



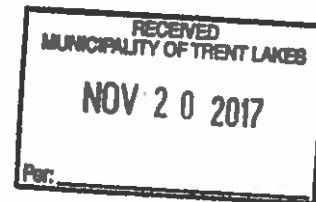
311 George St. N. Suite 200  
Peterborough, ON K9J 3H3

T 705.876.8340 | F 705.742.8343

www.ecovueconsulting.com

October 24, 2017

Building and Planning Department  
Municipality of Trent Lakes  
760 County Road 36  
Trent Lakes, ON K0M 1A0



Attn: Adele Arbour  
Acting Planning Technician

**Re: Zoning By-law Amendment and Application for Site Plan Approval  
Part of Lot 7, Concession 10 (Harvey Ward), Municipality of Trent Lakes  
EcoVue Reference: 17-1686**

---

Dear Ms. Arbour,

This following is being submitted in support of an application for a Zoning By-law Amendment (ZBA) at the above noted property. The purpose of the ZBA is to allow the expansion of the existing Melody Bay Trailer Park to occur within the area of influence of an aggregate pit located to the north of the subject property, as shown on the attached site plan. Below is an examination of the proposed ZBA in the context of the Provincial and local land use planning policies.

### **1.0 Background and Purpose**

The subject property is located at 33 Fire Route 26A on the western shore of Buckhorn Lake. The property is approximately 13.8 hectares (34.1 acres) with approximately 375 metres (1230 feet) of frontage on Buckhorn Lake. The subject property is currently occupied by the Melody Bay Cottage Resort, operated by Parkbridge Lifestyle Communities (Parkbridge), and consists of 124 trailer sites along with several structures related to operations (administration building, comfort station, two pools, and a sports pad). The applicant is proposing to expand the trailer park by creating 11 new trailer sites on the northern portion of the subject property. The location of the expansion sites is shown in the Site Plan attached as **Appendix A**. Each of the proposed new sites will be located within the 150-metre area of influence of the pit to the north of the site.

The Municipality of Trent Lakes Zoning By-law 2014-070 requires that the minimum separation distance between a sensitive land use (which includes trailer parks) and the boundary of an



existing sand and gravel pit operating above the water table shall be 150 metres. The proposed expansion does not meet the provisions of the Zoning By-law and an application for a ZBA is required in order to gain relief from this setback.

### **1.1 Pre-Consultation with Municipality**

The author of this report, together with Mr. Matt Lane and Mr. Baz Dokainish of Parkbridge, attended a pre-consultation meeting with Municipal staff on April 12, 2017 to review the proposed site expansion. Staff identified the need for a Planning Report and Land Use Compatibility Study to support the zoning amendment to allow for a reduced setback from the neighbouring pit.

As such, the following documents are being submitted to the Municipality to support the proposed ZBA and application for site plan approval:

- Planning Letter-Report (EcoVue Consulting Services Inc., October 24, 2017);
- Site Plan (EcoVue Consulting Services Inc., October 24, 2017);
- Land Use Compatibility Study – Air and Noise (Cambium Inc., August 31, 2017); and,
- Land Use Compatibility Study – Hydrogeological (Cambium Inc., August 28, 2017).

## **2.0 Technical Report Summaries**

### **2.1 Land Use Compatibility Study (Air and Noise) – Appendix B**

Cambium Inc. prepared a Land Use Compatibility Study to determine if the proposed trailer park expansion would be impacted by the gravel pit operation to the north, with respect to air, noise and odour.

The study concludes that it is not anticipated that dust, nitrogen oxides or odour will be an issue. However, since odour emissions can be variable, it is recommended that a log of odour nuisances be kept by the site operators. The greatest nuisance to the trailer park is expected to be noise, especially during the operating hours when the crushing unit is present at the pit. Cambium recommends that a 4.5-metre high noise barrier be constructed to block the line of



site. Alternatively, it is recommended that Parkbridge and Buckhorn Sand and Gravel work together to identify on-site controls that may be more effective for the times when crushing operations occur on site.

## **2.2 Land Use Compatibility Study (Hydrogeological) – Appendix C**

Cambium Inc. also prepared a Land Use Compatibility Study to determine if the proposed expansion would be impacted by the gravel pit operation from a hydrological perspective.

The study concludes that the proposed expansion is compatible with the currently operating gravel pit as there will be no significant impacts resulting from the development. The additional sites will be serviced by the Park Well which is located adjacent to the comfort station. This well is located outside of the 150-metre influence area. Additionally, there was no presence of bacterial contamination identified in water samples from either the Park Well or House Well.

## **3.0 Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe**

The Provincial Policy Statement (PPS) provides a policy framework for land use within the Province of Ontario. It is the responsibility of the local planning authorities, in this case the County of Peterborough and the Municipality of Trent Lakes, to uphold the policies of the PPS pertaining to land use planning and development. In particular, the planning authorities must ensure that their decisions are consistent with key provincial interests.

The local planning authorities must also uphold the policies of the Growth Plan for the Greater Golden Horseshoe (Growth Plan). The Growth Plan, prepared under the *Places to Grow Act, 2005*, is intended to guide decisions respecting transportation, infrastructure planning, land-use planning, housing, natural heritage and resource protection. Although the PPS provides overall policy direction on matters of provincial interest related to land use and development, the Growth Plan prevails where there is a conflict, with the exception of the natural environment and human health.



Since the proposed ZBA is only intended to reduce a setback related to an existing aggregate operation, the policies of the PPS and GPGGH that speak to land use compatibility should be considered.

Section 1.2.6.1 of the PPS states that major facilities (which includes resource extraction) and sensitive land uses "*should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities*". As discussed above, the Land Use Compatibility Studies carried out by Cambium demonstrate that the existing operations of the pit will have no adverse impacts on the new trailer sites.

There are no sections of the GPGGH that speak to land use compatibility as it relates to pits or quarries. Therefore, the proposed expansion of the Melody Bay Resort and reduction of the required setback is consistent with these policy documents.

#### **4.0 Local Policy Documents**

Land use in the Municipality of Trent Lakes, a lower-tier municipality, is guided by the policies of the County of Peterborough Official Plan (upper-tier), as well as the policies of the policies of the Official Plan of the Township of Galway-Cavendish and Harvey (Trent Lakes).

##### **4.1 County of Peterborough Official Plan**

The Count of Peterborough Official Plan (CPOP) also contains policies related to the Natural Environment (Section 4.1), with the goal to recognize "*the important contribution to natural systems, natural heritage features and natural resources make to the social, economic, and environmental health of local municipalities*". Section 4.1.3.3 sets policies with regards to Mineral Aggregate and Non-Aggregate Mineral Resources, as follows:

- *Local municipalities shall identify and protect from incompatible uses and activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety, or environmental impact, all existing mineral*



*aggregate and mineral mining operations and known significant deposits of aggregate and non-aggregate mineral resources*

- *... Appropriate separation distances for proposed and existing aggregate operations are usually determined on a site-specific basis. However, the Ministry of Environment considers the area of influence to be 500 metres for a quarry, 300 metres for a pit below the groundwater table and 150 metres for a pit above groundwater table. This area is considered to have the greatest impact on sensitive land uses from the pit or quarry operation. Environmental studies should be required to assess the impact if development occurs within this influence area. This influence area should be applied reciprocally to new sensitive land uses encroaching upon an existing extraction operation or lands committed for future extraction. (emphasis added)*

The County has directed local municipalities to establish policies that require technical applications to accompany development applications within these areas. Therefore, the Municipality of Trent Lakes Official Plan provides specific direction regarding development within the area of influence of a pit or quarry application, as noted below.

Additionally, the County-wide portion of the CPOP does not contain land use designations. However, Section 4 of the CPOP identifies "Watershed Strategic Components", which includes policies related to the Shoreland Areas and the Waterfront. It is stated in Section 4 that all lands within 150 metres of the high-water mark of any lake, river, or waterway are considered to be Shoreland Areas and the Waterfront. Lands that are further than 150 metres, but physically or functionally relate to the Shoreland Area are also considered to be part of the Shoreland Area and the Waterfront.

Section 4.4.2, bullet point two, states that one of the objectives of this Section is to:

- *to permit sustainable shoreland development that allows for limited growth of existing and new tourist developments and innovatively designed residential developments*



Section 4.4.3 provides a list of policies that are to be considered when evaluating development in Shoreland Areas and the Waterfront. The policies that are applicable to the proposed trailer park expansion include the following:

- *The character of Shoreland Areas is linked to the natural and built form associated with the lakes and rivers in the County. For the most part, the natural form includes vegetated shorelines with thin soils over bedrock. The built form includes predominately residential development interspersed with some commercial developments including resorts and marinas. The Shoreland Areas are generally associated with leisure, recreation, water supply, support for fisheries and wildlife habitat. As such, development occurring in the Shoreland Areas should enhance and protect, where possible, those qualities that contribute to the areas character.*
- *The waterfront is a major recreation resource area that must be made accessible to both public and private users, where appropriate*

The proposed expansion of the trailer park on the northern portion of the subject property will not result in any increased development along the shoreline, while providing access to the waterfront for additional private users. Shoreline vegetation and visual impacts will not experience any additional impacts than what currently exists.

Therefore, the proposed expansion of the Melody Bay resort appears to meet the intent of the County of Peterborough Official Plan.

#### **4.2 Municipality of Trent Lakes Official Plan**

The subject property is designated Commercial, according to Schedule 'A1' of the Municipality of Trent Lakes (Township of Galway-Cavendish and Harvey) Official Plan (TLOP). Section 5.6 outlines policies that are specific to the Commercial designation.

Section 5.6.1.2 of the TLOP speaks to the Recreation Commercial uses permitted within the Commercial designation and states that:



*The recreation commercial uses permitted are those which are generally oriented to the waterfront and serve the vacationing and transient public. Such uses include marinas, boat rentals and repairs, resort residential uses such as lodges and condominiums, rental cottages and cabins, motels, hotels, tent and trailer parks, places of entertainment, restaurants, park and recreation facilities, golf courses, associated retail stores and similar uses.*

The proposed expansion of the trailer park, represents the expansion of an existing permitted use within the Commercial designation.

The property to the north of the subject property is designated as Aggregate Resource Extraction, according to Schedule 'A1' of the TLOP, and is identified as an Existing Pit or Quarry on Schedule 'C'. However, Official Plan Amendment No. 40 (OPA 40), which was approved in 2013, redesignated the eastern 9.45 hectares of the pit property from Aggregate Resource Extraction to Industrial. The amendment also added a Special Policy Area to this portion of the property that limits permitted uses to "the existing storage, office and maintenance shop facilities related to the adjacent sand and gravel pit operation, the existing sewage system and landscaping installation business, and a new multi-unit self-storage facility". Existing storage on the property includes outdoor storage of septic tanks and landscape materials. The balance of the property remained designated Aggregate Resource Extraction and continues to be licensed for extraction.

According to Section 5.1.21 (Mineral Aggregate Resource Setbacks):

*Sensitive land uses should not be permitted to be located within [...] 150 metres of existing licensed sand and gravel pit operations that are above the water table [...] unless studies are completed to demonstrate that the encroachment of the sensitive land use will not be impacted by such matters as groundwater interference, noise, dust, traffic and vibration.*

The 150-metre area of influence applies to the western portion of the property that is designated Aggregate Resource Extraction. This portion of the pit property is located directly to the north of the proposed additional sites on the Melody Bay property. The TLOP states that sensitive land uses



may be permitted if studies are completed to demonstrate that the use will not be impacted by the operation of the pit (groundwater, air, noise, etc.).

The Land Use Compatibility studies requested by the Township are discussed in Section 2 of this report. As noted, it is the conclusion of these studies that the pit will not have any adverse impact on the new trailer sites from a groundwater, noise, dust or vibration perspective, provided several mitigative measures are followed. Therefore, it is our opinion that the proposed ZBA conforms to the applicable provisions of the TLOP.

#### **4.3 Municipality of Trent Lakes Zoning By-law**

The subject property is part of the Special Tourist Commercial (TC-1) Zone – Trailer Parks, as identified on Schedule A – Map 6 of the Municipality’s Comprehensive Zoning By-law 2014-070. The proposed expansion of the Melody Bay Resort is a permitted use in this zone and complies with all applicable Zone Standards as per Section 14.8 of the Zoning By-law. However, the proposed trailer sites will not comply with Section 4.34 (General Zone Provisions – Special Separation Distances – Pits and Quarries and Sensitive Land Uses). Section 4.34.1 states that:

*Notwithstanding the minimum yard provisions of this by-law to the contrary, the following separation distances shall apply:*

*The minimum separation distance between a sensitive land use and the boundary of an existing gravel pit operating above the water table shall be 150 metres.*

Further, according to Section 4.34.2:

*No sensitive land uses shall be permitted within the separation distances set out in Section 4.34.1 [...] unless appropriate measures have been undertaken to mitigate potential adverse impacts from the pit or quarry use such as visual impacts, noise, dust, traffic, or groundwater quality or quantity. [...] An amendment to this By-law shall be required to reduce the separation distances of Section 4.34.1. [emphasis added]*





The area of the proposed expansion is within the 150-metre area of influence of the existing pit to the north. Land Use Compatibility Studies were completed by Cambium to address the compatibility of the pit and the trailer park with regards to air, noise and hydrogeology. It is the recommendation of those reports that a 4.5-metre berm be erected to mitigate any noise disturbances and that the site operators keep a log of any odour nuisances. It is proposed that these recommended mitigation measures be implemented through the Site Plan Agreement.

Therefore, it is our opinion that the proposed ZBA complies with the applicable provisions of the Municipality of Trent Lakes Zoning By-law.

#### **4.4 Summary of Policy Considerations**

The proposed application is consistent with the provisions set out in the policy and regulations affecting the subject lands and maintains the intent of the *Planning Act*, the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the County of Peterborough Official Plan, the Municipality of Trent Lakes (Galway-Cavendish and Harvey) Official Plan and the Municipality of Trent Lakes Zoning By-law 2014-070.

#### **5.0 Summary**

Based on the foregoing review of relevant policy considerations, and a detailed investigation of site suitability, it is our opinion that the proposed Zoning By-law amendment and application for site plan approval on the subject property is consistent with both provincial and municipal planning policies and documents, and constitutes good planning.

Respectfully Submitted,



**ECOVUE CONSULTING SERVICES INC.**

A handwritten signature in blue ink, which appears to read "J. Kent Randall", is written over a horizontal line.

J. Kent Randall B.E.S. MCIP RPP  
Senior Planner



encl.

cc:



**Appendix A**  
**Site Plan**  
EcoVue Consulting Services Inc.



**Appendix B**  
**Land Use Compatibility Study (Air and Noise)**  
Cambium Inc.



**Appendix C**  
**Land Use Compatibility Study (Hydrogeological)**  
**Cambium Inc.**