



January 29, 2020

Ms. Ann Hamilton, Secretary-Treasury
County of Peterborough, Land Division Committee
470 Water Street, Peterborough, Ontario

Re: File: B-72-19, Kenneth and Loraine Moore, 668 Fourth Line Road Dummer South, Dummer Ward; Roll# 1522 020 001 03900 (ORCA File: PPLD-2116)

Dear Ann Hamilton,

The Otonabee Region Conservation Authority (Otonabee Conservation) have received an application for consent (severance) for the property noted above. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and now offers the following comments.

The purpose of the application is to request the consent of The County of Peterborough Land Division Office to the conveyance of a parcel of land having a frontage of approximately 627 metres (2056.82 feet) and an area of approximately 45 hectares (110.9 acres). The effect of the application is to create a new agricultural residential lot. The lot proposed to be severed is currently undeveloped.

Existing mapping indicates that the proposed new agricultural residential lot will not be located within a known floodplain. As such, **it is the opinion of Otonabee Conservation that the application is consistent with section 3.1 (related to Natural Hazards) of the Provincial Policy Statement (PPS).**

An 'Environmental Impact Assessment' (EIA) dated October 2019, was prepared by Niblett Environmental Associates Inc. (NEA, PN 19-067) and submitted with the application for the proposed consent. According to mapping, and the EIA, note that ecological and key hydrological features are located throughout the subject property including:

- the 'Dummer Swamp Provincially Significant Wetland' (PSW);
- a significant woodland and watercourses associated with the PSW;
- several pockets/fingerlings of unevaluated wetlands;
- potential habitat for several species at risk (SAR); and,
- significant wildlife habitat (SWH) traverse the subject lands.

Figure 1 of the EIA indicates the proposed new new agricultural residential lot lines are to be placed within the key hydrological features (PSW) and its associated 30 meter vegetation protection zone (VPZ). The lot lines are also proposed to traverse the significant woodland and potential habitat.

The Otonabee Region Conservation Authority
250 Milroy Drive, Peterborough, ON K9H 7M9
Phone: 705-745-5791 Fax: 705-745-7488
Email: otonabee@otonabeeconservation.com

www.otonabeeconservation.com



Otonabee Conservation is of the opinion that the application is not consistent with Provincial Policy Statement (PPS) policies 2.1.4 a) 2.1.5 b) and d) and 2.1.8 and Growth Plan for the Greater Golden Horseshoe policies 4.2.3.1, 4.2.4.1 c) and 4.2.4.3. These policies do not permit development, including lot creation (severance), within a wetland or the associated 30 metre VPZ/buffer. According to provincial plans, the intent of natural heritage and water/key hydrological feature (wetlands, watercourses and ground water seeps/springs) policies are to reduce habitat fragmentation from land division and/or land conversion. Please refer to the attached comments from Otonabee Conservation technical staff referring to the EIA.

Otonabee Conservation staff further note that policies of the Endangered Species Act (ESA), which protects threatened and endangered species and their habitat may traverse the subject property. The ESA is a proponent-driven legislation. This means the proponent is ultimately responsible for ensuring compliance with the ESA prior to commencement of work regardless of previous planning decisions. Given the potential habitat on site, if the applicant reconfigures the lot lines of the farm parcels to be consistent with provincial policies associated with the PSW/key hydrological features, staff recommends a reassessment of habitat potential for species at risk, which may require additional mitigation measures/recommendations to address PPS 2.1.7. Please refer to the attached comments from Otonabee Conservation technical staff referring to the EIA.

Otonabee Conservation mapping shows the majority of the proposed subject property is subject to this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation, Ontario Regulation 167/06. Therefore, **permits for development or site alteration, including grading, will be required from this agency.** According to the EIA, the boundary of the PSW appears to align with existing provincial mapping with the exception of some fingerling wetland and a small wetland pocket fronting Mid-Dummer 3rd Line Road, in the area of the proposed entrance. Otonabee Conservation permitting staff may require an amendment to the EIA, or site visit in spring conditions to determine the on site conditions.

The application was also reviewed in consideration of the Trent Source Protection Plan (SPP) which was prepared under the 2006 Clean Water Act. 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, Otonabee Conservation

Cc: Karl Moher, Otonabee Conservation Board Member

Jennifer Clinesmith, Manager, Plan Review and Permitting Services, Otonabee Conservation