



January 26, 2023

Keziah Holden, Senior Planner
County of Peterborough, Land Division Committee
Peterborough, Ontario

Christina Coulter, Planner
Township of Douro Dummer, Committee of Adjustment
Warsaw, Ontario

Re: 3rd Submission, Clancy Plan of Subdivision
Files: 15T-21006, 15OP-21010 and R-08-21;
Location: 162 County Road 4, Douro Ward; 1522 010 004 10100
ORCA Files: PPLD-2189, PPLD-2190, and PPLD-2191

Dear Ms. Holden and Ms. Coulter,

The Otonabee Region Conservation Authority (Otonabee Conservation) has received and reviewed the **3rd circulated submission** of the proposed Draft Plan of Subdivision Application (15T-21006), Official Plan Amendment 15OP-21010 (OPA), and Zoning By-law Amendment R-08-21 (ZBLA) for the property noted above.

Otonabee Conservation is of the opinion that the proposed applications are in conformity and consistency with applicable provincial policy listed below. The following comments may be addressed at Detail Design and the permitting stage.

The application for Draft Plan of Subdivision (The Plan) is to establish a 25-unit residential plan of subdivision consisting of single-detached dwellings, single road with a water-crossing terminating in a cul-de-sac, with stormwater management (SWM) infrastructure. The SWM design will create a natural channel design to the existing watercourse before entering the County right-of-way and culvert, ultimately draining to a large natural system downstream.

The Official Plan Amendment proposes to expand the Hamlet Area Boundary and redesignate the subject lands to 'Hamlet' and 'Recreational – Open Space'.

The zoning by-law amendment will rezone Block 27 and proposed stormwater management pond, Block 26, to 'Open Space (OS)' Zone and the remaining portions to 'Hamlet Residential (HR)' Zone. Block 26 has been expanded to include access and the mapped flooding hazard on the on east side of the Draft Plan.

The subject property has a total area of 28.61 hectares, fronting a single access point on to County Road 4. The property is located on the boundary of the Donwood settlement area with a residential community to the south, a hill slope to the northwest with wetlands to the northwest and north. A Headwater Drainage Feature (key hydrological feature) bisects the former agricultural field, north to south, connecting the northern wetlands to a riverine wetland associated with Whitlaw/ Meade Creek south of County Road 4.

The Regulatory floodplain of the North Meade Creek enters the site from the east and has been excluded from development in Block 26.

Otonabee Conservation staff have reviewed the latest submitted documents listed below with previous submissions in accordance with our mandate and policies and now offers the following comments.

- Planning Justification Report (PJR, IPS No. 20-916) prepared by Innovative Planning Solutions (IPS), May 2021.
- Environmental Impact Study (EIS, Ref. No. 9208-003) prepared by Cambium, March 11, 2021.
- 2nd Submission Technical Review Comment & Response Matrix for 162 County Road 4, prepared by Innovative Planning Solutions (IPS), including responses from WMI and Cambium, dated October 11, 2022. Revised Hydrogeological Assessment (Project 2020-23) prepared by Ian D. Wilson Associates Limited Consulting Hydrogeologists, March 15, 2021.
- Preliminary Stormwater Management Report – 162 County Road 4 (WMI & Associates Ltd., Rev. October 2022)
 - FIG 1 Site Location Plan (WMI & Associates Ltd.)
 - FIG 2 Pre-Development Drainage Plan (WMI & Associates Ltd.)
 - FIG 3 Post-Development Drainage Plan (WMI & Associates Ltd.)
 - FIG 4 Conceptual Site Servicing Plan (WMI & Associates Ltd.,)
 - FIG 5 Conceptual Lot Grading Plan (WMI & Associates Ltd.,)
- Flood Hazard Assessment Summary (WMI Files #20-612) prepared by WMI & Associates Limited, May 5, 2021.
- Draft Plan of Subdivision (Innovative Planning Solutions, rev. August 24, 2022)

Otonabee Conservation's mandate and role in this application are highlighted below:

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 assessed Flood Hazard Limit has been delineated on the Draft Plan and the natural channel allowance has been expanded. With the proposed lots being illustrated to be outside the hazard, **it is the opinion of Otonabee Conservation that the proposed applications are consistent with Section 3.1 of the Provincial Policy Statement (PPS).**

A note to the municipal staff: The Street A crossing is the only access point for 13 residential lots. The current design does not have the capacity to convey the 100-year storm flows. The crossing is designed to allow water to flow through the 900mm diameter culvert **and** flow over the road as weir flow. While the depth of water (0.09m) is not considered a regulatory hazard, water flowing over the road berm will increase the potential for erosion/scouring of the roadbed and complete failure of the road and loss of access for emergency vehicles.

Technical issues have been identified and are articulated in the accompanying technical memo (ENG Review, dated January 16, 2023).

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.*

A response matrix was submitted in response to ORCA comments. ORCA staff attended the site with Cambium and the landowner April 22, 2022. According to the EIS, two large non-provincially significant wetlands, a headwater drainage feature (HDF)/watercourse, significant wildlife habitat, and potential habitat of endangered and threatened species are present on the subject property and adjacent lands.

The response matrix notes the proposal offers Previous Block 26 (from first submission) has been divided into 3 blocks; Block 27 – Environmental Block 28 – Environmental Block 29 – maintained as Rural/Agricultural. The OPA and ZBA propose designations and zoning for the wetland and the 30m buffer to restrict all development.

It is the opinion of Otonabee Conservation that the proposed blocks are appropriately zoned and designed. **Therefore, it is the opinion of Otonabee Conservation that the proposed**

applications are consistent with sections 2.1 and 2.2 of the PPS and in conformity with sections 4.2.3 and 4.2.4 of the Growth Plan of the Greater Golden Horseshoe.

Please review the accompanying technical memo (Ecological Review, dated January 18th, 2023) to be addressed at detail design.

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.*

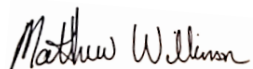
The subject property is subject to Ontario Regulation 167/06, Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **Permits for development will be required from this agency. The listed comments are to be addressed as part of an ORCA permit application.**

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.

Please contact me if you have any further questions or concerns.

Best Regards,



Matthew Wilkinson
Planner

DRAFT PLAN CONDITIONS

1. Prior to the registration of the Plan of Subdivision, and any on-site grading or construction, Otonabee Conservation must have reviewed and approved all qualifying report(s) describing:
2. The Road Crossing is to be designed to the satisfaction of the Township.
3. Work Sequence Plan is to be submitted.
4. A fence, suitable to the municipality, shall be installed along the rear lots/side lots/back lots or blocks backing onto the watercourse, and Stormwater infrastructure.
5. A Monitoring Program for mitigation effectiveness, and listed EIS recommendations, is to be submitted and will include a plan for potential downstream erosion resulting from the stormwater management facility to the Otonabee Conservation satisfaction. This monitoring plan must include monitoring through pre- and post construction.

Stormwater Management Conditions

6. The intended means of conveying stormwater runoff in terms of quantity, frequency and duration for all required storm events up to and including the 1:100-year storm event;
 - a. The intended means of conveying stormwater flow through and from the site, including use of stormwater management quality measures, both temporary and permanent, which are appropriate and in accordance with the Ministry of the Environment (MOE) "Stormwater Management Planning and Design Manual," March 2003 and the Credit Valley Conservation (CVC) and Toronto and Region Conservation Authority (TRCA) "Low Impact Development Stormwater Management Planning and Design Guide," 2010;
 - b. The means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction. These means should be in accordance with the Greater Golden Horseshoe Area (GGHA) "Erosion and Sediment Control

Guidelines for Urban Construction,” December 2006. At a minimum, the erosion and sediment control plan shall incorporate the following:

- i. a proactive, multi-barrier approach to erosion and sediment control, with an emphasis of preventing erosion on site during all phases of construction.
 - ii. a phased approach whereby the extent of grading and disturbed area is limited to only those areas necessary for immediate construction.
 - iii. detailed construction staging plans, including installation details, inspection, repair and maintenance requirements, a spill management plan and contingency for additional measures.
 - c. Site soil conditions, including grain size distribution profiles, infiltration capabilities, erosion potential, as well as bedrock and groundwater elevations;
 - d. Site grading plans; and
 - e. Means of maintaining a pre-development water balance to the site.
7. Low Impact Development (LID) methods should consider the Credit Valley Conservation (CVC) and Toronto Region Conservation Authority (TRCA) “Low Impact Development Stormwater Management and Design Guide” 2010.

Sediment and Erosion Controls

8. A suitable temporary barrier to work fence prior to and during construction or regrading along the rear of blocks adjacent to the (natural heritage system, watercourse, stormwater management block).
9. All Grading related works shall take place in accordance with the approved:
- f. Erosion Sediment Control Plans;
 - g. Timing windows to avoid periods of high run-off volumes;
 - h. Grading plans resulting in minimize changes in land contours.
- All disturbed areas of the site should be stabilized and revegetated immediately. The timing of grading shall take place in consultation with Otonabee Conservation.

Environmental/Ecological

10. The proposed development should adhere to the recommendations in the Environmental Impact Study - 162 County Road 4 prepared by Cambium dated March 11, 2021.
11. To maintain or enhance natural cover, and be consistent with study recommendations, a Landscaping Plan for Block 26 is to be submitted to the satisfaction of Otonabee Conservation.
12. A formal comment from the developers ecologist stating the engineered Natural Channel Design and mitigations proposed are appropriate and effective is to be submitted to the satisfaction of Otonabee Conservation.

13. The boundaries of the development envelope are to be clearly delineated with suitable fencing on the ground along the buffer areas of the wetland, watercourse and flooding hazards prior to any site preparation or construction activities.
14. A landscape/vegetation plan shall be submitted to the satisfaction of Otonabee Conservation. Landscaping plans shall be restricted to native plants and trees, and surrounding areas to be kept natural to prevent the spread of non-native species.

Prior to Registration

15. The Owner design and constructs, stabilizes and has in operation all stormwater management facilities and stormwater outfalls, or appropriate alternative measures, in accordance with the approved Stormwater Management Plan. The Owner agrees to plant all vegetation (which is not required for stabilization) within 12 months of draft plan registration as per the approved landscape drawings.
16. Any disturbed soils shall be stabilized within 90 days of being disturbed until the release of the Subdivision agreement on the block/lot so disturbed.
17. Subdivision Agreement between the owner and the municipality shall contain the following provisions in wording acceptable to Otonabee Conservation:
 - a) That the owner agrees to implement the works referred to in the above-noted conditions. The approved report(s) should be referenced in the Subdivision Agreement.
 - b) That the owner agrees to maintain all stormwater management, erosion and sediment control structures operating in good repair during the construction period. During construction and on an on-going basis, inspection and monitoring of the installation, maintenance and performance of all erosion and sediment control measures shall be conducted by a qualified professional.
 - c) That the owner agrees to notify Otonabee Conservation at least 48 hours prior to the initiation of any on-site development.
 - d) That the owner agrees to notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.

In order expedite the clearance of these conditions, a letter from the developer detailing how each individual condition has been satisfied should be provided to the Authority along with a copy of the signed Subdivision Agreement.

The applicant should also be aware that there is a fee associated with the clearance of conditions on Plans of Subdivision. The 2023 fee schedule list \$1,775 per developable hectare to a cap of \$27,750 and is due upon the request of a clearance letter.