



Planning Justification Report

In Support of an Application for Official Plan and Zoning By-law Amendment
Part of Lots 10 & 11, Concession 3 (Harvey), Municipality of Trent Lakes
County of Peterborough (38 Bolton's Road)

Prepared for: Tecasy Ranch

EcoVue Reference No.: 16-1600

Date: January 11, 2017

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1.0 Introduction

This report is being submitted on behalf of Tecasy Ranch in support of applications for Official Plan amendment (OPA) and Zoning By-law amendment (ZBA) in Part of Lots 10 & 11, Concession 3, in the geographic Township of Harvey, Municipality of Trent Lakes, County of Peterborough, (see **Figure 1 – Site Location**). The amendments to the Municipality of Trent Lakes Official Plan and Zoning By-law B2014-070 (TLZBL) will redesignate and rezone a portion of the subject lands in order to permit a recreational facility known as Tecasy Ranch. This report will examine the proposed amendments in the context of the applicable land use planning policies.

1.1 Description of Proposal

The owners and operators of Tecasy Ranch intend to construct a recreational facility capable of hosting events for non-profit groups. The facility will mainly be used for mountain biking events (but may also include hiking and cross-country skiing in the winter), which will normally take place over the course of a weekend. The facility will only host up to four (4) events per year, with no more than 100 people attending.

The facilities on site will include a 372 square metre (4,000 square foot) mess hall, a “comfort station” with showers and bathroom facilities, twelve (12) sleeping cabins and an outdoor pavilion. Since there will be no kitchen facilities within the mess hall, groups attending the site will be required to supply food. Off-street parking will be available to visitors within a proposed parking lot that will be accessed via Bolton's Road.

The area subject to the OPA and ZBA is approximately 2 hectares in area, and accounts for approximately 1.3% of the entire subject lands. The extent of the proposed development can be seen in **Figure 2 – Concept Plan**.

1.2 Description of Subject Lands

The subject lands consist of two parcels with a combined area of approximately 155 hectares, with approximately 230 metres of frontage on Bolton's Road (all development will take place within the northern parcel). The subject lands are north of Wolf Island Provincial Park on lower Buckhorn Lake and are approximately 3.5 kilometres northwest of the Burleigh Falls settlement area. Access to the property is gained via a private driveway on Bolton's Road, which is accessed from County Road 36.

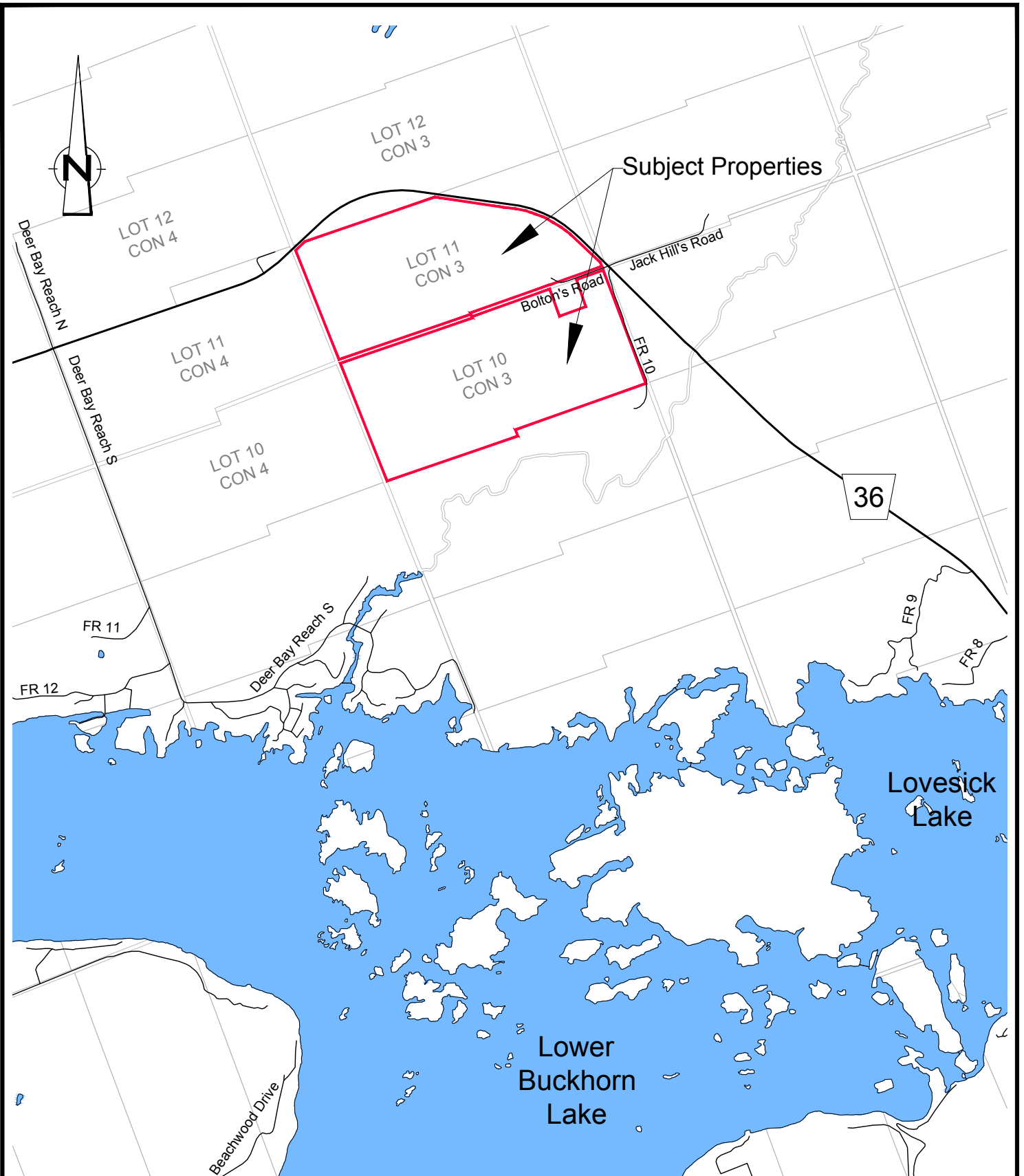


Figure 1 - Site Location

Tecasy Ranch - OPA and ZBA

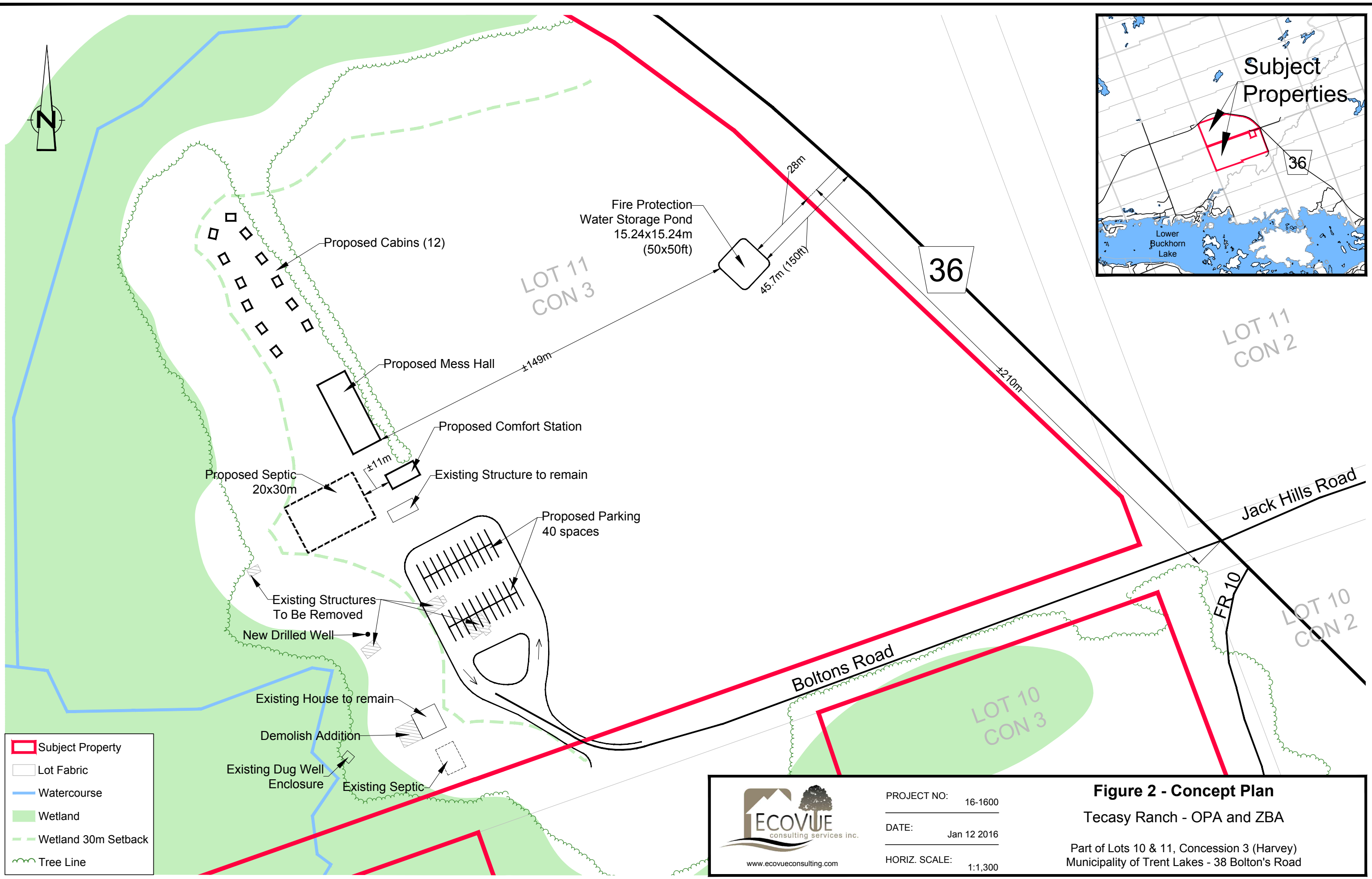
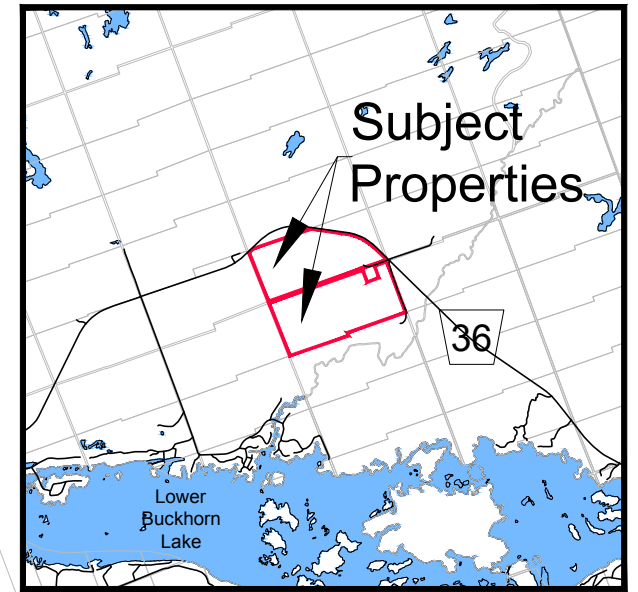
Part of Lots 10 & 11, Concession 3 (Harvey)
Municipality of Trent Lakes - 38 Bolton's Road



PROJECT NO: 16-1600

DATE: Dec 14 2016

HORIZ. SCALE: 1:25,000



- Subject Property
- Lot Fabric
- Watercourse
- Wetland
- Wetland 30m Setback
- Tree Line



PROJECT NO: 16-1600
 DATE: Jan 12 2016
 HORIZ. SCALE: 1:1,300

Figure 2 - Concept Plan
 Tecasy Ranch - OPA and ZBA
 Part of Lots 10 & 11, Concession 3 (Harvey)
 Municipality of Trent Lakes - 38 Bolton's Road



There is currently an existing dwelling (with addition), and several existing barns and storage sheds on the subject lands. The dwelling is intended to be retained; however, the addition and sheds are planned to be demolished.

There are portions of the subject lands that have been cleared of trees and previously used for agricultural uses. One of these cleared areas will be used for the event facilities. The subject property is mainly forested with an abundance of natural vegetation and varied topography. This provides the ideal setting for the existing 30-kilometre trail network, which is located in these dense forested areas. The unevaluated Deer Bay Creek wetland complex runs north-south close to the centre of the property.

2.0 Policy Considerations

Land use policies and regulations affecting the subject lands include the Provincial Policy Statement and the *Places to Grow Act, 2005* and the associated Growth Plan for the Greater Golden Horseshoe. At the municipal level, the County of Peterborough Official Plan (CPOP), Municipality of Trent Lakes Official Plan (TLOP) and the Municipality of Trent Lakes Zoning By-law B2014-070 (TLZB) affect the subject lands. In this section of the report, the proposed OPA and ZBA are reviewed in the context of the policies and provisions contained in these documents.

2.1 Provincial Policy Statement

The 2014 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 Municipality of Trent Lakes – to uphold the policies of the PPS pertaining to land use planning and development. In particular, the planning authority must ensure that their decisions are consistent with key provincial interests including policies related to settlement areas in urban and rural communities, the wise use and management of resources, and public health and safety.

2.1.1 Rural Areas in Municipalities

The subject property is not located within a settlement area and is therefore subject to Section 1.1.4 of the PPS. It is stated in Section 1.1.4 (Rural Areas in Municipalities) that, “[r]ural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas”. It is further stated in Section 1.1.4.1 (f) that “rural areas should be supported by promoting diversification of the economic base and employment opportunities...”



2.1.1.1 Rural Lands in Municipalities

Section 1.1.5 of the PPS speaks to rural lands in municipalities. It is stated in Section 1.1.5.2 that the permitted uses within the rural lands shall include:

- a) *the management or use of resources;*
- b) *resource-based recreation uses (including recreational dwellings);*
- c) *limited residential development;*
- d) *home occupations and home industries;*
- e) *cemeteries; and*
- f) *other rural land uses.*

The proposed ranch and retreat is considered a rural land use as it requires a rural setting utilizing the natural features for trails and camping. These are characteristics that cannot be found in settlement areas. The use is also considered a resource-based recreational use as the proposed development will utilize the hills and forest (the resource) for the purposes of an extensive trail network for mountain biking. Therefore, the establishment of the Tecasy Ranch is consistent with Section 1.1.5 of the PPS.

2.1.2 Infrastructure and Public Service Facilities – Sewage, Water and Stormwater

Section 1.6.6 of the PPS outlines policies regarding sewage and water systems. Municipal water and sewer servicing is currently not available on the subject lands and communal servicing is not feasible at this location. Therefore, individual sewer and water servicing must be utilized. It is stated in Subsection 1.6.6.4 that individual private sewage and water systems “*may be use provided that site conditions are suitable for the long-term use of such services with no negative impacts*”. It was determined through well and soil tests that the subject property can support the servicing demand of the proposed use. The proposed water and sewage servicing systems are described in the Functional Servicing Report, attached as **Appendix B** to this Report.

As seen in **Figure 2 – Concept Plan**, the proposed septic and water servicing locations are seen in relation to the subject lands.



2.1.3 Natural Heritage

Section 2.1 of the PPS states that natural features and areas shall be protected for the long term, and the development and site alteration shall not be permitted within significant natural areas or significant habitat of endangered or threatened species. As mentioned previously, the Deer Bay Creek wetland complex is located on the subject lands immediately west of the area to be developed. An Environmental Impact Study completed by Cambium Inc. (**Appendix A**), was undertaken in order to determine the wetland boundary and the potential impacts, if any, the development would have on the wetland. The study also examined the potential for habitat for Species at Risk (SAR). The EIS concluded that a 30 metre development buffer should be implemented in order to protect the wetland. The structures of the proposed development will maintain this buffer.

Only one Species at Risk (SAR) was found on the subject lands during completion of the EIS, that being the Barn Swallow. Active nests were observed in the horse shelter structure nearest the proposed development, which is intended to be maintained in the proposed development. There was suitable habitat noted in several outbuildings, but nests were only observed in the one shelter structure. These other buildings are planned to be removed, and are not in contravention of the Endangered Species Act, as per the EIS. The Barn Swallows will not be negatively affected by the proposed development provided the structure containing their habitat is maintained in its current state, at the recommendation of the EIS.

Section 2.1 of the PPS has been satisfied through the protection of the natural features and habitat for endangered and threatened species on the subject lands.

2.1.4 Natural and Human-made Hazards

Section 3.1 of the PPS addresses development that occurs within natural and human-made hazards. The site is not associated with any natural hazards, such as floodplain, steep slopes or unstable soils or bedrock. There are also no suspected human-made hazards on the site. Therefore, the applications for an OPA and ZBA are consistent with Section 3.1 of the PPS.

2.1.5 Cultural Heritage and Archaeology

It is stated in Section 2.6.2 that "*development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved*". It was determined through pre-consultation with the Municipality and County that



an archaeological assessment would not be required as there is little to no potential for archaeological resources to be located on the subject lands. Therefore, the proposed Tecasy Ranch is consistent with the policies of Section 2.6 of the PPS.

2.1.6 Agriculture – Minimum Distance Separation

Minimum Distance Separation (MDS) is a tool that determines a recommended separation distance between a livestock barn or manure storage facility and another land use for the purposes of minimizing the impacts of odours. Any new development in a rural area must adhere to the MDS Formula set out by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), as per Section 2.3.3.3 of the PPS. The minimum distance that is calculated for a livestock facility (barn) represents a radius that extends 360 degrees around the barn, creating an “arc”.

There are two potential odour producing barns within two (2) kilometres of the subject lands. An MDS arc was calculated for each barn based on the tillable acres and barn area apparent in aerial imagery. Since the potential livestock of these structures is unknown, the largest arc possible was created (using swine and liquid manure statistics). These arcs are both well outside the boundaries of the subject lands, and thus satisfy the requirements of MDS.

2.2 Growth Plan for the Greater Golden Horseshoe

The County of Peterborough is included within the Growth Plan for the Greater Golden Horseshoe (GPGGH), prepared under the *Places to Grow Act, 2005*. The Growth Plan, administered by the Ministry of Municipal Affairs (MMA), 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 GPGGH prevails where that is a conflict, with two exceptions: natural environment and human health.

As mentioned in Section 2.1, the subject property is not located within a settlement area. Section 2.2.2.1(i) of the GPGGH states that development should be directed to settlement areas “*except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas*”. As discussed, the proposed development is a rural land use and resource-based recreational use. Therefore, the proposed development is consistent with Section 2.2.2.1 of the GPGGH.



2.3 Municipal Planning Documents

In addition to demonstrating consistency with provincial planning policies, it is necessary that the proposal conform to the policies and provisions of upper and lower tier municipal planning documents. This includes policies within the County of Peterborough Official Plan, Municipality of Trent Lakes Official Plan and Municipality of Trent Lakes Zoning By-law B2014-070.

2.3.1 County of Peterborough Official Plan

Section 4.3 of the County of Peterborough Official Plan (CPOP) – Rural and Cultural Landscape – describes lands that are: outside of settlement areas; not part of shoreland areas or significant natural heritage features and resources; not utilized for transportation, services and utilities; and not used for recreation or open space purposes. Therefore, the subject lands are considered to be part of Rural and Cultural Landscape.

Section 4.3.2 of the CPOP discusses the Rural and Cultural Landscape. Applicable objectives of this section include:

- *“to permit an amount and type of development in the rural area consistent with maintaining its rural and cultural landscape;*
- *to provide for limited rural development and to ensure that such development does not threaten the quality or quantity of ground and surface water;*
- *to encourage compatible economic diversification [...];*

Further, Section 4.3.3.1 provides general policies for the Rural and Cultural Landscape, one of which includes:

“Rural areas will generally be the focus of resource activity, resource based recreational activity and other rural land uses. The County, recognizing the need for growth on a limited basis, will permit non-agricultural related uses in the rural community outside prime agricultural areas and other agricultural areas designated in local plans in accordance with Section 4.3.3.2 which reflect the cultural and rural character of the area, promote a variety of living and employment



opportunities for the rural community and do not negatively impact on the natural environment that cannot be located in settlement areas”

The proposal is consistent with Sections 4.3.2 and 4.3.3.1 of the CPOP as the use is considered a resource-based recreational activity. It is also rural in nature and requires the use of the Municipality's natural landscape. The proposal will have no negative impact on the natural environment, as discussed in the Environmental Impact Study, and water and sewer servicing can be established on the lands with no negative impacts. The use will also promote economic diversification of the rural area.

2.3.2 Municipality of Trent Lakes Official Plan

The subject lands are designated Rural and Environmental Protection according to Schedule 'A1' of the Municipality of Trent Lakes Official Plan (TLOP), (see **Figure 3 – Municipality of Trent Lakes Official Plan Schedule A1**). The Environmental Protection designation follows the Deer Bay Creek wetland complex, which runs north-south close to the centre of the property. As shown previously in **Figure 2 – Concept Plan**, the proposed ranch will be constructed in an area of the property designated Rural.

As per Section 5.2.1 of the TLOP, permitted uses in the Rural designation include:

“forestry management uses, passive recreational uses, parklands, small scale commercial and industrial uses to the home of the proprietor, agricultural uses, community and institutional facilities such as places of worship, government offices and schools, wayside or short-form pits and quarries, limited permanent and recreational residential dwelling at a very low density, and existing uses”.

Use of the property for passive recreational walking, hiking and biking trails is currently permitted within the Rural designation. However, use the property for the purposes described herein (charity events) is not currently permitted within the designation. After discussion with the Municipality it was determined that, due to similar traffic and servicing impacts, the proposed use was to be considered a recreational commercial use. It is proposed that this uses be permitted by way of an amendment to the Official Plan.

Section 5.6.6 of the TLOP (New Commercial Development Criteria) discusses the requirement for an Official Plan Amendment when a proposed commercial use is not permitted within an existing designation a property:



“New proposed commercial development which is not already designated as Commercial and which is not a small scale commercial use to be regulated as a home occupation or home industry shall require an amendment to this Plan. Such development shall only take place after the following factors have been given consideration:

a) The compatibility of the proposed use with adjacent land uses;

- The proposed use will not negatively impact the surrounding rural uses, as it involves passive recreational use and establishment of a small rural camp/cabin ground. The facilities will also be setback from major roads (County Road 36) and will blend with the rural character of the area.

b) The impact of the proposed development on the natural environment, the open space character and the scenic qualities of the Township;

- The proposed use will enhance the rural character of the area as it encourages enjoyment of the outdoors, and protects sensitive land features on the subject property, including the Deer Bay Creek Wetland.

c) The provisions of Section 5.1.10 of this Plan;

- Section 5.1.10 of the TLOP discusses the “Protection of the Environment”. Cambium Inc. completed an Environmental Impact Study to address areas of conservation and mitigation on the subject lands in regards to natural heritage features. As per the conclusions of the EIS, the proposed development will have no negative impact on natural heritage features if the recommendations of the report are followed.

d) The physical suitability and soil capability of the site for the proposed use;

- The physical state of the site is suitable for the proposed use, including servicing, as demonstrated in the Functional Servicing Report (**Appendix B**).

e) The convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety in relation thereto, and the provision of adequate off-street parking as required by the Township's Zoning By-law;



- 40 parking off-street parking spaces are provided in the concept plan. Access to the property will be via Bolton's Road, off of County Road 36, both of which are municipally maintained.

f) Buffering and building setbacks;

- The proposed development will follow the appropriate setbacks of the Rural (RU) zone and maintain a 30-metre setback from the wetland on the property, as recommended in the Environmental Impact Study.

g) Water and sewage servicing requirements;

- Septic and well servicing will be designed to the requirements of Peterborough Public Health, County and Municipality. A Functional Servicing Report was completed and included in **Appendix B**.

h) Site design;

- The design of the site is detailed in **Figure 2 – Concept Plan**.

i) Provision of interior street design and possible exterior street realignment.

Any new Commercial development shall front on an assumed public road with is currently maintained on a year-round basis by the Ministry of Transportation or by the Township of Galway-Cavendish and Harvey”.

- The subject property fronts on a assumed public road. Further to this, a Traffic Impact Brief (TIB) was conducted by CC Tatham in order to determine the extent of, if any, traffic impacts on the existing road network. The TIB concluded that the traffic generated by the proposed use can be accommodated within the existing road network and no road improvements would be required. This study is included with this Report as **Appendix C**.

The proposed use is suitable for the subject property as it is rural in nature and promotes the enjoyment of the Municipality's rural character. The proposed Official Plan Amendment will add a special provision to the current Rural designation to include the proposed development as a permitted use.



2.3.2.1 Proposed Official Plan Amendment Text

It is proposed that Schedule A to the TLOP be amended to show the subject lands redesignated as a Rural Special Area. Further, Section 5 of the TLOP should be amended by adding the following corresponding text:

“Notwithstanding Section 5.2.1 to the contrary, on lands located in Part of Lots 10 and 11, Concession 3, former Township of Harvey (38 Bolton’s Road), a Rural Special Area designation shall apply. The following uses are permitted within this designation:

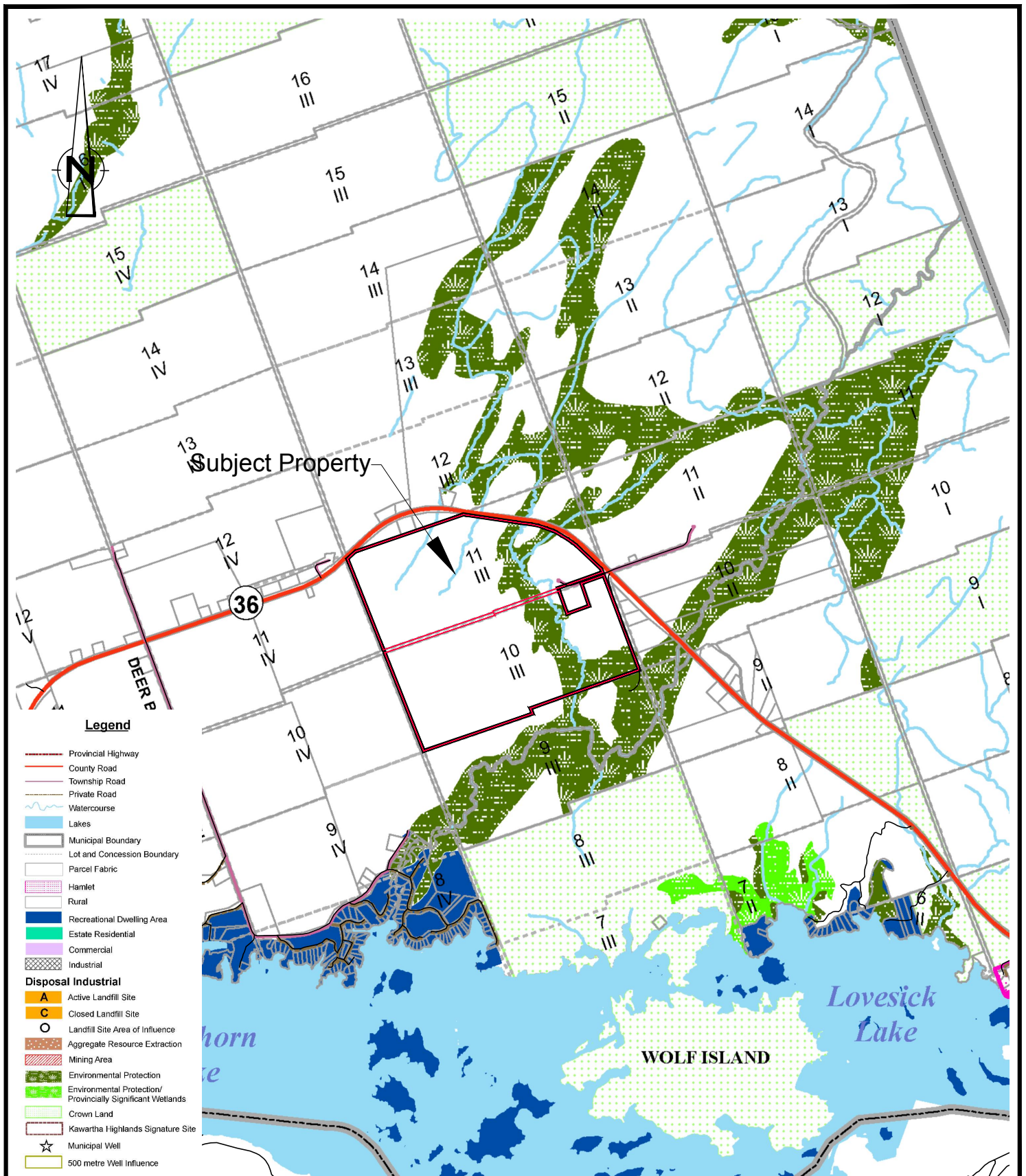
- 1. The hosting of charity events for non-profit groups, including all associated buildings and structures; and,*
- 2. Recreational trails for non-motorized vehicles*

All other policies associated with the Rural designation shall continue to apply.”

2.3.3 Municipality of Trent Lakes Zoning By-law B2014-070

The property is currently zoned the Rural (RU) Zone and the Environmental Protection (EP) Zone, as per Schedule A – Map 8 to the TLZBL (see **Figure 4**). As noted in Section 2.3.2 of this Report, the EP Zone also follows the Deer Bay Creek wetland complex boundaries. The proposed new used is located in the RU Zone outside of this EP area. Permitted uses within the RU Zone relevant to this application include the following, as per Section 5.1 of the TLZBL:

- 5.1.1 one single detached dwelling*
- 5.1.4 an assembly hall*
- 5.1.7 a camp, seasonal*
- 5.1.9 a camp, recreational bush*
- 5.1.21 a recreational use*



PROJECT NO: 16-1600
 DATE: Dec 14 2016
 HORIZ. SCALE: 1:30,000

Figure 3 - Official Plan Schedule A1
Municipality of Trent Lakes
 Tescy Ranch - OPA and ZBA
 Part of Lots 10 & 11, Concession 3 (Harvey)
 Municipality of Trent Lakes - 38 Bolton's Road



The existing dwelling, trail network and mess hall (as a social area only) are currently permitted. However, these permitted uses do not account for the full proposal. A Zoning By-law amendment to the TLZB is required to introduce additional uses such as: the mess hall for eating, guest cabins, and a camp ground intended for a recreational commercial retreat. (The TLZB's definition for "recreational bush" and "seasonal" camps do not adequately describe the intended use for Tecasy Ranch).

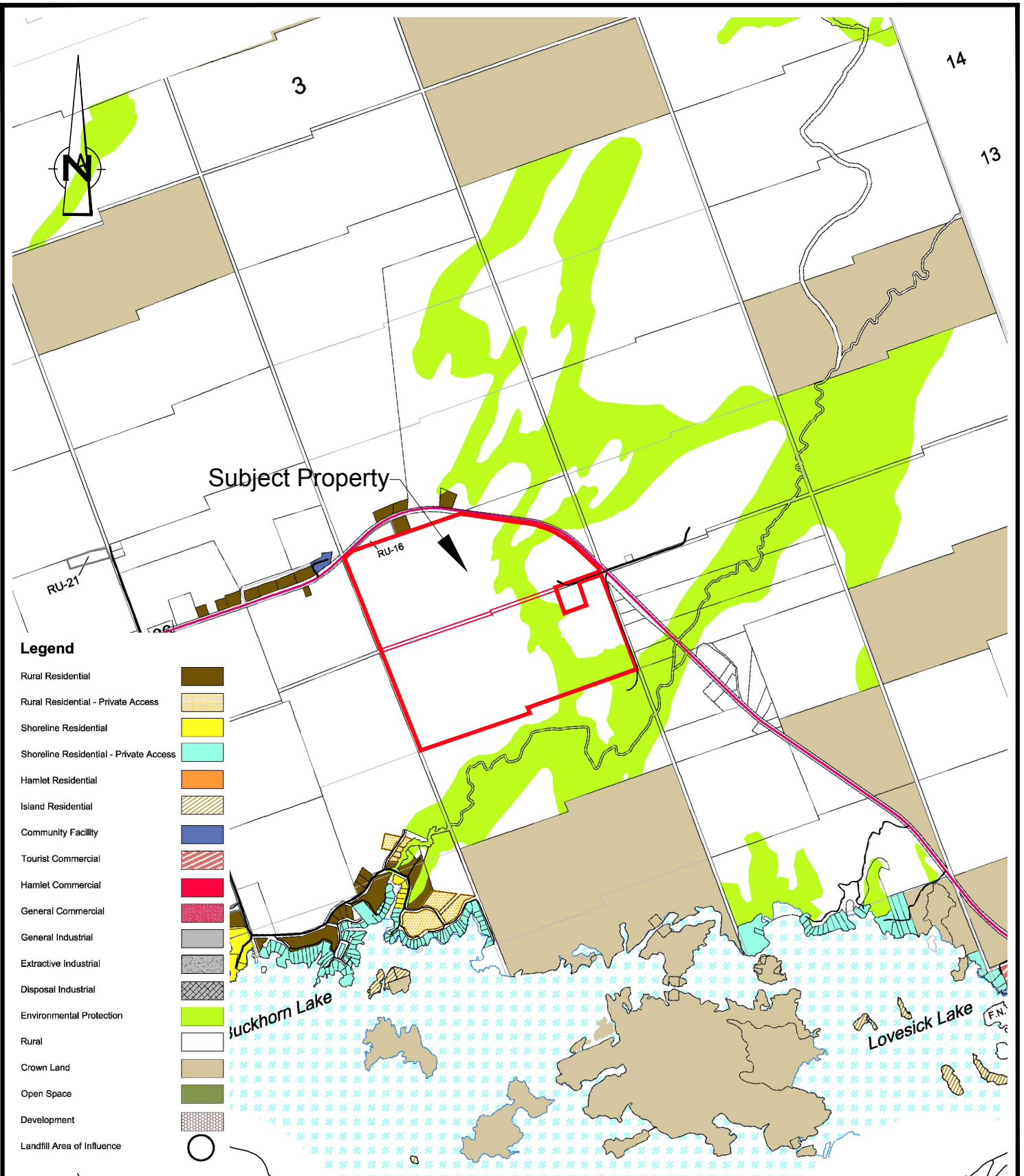
Given the unique uses that are proposed, it is our opinion that a Special District (S.D.) Zone be applied to the subject property, as follows:

*Notwithstanding Section 5.1 of this By-law to the contrary, the following uses shall be permitted within the Special District ***** (S.D.-***) Zone:*

1. *a non-profit camp site for weekend (Friday to Sunday or Monday) events, comprised of the following buildings and structures:*
 - a) *a mess hall with a 100 person capacity;*
 - b) *an outdoor, roofed pavilion;*
 - c) *a building with showers and bathroom facilities only;*
 - d) *an office and accessory dwelling;*
 - e) *a storage building; and*
 - f) *up to twelve (12) sleeping cabins, each no more than 9.3 square metres (100 square feet)*

2.4 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 and the County of Peterborough Official Plan. However, amendments to the Municipality of Trent Lakes Official Plan and the Municipality of Trent Lakes Zoning By-law B2014-070 are required to properly permit the proposed uses of Tecasy Ranch.



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Figure 4 - Zoning By-law B2014-070
Schedule A Map 8 - Municipality of Trent Lakes
 Tecasy Ranch - OPA and ZBA
 Part of Lots 10 & 11, Concession 3 (Harvey)
 Municipality of Trent Lakes - 38 Bolton's Road




Tecasy Ranch OPA & ZBA
38 Bolton's Road
Municipality of Trent Lakes
January 11, 2017

3.0 Conclusion

Based on the foregoing review of relevant policy considerations, and a detailed investigation of site suitability, this Report concludes that the proposed Tecasy Ranch 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.



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Tecasy Ranch OPA & ZBA
38 Bolton's Road
Municipality of Trent Lakes
January 11, 2017

Appendix A
Environmental Impact Study
Cambium Inc.
(under separate cover)



Tecasy Ranch OPA & ZBA
38 Bolton's Road
Municipality of Trent Lakes
January 11, 2017

Appendix B

Functional Servicing Report

EcoVue Consulting Services Inc.



Tecasy Ranch OPA & ZBA
38 Bolton's Road
Municipality of Trent Lakes
January 11, 2017

Appendix C

Traffic Impact Brief

CC Tatham and Associates