



November 29, 2021

Martina Chait-Hartwig,
Deputy Clerk
Township of Douro Dummer
Warsaw, ON, K0L 3A0

**Re: File: R-14-21, Oates, 912 Birchview Road, Douro Ward;
Roll# 1522 010 001 05900; ORCA File: PPLD-2210**

Dear Martina Chait-Hartwig,

The Otonabee Region Conservation Authority (Otonabee Conservation) has received the circulated *Planning Act* application noted above.

The subject land is currently zoned Shoreline Residential (SR) Zone. The effect of this By-Law Amendment is to rezone the parcel to a Special District (S.D) Zone to allow for an addition to be built on the existing cottage, the redevelopment of the boathouse and to construct a garage with a loft.

Otonabee Conservation technical staff have reviewed the submitted Slope Stability Assessment, prepared by Cambium Inc. (dated June 3, 2021) and a scoped Environmental Impact Study (sEIS) prepared by Cambium Inc. (dated September 2, 2021). Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and now offers the following comments.

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).*

Flooding Hazard

Otonabee Conservation technical staff has reviewed the submitted documents. The following comments are to be addressed to demonstrate consistency with PPS 3.1.

Available information indicates that the flooding hazard of Clear Lake (235.58 metres CVGD28) is present on the property. However, the submitted OLS survey (Elliott and Parr (dated 10/10/2021)

has plotted an incorrect floodplain contour elevation (235.65 metres CVGD28). It is recommended that the correct flooding hazard be plotted and zoned appropriately to restrict future development.

The proposed residential addition and garage are outside the floodplain. However, the proposed redevelopment of the boathouse appears to be within flooding hazard of Clear Lake. The nature of the boathouse has been shown to be needed to be located at the water edge. The structure should not be permitted to be used for habitable use in the future, and any electrical development is 0.3 metres outside the flooding hazard. The site plan should include notes to drawing 'Elevations – Oates Boat House' regarding the placement and location (minimum elevation) of all electrical works and demonstrate the structure is securely anchored to the concrete pad or footings.

Erosion Hazard

Otonabee Conservation technical staff has reviewed the submitted documents. The following comments are to be addressed to demonstrate consistency with PPS 3.1.

1. The Sketch for Building Permit Application will be converted to a Site Plan by including the following information:

- a) Delineate all surveyed point elevations (in metres) for the entire property as performed for the survey of slope completed by Elliott and Parr (PTBO) Ltd (February 1, 2021),
- b) Delineate all existing and proposed contour and/or elevation data (in metres),
- c) Delineate the Slope Stability Assessment components including toe of slope, stable slope allowance and the erosion access allowance,
- d) Does the extent of proposed addition on the sketch represent the full extent of the proposed construction (upper deck and basement walkout as shown in the Oates Cottage Elevation drawings). If not, please delineate furthest extent,
- e) Site and overland drainage,
- f) The proposed boathouse overlaps the existing wooden stairs. Please delineate the location of the new stairs,
- g) Delineate all erosion and sediment control measures to be implemented during construction.

2. Will excavation of rock at the toe of slope be required for the construction of the proposed boathouse?

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 through a Memorandum of Understanding.*

A review of available mapping indicates subject property is within 120 metres of Clear Lake, a key hydrological feature (KHF). Section 4.2.4 of the Growth Plan for the Greater Golden Horseshoe (GPGGH) requires that a natural heritage evaluation (or similar) be completed. While technical

staff generally agree with the recommendations outlined in the sEIS, ORCA would request the following comments regarding Recommendations #6 and #16 be addressed prior to approvals.

Recommendation #6 regarding In-Water Development Timing Windows.

- The sEIS states the in-water restrictions are March 15-May 31. However, Provincial in-water work timing window guidelines state that work would be restricted from March 15 to July 15, based on the species presence of Muskellunge, Walleye and Large/Smallmouth Bass. In-water work within this window would require consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry.
 - Please amend this recommendation.

Recommendation #16 regarding a Planting Plan:

- Recommendation #16 speaks to enhancing the shoreline through limitations of mowing and additional plantings. A detailed planting plan is required to be submitted to ORCA technical staff for review to address GPGGH section 4.2.4.5c). Details should include plant species, installation locations, and caliper(s) sizing.
- Section 4.2.4.5b and c)i.-iii. of the GPGGH states development is permitted in developed shoreline properties if the development will:
 - b) restore, to the maximum extent possible, the ecological features and functions in developed shoreline areas; and,
 - c) will in the case of redevelopment and resort development:
 - i. establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres;
 - ii. increase the extent of fish habitat in the littoral zone;
 - iii. be planned, designed, and constructed to protect hydrologic functions, minimize erosion, and avoid or mitigate sedimentation and the introduction of nutrient or other pollutants into the lake.
- Please submit a detailed planting plan.

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 above property is subject to Ontario Regulation 167/06, Otonabee Conservation 'Development, interference with wetlands and alterations to shorelines and watercourses' regulation. **Permits from this agency will be required prior to any site alteration, construction,**

or demolition. The technical comments regarding flooding and erosion mentioned above will need to be addressed for permitting.

- 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.*

The application was also reviewed in consideration of the SPP. 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,

A handwritten signature in dark ink that reads "Matthew Wilkinson". The signature is written in a cursive, flowing style.

Matthew Wilkinson
Planner, Otonabee Conservation