act).*

Otonabee Conservation mapping indicates that the proposed new lots will not be located within a known floodplain. **As such, it is the opinion of Otonabee Conservation that the application is consistent with section 3.1 of the Provincial Policy Statement (PPS).**

2. *The Authority has reviewed the application as a service provider to the Township, in that we provide technical advice on natural heritage matters and the technical aspects of environment resource management including stormwater management through a Partnership Agreement.*

Where previously Otonabee staff had commented that the proposed lots did not appear consistent with NHE mapping and provincial and regulatory policies regarding sufficient setbacks from wetlands (30 metres), staff note that a Mitigation Measures Agreement is to be entered into between the Owner and the Municipality and registered on title, to recognize the recommendations included in Section 11.0 of the Natural Heritage Evaluation prepared by Oak Ridge Environmental (ORE) Ltd., dated December, 2021 and the additional recommendations contained in the June 24, 2022 ORE Response to Concerns ORCA Comments, including updating the reference from NHE Figure 7 to NHE Figure 7r.

In the response letter prepared by ORE, dated June 24, 2022, Figure 4r illustrates the updated wetland boundary confirmed in the field together with Otonabee Region Conservation Authority, and Figure 7r illustrates the revised property layout with the proposed lots (0.4 ha in size) setback 30 metres from the wetland boundary.

As such, **Otonabee Conservation is of the opinion that the application is consistent with Section 2.1 and 2.2 of the PPS and 4.2.3 and 4.2.4 of the Growth Plan for the Greater Golden Horseshoe (GPGGH).**

3. *Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland, and their adjacent lands/areas of interference requires a permit from the Authority. When an application circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.*

Otonabee Conservation mapping indicates the subject property is subject to Ontario Regulation 167/06 Otonabee Conservation's "development, interference with wetlands and

alterations to shorelines and watercourses” regulation. **Permits from this agency will be required prior to any site alteration or construction in these regulated areas.**

4. *Otonabee Conservation has reviewed the application for conformance with the provisions of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario’s drinking water at its source, came into effect on January 1, 2014 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

The application was reviewed in consideration of the SPP and the properties are within the Intake Protection Zone for Peterborough. A Restricted Land Use Notice is required for each *Planning Act* application on these properties in order for them to be deemed complete. Should the application still require a Notice and therefore not considered a complete application prior to January 1, 2023, then Otonabee Region Conservation Authority will provide amended comments in a subsequent letter.

Please contact me if you have any questions or concerns.

Best Regards,

A handwritten signature in cursive script, appearing to read "Katie Jane Harris".

Katie Jane Harris
Planning and Development Officer