



October 8, 2021

Ann Hamilton
Secretary-Treasury
Land Division Committee
County of Peterborough
470 Water Street
Peterborough, ON K9H 3M3

Dear Ann Hamilton,

**Re: File: B-90-21, Hauth, 426 Carveths Marina Road (Lot #1), Township of Douro Dummer;
Roll#1522.020.004.14400; ORCA File: PPLD-2204**

The Otonabee Region Conservation Authority (Otonabee Conservation) has received the circulation for Consent (severance) for the above noted property. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The purpose of the above noted application is to create a new residential lot with 83 metres fronting Birchview Road and an area of 0.4 hectares. The area of the proposed residential lot is currently a well treed, vacant lot, with a steep slope at the rear of the lot.

A Natural Heritage Evaluation (NHE) was submitted in support of the application by Cambium Inc., dated June 23, 2021.

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

1. *Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

Figure 3 of the NHE illustrates an escarpment (steep slope) is present at the rear of the proposed lot. The report makes the recommendation to apply a 15 metre setback from the top of the escarpment to provide adequate protection from the hazardous lands. No further justification or calculations were provided.

However, ORCA staff consider it inappropriate to assess the safety of the hazard limit in this manner. Section 3.1 of the PPS directs development away from hazardous lands, including erosion hazards. To demonstrate consistency with PPS section 3.1 ORCA staff recommend the consultant provide cross-sections that:

- Delineate the toe of the slope;
- Determine the height of the slope;
- Calculate the 3:1 stable slope; and,
- Delineate the 3:1 stable slope on the cross-sections.

Applying this setback may result in lots which are too confined. In which case, a slope stability study might be used to assess the hazard, and apply a setback to be zoned appropriately.

As such, it is the opinion of Otonabee Conservation that the application has not yet demonstrated consistency with PPS Section 3.1.

2. *The Authority has reviewed the application as a service provider to the County of Peterborough and the Township of Douro Dummer, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

The NHE identified the proposed severance is outside 30 metres of the large, woodlot/treed area and key hydrologic features. The submitted NHE noted a number of Species-at-Risk (Butternut trees). However, the location, number and health of the trees were not included in the report. This may pose a large risk to the future landowner(s) in there may not be inefficient space for a residential building envelope be present on the proposed lot.

Until this information is submitted it is the opinion of Otonabee Conservation that the application has not yet demonstrated consistency with PPS Section 2.1.7.

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 is 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.

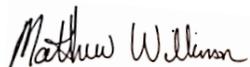
Otonabee Conservation mapping indicates the proposed severed lot is subject to Ontario Regulation 167/06; Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **If an erosion hazard is established, ORCA will regulate the hazard and a further 15 metres. Permits from this agency will be required in this area.**

4. Otonabee Conservation has reviewed the application in terms 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, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.

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

If you have any questions, please do not hesitate to call.

Yours truly,



Matthew Wilkinson
Planner