



March 28, 2023

Christina Coulter,
Planner
Township of Douro Dummer
Warsaw, ON, K0L 3A0

Dear Christina Coulter,

**Re: File: R-01-23, Hauth, 426 Carveth's Marina Road, Township of Douro Dummer;
Roll#1522.020.004.14400; ORCA File: PPLD-2268**

The Otonabee Region Conservation Authority (Otonabee Conservation/the Authority) has received the circulation for a Zoning By-law Amendment as a condition of the Consent files (B-90-21 and B-91-21) 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 condition of consent required by the Township imposed in the decision for each application stated "that the severed lot be rezoned with a Holding (H) provision subject to approval of site plan and agreement to the satisfaction of the municipality in accordance with Township of Douro-Dummer Site Plan Control By-law 2002-71." This was requested to limit development in the area of an escarpment (steep slope/ erosion hazard) which is present at the rear of the proposed lots as noted in the Natural Heritage Evaluation (NHE) 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 1 of Cambium's NHE (dated November 23, 2021) illustrates an escarpment (steep slope/ Erosion Hazard) at the rear of the proposed lots. The submitted Slope Stability Study provided an analysis of the cross-sections of the slope and illustrates the extent of safe building area. At the time of the severance, it was requested that the 3:1 Stable Slope line from the report should be delineated on the Site/Grading Plan for

250 Milroy Drive, Peterborough ON K9H 7M9

P: 705-745-5791 F: 705-745-7488

otonabee@otonabeeconservation.com

otonabeeconservation.com

the proposed severance. However, with the revisions to the Planning Act through Bill 23, Site Plan control is no longer permitted for this type of application.

Therefore, it is the opinion of Otonabee Conservation that the zoning in this area should be made appropriate to protect (e.g., Environmental Constraint) future owners from site alteration or construction in the erosion hazard area, as shown in the figure 1 of Cambium’s NHE (dated November 23, 2021). This recommendation will allow future occupants to build without the need for additional studies and allow the township to demonstrate 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 severances area 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. As part of the second submission in an email from Cambium (October 14, 2021) It was noted that this species was found on the east portion of the subject property during the field investigations and as such, it was documented in the field data sheet for Community 3, which spans the property east-west. The tree locations were outside of the proposed severances and their 120 metre adjacent lands.

Therefore, it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS sections 2.1 and 2.2 and Growth Plan for the Greater Golden Horseshoe section 4.2.3 and 4.2.4.

- 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.

The reports submitted with the severance application noted the establishment of the erosion hazard. The ORCA Regulated Area includes the erosion hazard and a further 15 metres into the site. Permits from this agency will be required in this area prior to any site alteration or construction.

- 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

