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August 4, 2017

Building and Planning Department
Municipality of Trent Lakes
760 County Road No. 36
Trent Lakes, ON K0M 1A0

Attn: Chris Jones, Municipal Planning Services
Amanda Warren, Planning Technician

**Re: Addendum to Planning Report – Growth Plan 2017 Conformity
Proposed Plan of Subdivision and Plan of Condominium
2394735 Ontario Inc. (Orion Group Properties)
Part of Lot 16 and 17, Concession 14, Harvey Ward
County File # 15T-1004 and 15CD-16003
EcoVue Reference 14-1396**

Dear Amanda and Chris,

Please accept this Addendum to our Planning Report of December 1, 2016 for the above-noted applications. The purpose of the Addendum is to demonstrate consistency with the Growth Plan for the Greater Golden Horseshoe 2017 (new GPGGH), which came into effect on July 1, 2017.

1.0 BACKGROUND

The new GPGGH provides a policy framework for land use and development within the Greater Golden Horseshoe. The subject lands are located within Peterborough County and as such are included in the outer ring of the GGH. The Outer Ring is defined in the new GPGGH as:

*The geographic area consisting of the cities of Barrie, Brantford, Guelph, Kawartha Lakes, Orillia, and Peterborough; **the Counties of** Brant, Dufferin, Haldimand, Northumberland, **Peterborough**, Simcoe, and Wellington; and the Regions of Niagara and Waterloo.*



1.1. Section 2.9 – Rural Areas

The property is located within the rural area, which is located outside settlement areas and outside prime agricultural areas. Section 2.9 of the new GPGGH provides policies applicable to rural areas.

1.1.1. Sections 2.2.9.3 and 2.2.9.4 – Resource-based Recreational Uses

Section 2.2.9.3 provides for development on rural lands for:

- a) *the management or use of resources;*
- b) *resource-based recreational uses; and***
- c) *other rural land uses that are not appropriate in settlement areas provided they:*
 - i. *are compatible with the rural landscape and surrounding local land uses;*
 - ii. *will be sustained by rural service levels; and*
 - iii. *will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.*

The proposed development is associated with resource-based recreation, involving enjoyment of the natural areas and shorelines of Pigeon Lake and Buffalo Bay. Buffalo Bay is a small embayment, known primarily for its excellent fishing opportunities. The quiet bay is also suitable for kayaking, canoeing, and bird watching. The property itself has been used in the past by four-wheelers and trail bikes, as well as by local residents for nature walks.

The shoreline areas to the east and west of the subject property are characterized by shoreline residential development. In fact, the subject property is one of the few undeveloped sections of shoreline along Pigeon Lake. Aerial photography confirms the extent of this development, as shown on Figures 1 and 2 below.

Section 2.2.9.4 provides further guidance with respect to resource-based recreational uses, as follows:

Where permitted on rural lands, resource-based recreational uses should be limited to tourism-related and recreational uses that are compatible with the scale, character, and capacity of the resource and the surrounding rural landscape, and may include:

a) commercial uses to serve the needs of visitors; and

b) where appropriate, resource-based recreational dwellings for seasonal accommodation.

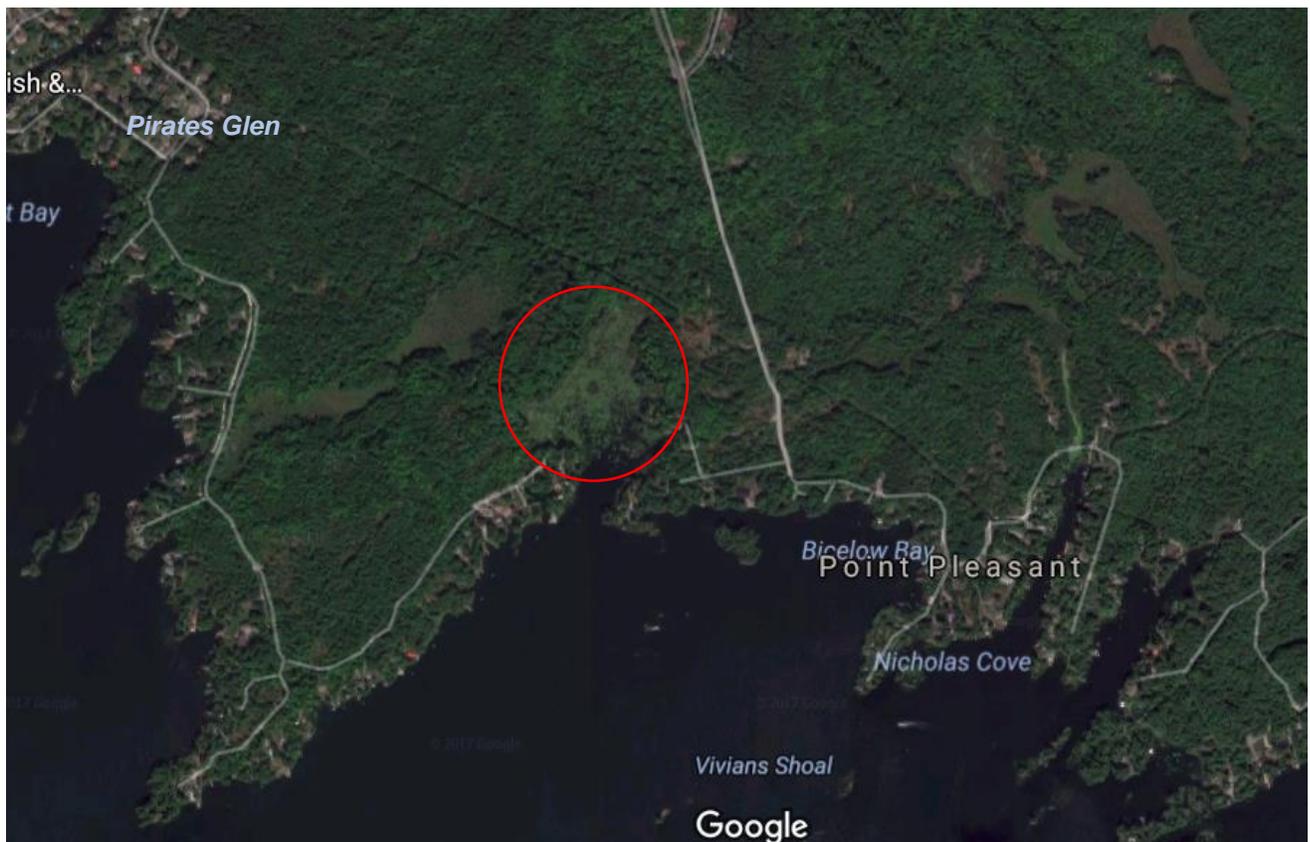


Figure 1 - Shoreline Development in vicinity of subject lands

The existing shoreline development consists of permanent and seasonal dwellings, most of which are located on lots substantially smaller than those proposed for the subject lands. In addition, the shoreline setbacks for existing dwellings are generally less than the 30m now required for shoreline properties. On this basis, the proposed development will be less intrusive than is the existing development. The existing dwellings vary in size and architectural style. The proposed dwellings will be designed to complement the rural landscape and will not be readily visible from the bay.

It is for these reasons that we are confident that the proposed development is consistent with Section 2.2.9.3 and 2.2.9.4 of the new GPGGH.

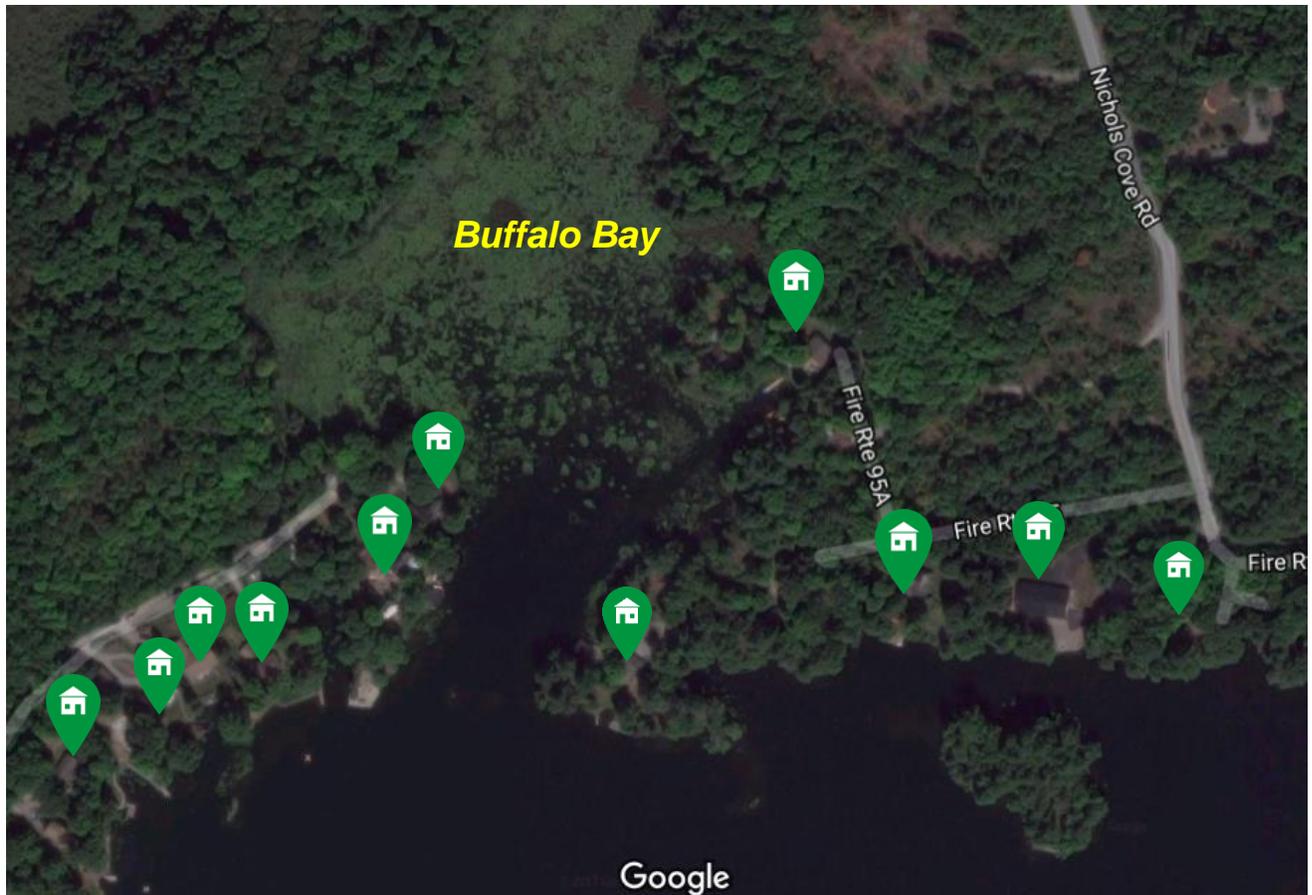


Figure 2- Existing Shoreline Residential Development - Buffalo Bay

1.1.2. Section 2.9.9.6 – Multiple Lots

Although current policies generally preclude the development of permanent resource-based recreational dwellings in rural areas, Section 2.2.9.6 of the new GPGGH states that:

6. *New multiple lots or units for residential development... may be allowed on rural lands in site-specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006.*



The subject property is designated as **Recreational Dwelling Area** on Schedule “A” Map to the current Municipality of Trent Lakes Official Plan. Our December 1, 2016 Planning Report includes an excerpt from Schedule “A” to the Municipality’s Official Plan, which includes the subject property. It is included as Appendix “A” to this Addendum. This designation permits single unit permanent dwellings, single unit recreational dwellings, existing commercial uses which are compatible with the surrounding area, the conversion of recreational dwellings to permanent dwellings where appropriate and parkland. The lands were designated Recreational Dwelling Area prior to June 16, 2006, as evidenced by the excerpt from “*Schedule A1-Land Use Plan Harvey*” to The Township of Galway-Cavendish and Harvey Official Plan. The Official Plan was approved by the Ministry of Municipal Affairs on July 30, 1993, with Modifications. Approval was granted on January 3, 2002 for the Plan inclusive of OPA 7 and County of Peterborough Modifications. The policies of Section 5.4.2 of that Plan state that “*All new development proposals within the Recreational Dwelling Area designation shall be reviewed in the context of a permanent residential development.*” As such, the applications are consistent with Section 2.2.9.6 of the new GPGGH.

1.2. Section 4.2.2.3 – Natural Heritage Systems

Section 4.2.2.3 of the new GPGGH provides six criteria to be addressed when development is

“3. Within the Natural Heritage System:

a) new development or site alteration will demonstrate that:

i. there are no negative impacts on key natural heritage features or key hydrologic features or their functions;

Comment – The Environmental Impact Assessment (Beacon) and Addendum (NEA) were completed in support of the proposed development and filed with the applications. The reports concluded that the proposed development would not result in negative impacts on key natural heritage features or key hydrological features or their functions. In response to comments received from Stantec and the MNRF with respect to wetland areas located on the property, it was determined that these wetlands should be assumed to be Provincially Significant (PSW). The lot fabric was



then adjusted to ensure that no wetlands of Provincial Significance will be impacted as a result of the creation of lots and the location of lot lines which define those lots.

Given that the Bay has been identified as Category I habitat for Blanding's turtles and the upland areas of the subject property have been identified as Category II habitat for these turtles, mitigation measures are being proposed to limit the extent to which the these turtles may be impacted by the development. The mitigation includes the installation of turtle barriers, wildlife crossings, the construction of a gravel road and introduction of signage to indicate the possible presence of individuals of this species, the MNRF is considering issuance of a Permit under Section 9 and 10 of the SAR legislation. It is our recommendation that these measures be included as a Condition of Draft Plan Approval by the Approval Authority. For further detail, please refer to the original submissions addressing natural heritage features and areas and natural heritage systems, as well as our letter of August 8, 2017 concerning the PSW complex.

ii. connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;

Comment: A thirty (30) metre undisturbed setback is proposed to be established between the shoreline of Buffalo Bay and the residential lots. As proposed the buffer lands will be held in common ownership by the condominium corporation established for this development. The conditions of the Condominium Agreement will include clauses protecting the established vegetation within the buffer areas. The lands will be zoned the Open Space (OS) Zone. The OS Zone will also be applied to the wildlife corridors proposed to be established along existing creek valleys, and providing a linkage between Buffalo Bay and the interior wetland pockets to the north and west of the subject lands. Wildlife crossings are proposed to be installed where these corridors intersect with the



private gravel road servicing the development. These corridors will provide for the movement of plants and animals within the natural heritage system.

iii. the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;

Comment: As discussed elsewhere herein, the design of the Plan of Subdivision was developed in consultation with the MNR and several protective measures have been proposed as part of the Plan including: a 30m buffer to be held in common by the proposed condominium corporation; use of turtle fencing to protect turtles from contact with future residents, vehicles etc.; and open space corridors along stream valleys to provide wildlife corridors between the bay and the interior wetlands beyond the development area.

The road has been designed to minimize the amount of clearing and grading necessary. Existing vegetation will be retained on the individual lots wherever possible. Some small wetland pockets which are not associated with the PSW, may be filled to enable the construction of dwellings, sewage disposal systems and driveways.

iv. except for uses described in and governed by the policies in subsection 4.2.8, the disturbed area, including any buildings and structures, will not exceed 25 per cent of the total developable area, and the impervious surface will not exceed 10 per cent of the total developable area;

The maximum allowable lot coverage for a lot within the Shoreline Residential-Limited Access Zone is 20%. Given the lot areas proposed, it is reasonable to assume that the total disturbed area will not exceed 25% of the total developable area, including the area required for a driveway. By way of illustration, Lot 7 has a proposed total lot area of 0.47 ha or 47,000 sq. m. Lot 8 has a total lot area of 0.38 sq. m. Proposed dwellings will have a gross floor area between 185 sq. m and 235



sq. m. As stated in the hydrogeological report prepared by Cambium Inc. in support of this development, sewage disposal systems are expected to range between 102.4 sq. m. and 682.5 sq. m. The maximum allowable size for a guest cabin is 44.6 square metres. Therefore, there is sufficient lot area on each lot to accommodate a main dwelling, bunkie/accessory building, sewage treatment system (approx. 20%) and driveway within the maximum 25% disturbed area requirement.

This condition can be included in the zoning provisions applicable to the property.

v. with respect to golf courses, the disturbed area will not exceed 40 per cent of the total developable area; and

COMMENT – N/A

vi. at least 30 per cent of the total developable area will remain or be returned to natural self-sustaining vegetation, except where specified in accordance with the policies in subsection 4.2.8;

COMMENT – this requirement can be addressed through conditions of draft plan approval.

1.3. Section 4.2.3.1 – Key Features

Section 4.2.3.1 speaks to Natural Heritage features that are part of the Natural Heritage System mapped and issued by the Province in accordance with the new GPGGH. It is our understanding that mapping associated with the new GPGGH has not yet been released by the Province. Therefore, it is our opinion that the proposed development is not located within any natural heritage features which are part of a “Natural Heritage System”, as defined by the new GPGGH.

Notwithstanding, an EIS was completed to determine whether any key natural heritage features or areas are associated with the subject property. Although the wetlands on site were never evaluated in accordance with the MNRF evaluation criteria, the wetlands are presumed to be PSW, in part because of the presence of Blanding’s turtles. The development has been redesigned to ensure that no development or site alteration is to occur within the PSWs.



1.4. Section 4.2.3.2

Section 4.2.3.2 requires that proposals for large-scale development proceeding by way of plan of subdivision, vacant land plan of condominium or site plan and located outside of settlement areas, may be permitted within a key hydrologic area ... *“where it is demonstrated that the hydrologic functions, including the quality and quantity of water, of these areas will be protected and, where possible, enhanced or restored through:*

- a) the identification of planning, design, and construction practices and techniques;*
- b) meeting other criteria and direction set out in the applicable watershed planning or subwatershed plans; and*
- c) meeting any applicable provincial standards, guidelines, and procedures”.*

Cambium Inc., has not identified the property as a key hydrologic area, such as a significant groundwater recharge area, a highly vulnerable aquifer, or a significant surface water contribution area necessary for the ecological and hydrologic integrity of the watershed.

1.5. Section 4.2.4.1

The subject lands are not located within 120m metres of within any natural heritage features which are part of a “Natural Heritage System”, or any key hydrologic features defined by the new GPGGH. Such mapping does not exist currently. As explained in the previous Section of this report, an EIS was completed to determine whether any key natural heritage features or areas are associated with the subject property. Although the wetlands on site were never evaluated in accordance with the MNRF evaluation criteria, the wetlands are presumed to be PSW, given the presence of Blanding’s turtles. The development has been redesigned to ensure that development or site alteration within 120m of the PSW will not have a negative impact on the PSW.

Cambium Inc., has confirmed that the area is not located within 120m of a key hydrologic area, such as a significant groundwater recharge area, a highly vulnerable aquifer, or a significant surface water contribution areas necessary for the ecological and hydrologic integrity of the watershed.



Section 4.2.4.1 also states that, where development is proposed outside a settlement area a natural heritage evaluation or hydrologic evaluation, a vegetation protection zone is required. The buffer must meet the following three criteria:

- a) is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;*
- b) is established to achieve and be maintained as natural self-sustaining vegetation;*
and
- c) for key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.*

As mentioned previously, a 30m buffer vegetated buffer area has been proposed adjacent to the shoreline of Buffalo Bay. The vegetation buffer is intended to protect the bay from any negative impacts associated with the proposed development. Open space areas as also proposed adjacent to the small watercourses on the property, despite the fact that they are not identified as key features or areas.

1.6. Section 4.2.4.4 - Exemption

Section 4.2.4.4 provides an exemption from the requirement for a natural heritage or hydrologic evaluation (Sections 4.2.3.1 and 4.2.4.1) because the only key natural heritage feature is the habitat of endangered species and threatened species (Blanding's turtles). Permitting under Section 9 and 10 of the Province of Ontario's Species at Risk legislation is being pursued in consultation with the MNRF.

1.7. Section 4.2.4.5 – Policy for New Development in Shoreline Areas

Section 4.2.4.5 states that infill development, redevelopment and resort development is permitted, outside of settlement areas, in developed shoreline areas of inland lakes that are designated or zoned for concentrations of development as of July 1, 2017. This development is subject to municipal and agency planning and regulatory requirements.

The current proposal is associated with a largely developed shoreline area. As previously mentioned, the lands have been designated for development since at least 1998. The applications for Approval of a



Plan of Subdivision, plan of condominium and zoning by-law amendment are being reviewed by the municipality, commenting agencies and approval authority in the context are current policies and regulations. It is our expectation that the Conditions of Draft Plan Approval will reflect any recommendations resulting from this review.

1.8. Summary - Natural Heritage Systems and Key Features

In terms of natural heritage features and areas, we have demonstrated through several supporting reports that the development is not expected to have a negative impact on any natural features and areas or their ecological functions, except in accordance with provincial and federal requirements respecting the habitat of Species and Risk.

As such, it is our opinion that the proposed residential development is consistent with the applicable policies of the new GPGGH.

Best regards,

Yours sincerely,

ECOVUE CONSULTING SERVICES INC.

A handwritten signature in blue ink that reads 'Heather Sadler'.

Heather Sadler B.A.M.A. MCIP RPP
Principal

