



March 14, 2023

Christina Coulter, Planner
Township of Dour-Dummer
PO Box 92 894 South Street
Warsaw, Ontario, K0L 3A0

Dear Christina Coulter,

Re: A-01-23, 1797 County Road 6, Sherry Webster, Part Lot 25, Concession 3 Dummer Ward, Township of Douro Dummer, Roll# 152202000409100, ORCA File: PPLD-2265

The Otonabee Region Conservation Authority (Otonabee Conservation) has received the above noted circulation regarding the proposed minor variance. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The subject property is zoned Rural Zone (RU) as illustrated on Schedule A2 to By-law No. 10-1996, as amended. The property is subject to Peterborough County Land Division File B-23-22 for the creation of a new residential lot. File B-23-22 was given provisional consent on July 7, 2022.

A minor variance is required as a condition of the decision for B-23-22 in order to permit the lot to be created with a minimum lot area of 0.38 ha, whereas the minimum lot area in a RU Zone is 0.4 ha. The reduced lot area for the newly created parcel is to respect the environmental constraints on the property.

The purpose of the minor variance is to reduce the minimum lot area requirement for the proposed severed parcel from 0.40 to 0.38 ha. A site sketch has been prepared by Chris Musclow, Ontario Land Surveyor, dated November 30, 2022 which illustrates the proposed lot based on the environmental constraints identified on Figure 4 of the Environmental Impact study prepared by Cambium Inc., dated January 24, 2022.

ORCA Application Review

Otonabee Conservation's role in this application is to review for consistency with Provincial Policy Statement (PPS) Sections 3.1, 2.1 and 2.2, in accordance with our existing MOUs with our watershed member municipalities, and for compliance with ORCA Regulation 167/06. These roles are highlighted below in accordance with our mandate and policies. As of January 1, 2023, the Authority is no longer able to provide review or comment on new proposals or new applications under the *Planning Act* with respect to conformance to natural heritage policy. As this file was ongoing prior to January 1, 2023, the Authority will continue working with the approval authorities and the proponent by way of an "orderly and appropriate" transition plan with respect to natural heritage review and comment.

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.*

The proposed new development is located outside of any known natural hazards. **It is the opinion of Otonabee Conservation staff that the application is consistent with section 3.1 of the PPS.**

2. *The Authority has reviewed the application as a service provider to the Township of Douro Dummer, 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.*

As Authority staff previously stated in our letter dated April 25, 2022, the application is consistent with PPS Sections 2.1 and 2.2 and in conformity with Sections 4.2.3 and 4.2.4 of the Growth Plan for the Greater Golden Horseshoe provided development/construction approvals adhere to the EIS recommendations outlined in Section 7.0 including; avoiding natural features, applying timing windows, and installing exclusionary fences (ESCs).

Technical staff continue to recommend extending the 'no tree clearing timing windows' (Recommendation #8) to October 31 to protect potential endangered bats that may use treed wetlands and adjacent lands as habitat. Please note that Landowners continue to be responsible to demonstrate compliance with the Endangered Species Act (ESA) prior to commencement of any on-site development regardless of previous planning approvals.

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.*

Both the retained and severed parcels are subject to Ontario Regulation 167/06. **Permits from this Agency will be required prior to any site alteration, construction, or demolition on the proposed parcel. Otonabee Conservation staff note that a lot grading and drainage plan may be requested to ensure the site hydrology will be maintained and directed appropriately. Any proposed building on the retained lands may require an update to the Environmental Impact Study.**

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.*

Upon review it was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.

Please contact me if you have any questions or concerns.
Best Regards,



Katie Jane Harris
Planning and Development Officer