



The Corporation of the Township of Scugog
Planning and Community Affairs Committee Meeting
Revised Agenda

Monday, September 16, 2024

6:30 PM

Scugog Community Recreation Centre Community Hall
1655 Reach Street, Port Perry, ON
Main Hall

This meeting is open to the public. The meeting will be recorded and available for a later broadcast. Those wishing to submit written correspondence with respect to items on the agenda may do so by emailing clerks@scugog.ca, or by sending or dropping off at 181 Perry Street, Port Perry. Alternative formats available upon request. Please contact accessibility@scugog.ca / 905-985-7346.

Pages

1. Call to Order
2. Disclosure of Pecuniary Interest and Nature Thereof in Closed Session
3. Closed Session
4. Rise from Closed Session
5. Call Open Session to Order, Moment of Silence and Land Acknowledgment
6. Disclosure of Pecuniary Interest and Nature Thereof
7. Matters from Closed Session
8. Announcements from Council and Staff
9. Public Meetings
10. Presentations and Delegations
 - 10.1 Delegation from Chief Kelly LaRocca Regarding MZO Request from Avenu Properties
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 - 10.2 Delegation from Scugog Lake Stewards Regarding MZO Request from Avenu Properties
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 - 10.3 Delegation from Phil Pothen on behalf of Environmental Defence Regarding MZO Request from Avenu Properties
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Contact Name *

Phone Number (999-999-9999) *

Email Address *

Address *

Town/City *

Province *

Postal Code *

Group Delegation Represents

General Nature of Delegation *

How will you be attending? *

- Attending in-person
- Attending virtually

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The action requested by Council is to turn down the request from Avenu Properties as per their draft Resolution for Council to seek an MZO approval from the Province .

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Scugog Lake Stewards Inc.

**Scugog Lake Steward Inc. Deputation to the Planning and Community Affairs Committee,
Township of Scugog, September 16, 2024**

**Avenu Properties request to Council to seek Minister's approval to enact an MZO on their lands
on the south side of Castle Harbour Drive**

By, Rob Messervey, President, Scugog Lake Stewards

Thank you for having given me the opportunity to make a deputation to you at Council on June 24 on this matter. Given I am out of country at present, I am pleased to have John Brown, a Director of the Scugog Lake Stewards and resident of Canterbury Commons make this further deputation on behalf of the Stewards.

Especially over the last decade, our community has observed a serious deterioration of lake water quality due to climate warming and changing water levels, shoreline erosion, polluted stormwater runoff and destructive invasive species—all of which can be exacerbated by development decisions and further threaten Lake Scugog. Now, this looming, large (600 unit) development proposal could make things worse by interfering in a significant wetland and putting a large, privately operated, communal sewage treatment system and stormwater management facility on the shores of Lake Scugog and Cawkers Creek, which are vulnerable to any additional environmental impacts.

The developer, Avenu Properties, has asked the Township of Scugog Council to request a provincial Minister's Zoning Order (MZO) to speed up the zoning and unit density for the project. However, we seriously question whether saving time is a good enough reason to remove municipal oversight and control over this development.

If the MZO was approved, the zoning, density, form, and spacing of the development would be essentially set in stone in Regulation made under the Planning Act:

- *Before* updated ecological assessments to determine appropriate Environmental Protection and Hazard Land Zone boundaries and setbacks are completed.
- *Before* a major private communal wastewater treatment facility is designed and deemed functional and appropriate for the site and site conditions
- *Before* the carrying or assimilative capacity of the site is determined.
- *Before* the routing of water services and a second access road to the development (currently projected to cross the wetland) are designed in an environmentally acceptable way.
- *With* only the Minister responsible for determining what studies may be required and what if any consultation is needed to establish site design. To make matters more concerning, there is no appeal mechanism.

Asking for an MZO without this information in hand is putting the cart before the horse, and it could spell bad news for Lake Scugog. We have seen recent development failures lead to massive silt and sediment spills into Lake Scugog, despite assurances from builders that it would never happen, touting their technology and oversight. The risks with this development are similar, if not greater, given the site's unique ecology. There could be major threats to the wetland and the abutting creek resulting from sedimentation, contamination, and construction overall, not to mention possible future failures of the proposed water and wastewater services.

The Scugog Lake Stewards Board is supportive of development in the Township of Scugog and we understand the pressure to provide housing and particularly affordable housing. We would welcome it if the project was adequately studied and shown to not have short- or long-term impacts on the shoreline environment or the lake prior to zoning and densities being prescribed. At this point, there are no assurances that this is an acceptable location with acceptable site conditions to meet this 600 unit housing target and meet those safe impact thresholds. Much more study is needed. This development should not be rushed, and not placed in the hands of the province. We question the need for provincial intervention.

We ask Committee and Council to say "no" to Avenu's draft Resolution and request for an MZO. The health of Lake Scugog is so obviously vital to the health of our community. Our best chance to protect the lake is to have the Township retain full authority and control of the development process.

Accordingly, we urge Committee and Council to recommend to Avenu Properties to instead file the proper Official Plan Amendment applications with the Region of Durham and the Township, to enable the normal planning process to begin.

THANK YOU.

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Group Delegation Represents

General Nature of Delegation *

How will you be attending? *

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- Attending virtually

Please indicate the Action being requested by Council (if applicable):

Reject and oppose the proposed MZO for lands belonging to Avenue Properties in Port Perry area.

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To speak to the June 24, 2024 Council Resolution CR-2024-154, which directed staff to report back to the first PCA meeting in September. This resolution is to address Aveun Properties request that Council requests the Minister of Municipal Affairs and Housing to approve a Minister's Zoning Order (MZO) to implement their proposed development, as outlined in draft Council Resolution CR-2024-153.

How will you be attending? *

- Attending in-person
- Attending virtually

Please indicate the Action being requested by Council (if applicable):

That Council not ask the Minister of Municipal Affairs and Housing to approve an MZO to implement Avenu Property's proposed development, and instead recommend that Avenu Properties seek a rezoning through the standard Township rezoning application process.

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Please indicate the Action being requested by Council (if applicable):

To not endorse the MZO request by Avenu Properties that would allow them to build 600 units on the south side of Castle Harbour Drive.

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Thank You for Submitting Your Delegation Request

A member of the Clerk's Department will be in contact with you within 2 business days with further information.

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Please indicate the Action being requested by Council (if applicable):

We would like 5 minutes to speak during the meeting to share our disagreement with the proposed development.

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Please indicate the Action being requested by Council (if applicable):

-oppose AVENU's MZO request

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Please indicate the Action being requested by Council (if applicable):

It is my hope for council to be aware of the environmental consequences of the Avenu project. Also, to reject the MZO application from Avenu to proceed with this project.

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Approval of MZO request by Avenu

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Phone Number (999-999-9999) *

Email Address *

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Postal Code *

Group Delegation Represents

General Nature of Delegation *

How will you be attending? *

- Attending in-person
- Attending virtually

Please indicate the Action being requested by Council (if applicable):

Turn down the MZO request that asks for the minister to allow apartment buildings to be built and deny the request to allow a private waste treatment plant to be permanent.

Today these private waste treatment plants are ONLY approved if the town is expanding the Town Sewer plant and the community under development will be connected to the town sewers. Or Special permission must be granted.

All research says Planning for a private sewer plant would need to accommodate about 3,000 people in a 600 unit development since more than 1 person will likely live in each unit. And there are 2 and 3 bedroom units planned. Multi generational multi family homes will strain the local town services by increasing population by almost a third.

There is no Hospital , school, recreation, transit capacity to support this growth and there are no good paying jobs here. It will create a bedroom community. And since its trying to be 'affordable' the disposable income will be low and the only businesses that will benefit will be Walmart and dollar stores. It will hollow out the downtown and attract more chain stores.

In their 400 page plus report re the MZO, Avenu acknowledged that people move to Port Perry because of the vibrant small town atmosphere.

Lets change the official plan to keep it that way and not become AJAX or Pickering or every other town ruined by development.

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I am asking council to deny the request from Avenu Properties to support the MZO application to change the density on the wetlands located south of Harbour Castle in Port Perry.

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Please indicate the Action being requested by Council (if applicable):

Do not request MZO for this project. Follow the required process to assess environmental, infrastructure and fiscal impacts. Do not short-circuit consultation with Indigenous stakeholders (MSIFN).

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Request for Township Endorsement of Minister Zoning Order – Avenu Properties Corp. (Castle Harbour Drive)



Paul Lowes

Tim Cane

September 16, 2024

Presentation Outline



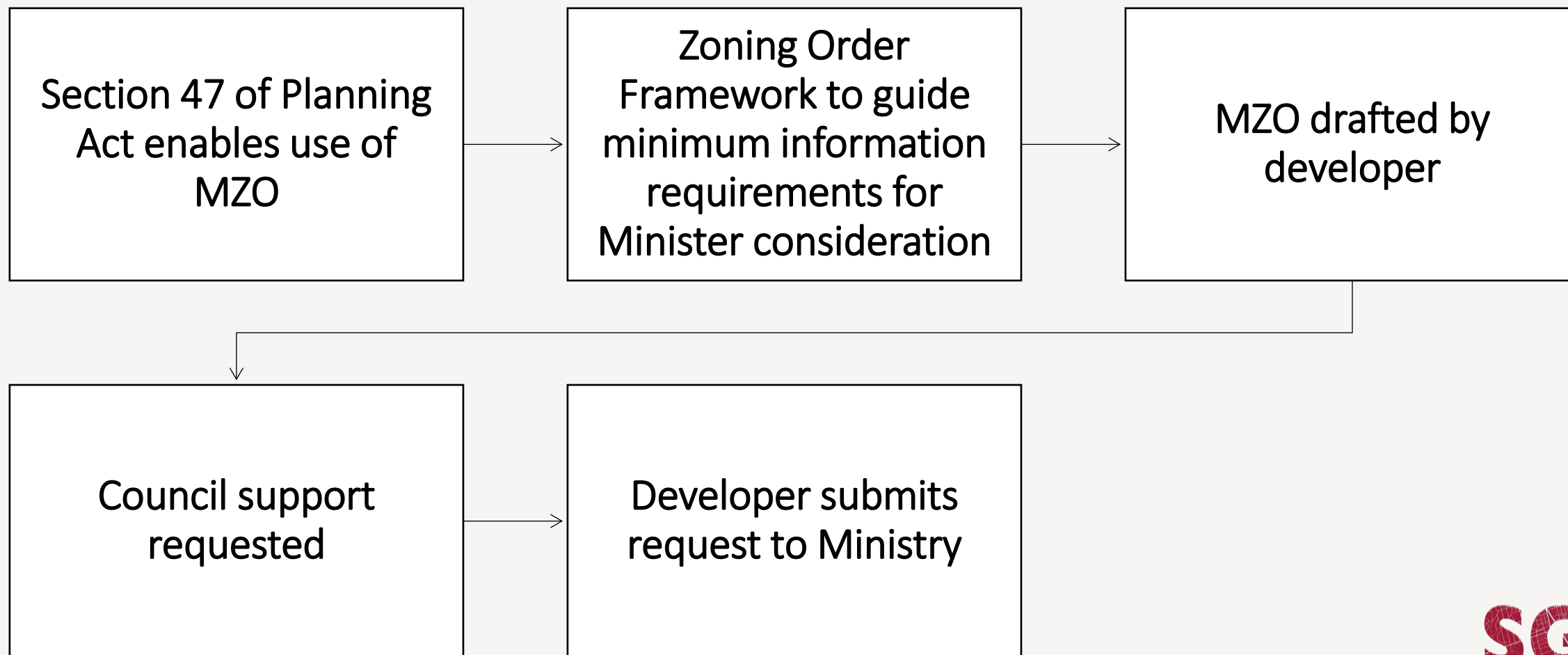
- Background
- Overview of MZO Process
- Township Planning Responsibilities
- Public Comment Themes
- Indigenous Community Input
- Township Peer Review Comments
- Staff Considerations
- Conclusions
- Key staff Recommendations

Background

- Avenu Properties requested Council to support a Ministerial Zoning Order (MZO) for up to 600 dwelling units
- Council asked staff to study the proposal and report back to Council in September 2024.
- Staff and peer review consultants reviewed the developer's MZO Briefing.



Overview of MZO Process



Township Planning Responsibility



- Township endorsement will assist Province by:
 - Confirming consistency with Provincial policy.
 - Reviewing and considering public submissions.
 - Documenting Indigenous consultation and concerns.
 - Reviewing and Addressing technical considerations with input from Public Agencies and Peer Review Consultants.

Consultation Integral Component of Land Use Planning Process



- **Before making a decision, Council shall be satisfied that:**
 - a) Enough information to enable a person to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting;
 - b) All public and agency comments have been assessed and analyzed by Staff;
 - c) Council's decision will appropriately balance the overall public interest against the private interests expressed in the application.

Public Comment Themes



- **Density and Growth** – density and developable area, amount of units
- **Environment/Natural Heritage** – confirm development limit, impact on features
- **Infrastructure** – Region vs private servicing, responsibility, local/lake impacts
- **Road Access/Traffic** – access to site, new road to Simcoe St, local/wetland impact
- **Affordable Housing** – attainable vs affordable housing, secure affordable housing

Public Comment Themes



- **Community Services** - enough local facilities, financial impact to Township
- **Consultation/Available Information** – unanswered questions, lack of information, Indigenous input
- **Process** – MZO process unnecessary, more transparency if Township approval
- **Taxes** – property tax increases, financial shortfall for Township

Indigenous Community Input



- MSIFN, Hiawatha First Nation and Alderville First Nation
- Province requires description of Indigenous community engagement
- Developer MZO Brief limited to MSIFN
- Concerns include:
 - Insufficient engagement and information
 - Natural and cultural heritage impacts
 - Undermining of Constitutional and Treaty Rights
 - Impact on relationships with The First Nation communities

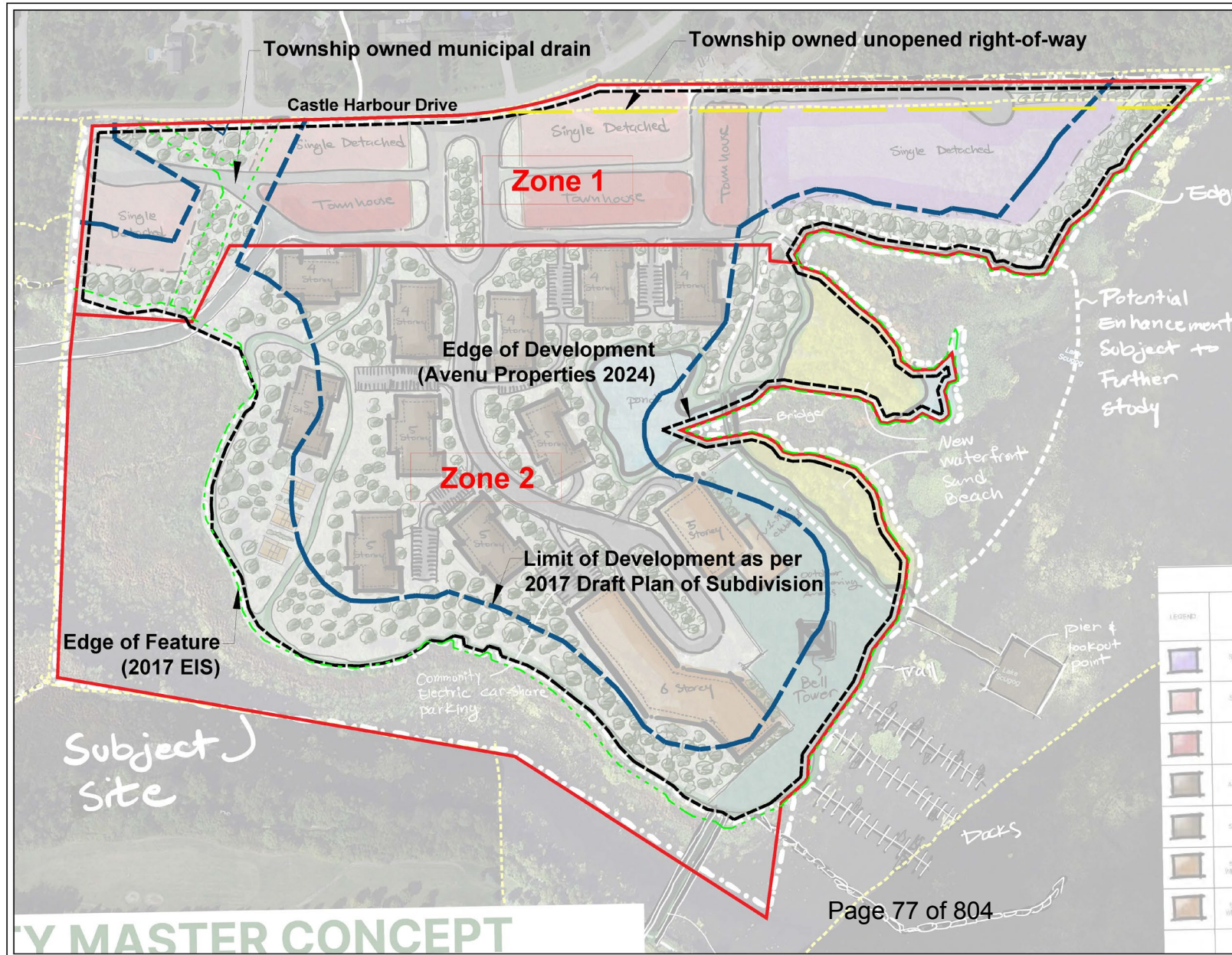
Township Comments



Review of MZO Brief identified:

- Planning policy conformity issues.
- Unknown development limit and setbacks to sensitive land uses.
- Access to Simcoe Street.
- Servicing feasibility.
- Limited control during Minister MZO review.
- Mechanisms to secure stated community benefits.

Development Limit Comparison

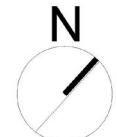


AVENU PROPERTIES
 DEVELOPMENT LIMIT OVERLAY
 Castle Harbour Drive, Port Perry

- Proposed edge of development and MZO boundary
- - - Limit Of Development as per 2017 Draft Plan of Subdivision
- - - Edge of Feature (2017 EIS)
- - - Edge of Development as per Concept Plan 2024

LEGEND

	100
	150
	200
	250
	300
	350
	400
	450
	500
	550
	600
	650



Scale: 1:1000
 September 13, 2024



*Linework shown is an estimate based on scanned images of previous plans and schedules-subject to verification by EIS/Survey.

Township Peer Review Comments



Required Additional Studies:

- Environmental Impact Study
- Flood Mitigation/Hazard Study
- Financial Impact Study
- Functional Servicing Options/Infrastructure Study
- Cultural Heritage Landscape/updated Archeological Study
- Land Use Compatibility Study
- Updated Planning Justification Report
- Revised Concept Plan

Staff Considerations



- Outstanding threshold issues prevent staff from recommending Council endorsement.
- Limits of development need to be established that avoid natural features, buffers and areas subject to flooding.
- Township owned lands need to be appropriately considered.
- Need confirmation of Responsibility Agreement for communal servicing.
- Suitable accesses to the site.
- Concerns of Indigenous Communities have been addressed.
- Updated technical studies.
- Need for realistic site plan to inform MZO based on additional studies.

Staff Considerations



- Loss of Township control once MZO approved and uses permitted as-of-right:
 - Subdivision/condominium cannot control use
 - Site Plan control limited to access, parking, lighting, landscaping, grading, infrastructure
- Well-coordinated application with supporting information likely as efficient as MZO process.
- If MZO process pursued, at minimum staff recommend complete supporting reports be submitted for review.

Conclusion



- Staff report based on review of developer's MZO briefing document.
- Staff cannot support proposal as submitted.
- Many unanswered questions and missing information need to be resolved before Council endorses the MZO.
- Fundamental to establishing principles of development.
- Requested additional information is critical to determine zoning regulations.

Key Staff Recommendation



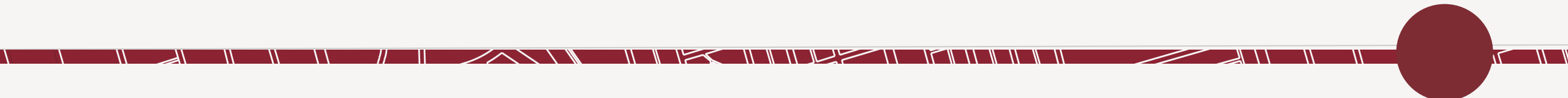
The following conditions be fulfilled to the Township's satisfaction:

- a. The submission and acceptance of an updated Environmental Impact Statement/Natural Heritage Evaluation and Flood Mitigation Study to determine the limits of development;
- b. The submission and acceptance of an updated Draft MZO that addresses zoning limits of development, permitted uses, maximum density and gross floor area, and performance standards;

Key Staff Recommendation



- c. The submission and acceptance of other technical studies including a Financial Impact study, Hydrogeological and Geotechnical studies, Functional Servicing Options and Infrastructure study, updated Archaeological Study (including a Cultural Heritage Landscape Assessment), updated Planning Justification Report, and Land Use Compatibility study

- 
- d. The submission of a revised concept plan that reflects the findings of the above study findings and limits of development, together with:
 - i. revisions to the concept plan that reflect the Township's requirements for the right-of-way and municipal stormwater management drain.
 - ii. confirmation that the Region will enter into a Responsibility Agreement for private communal services or alternative to the satisfaction of the Ministry of Conservation, Energy and Parks, and that any alternative does not include a Township responsibility.
 - iii. confirmation from the Region that a second entrance to Simcoe Street will be permitted and if not, a full traffic analysis be undertaken to assess the impacts of one access point and the necessary upgrades required to the surrounding road network.

Key Staff Recommendation



- e. That staff be authorized to hold a public meeting once the additional information has been submitted for staff and agencies to review and comment;
- f. That the Township undertake meaningful consultation with Indigenous Peoples, such as the Mississaugas of Scugog Island First Nation.



Township of Scugog Report

To request an alternative accessible format, please contact the Clerks Department at 905-985-7346

Report Number: DEV-2024-029

Prepared by: Valerie Hendry, Manager of Planning

Department: Development Services Department

Report To: Planning and Community Affairs Committee

Date: September 16, 2024

Reference: Strategic Direction 5: Complete Community: Strengthen our communities to be inclusive, healthy, safe, connected and engaged.

SD5 Objective 2: Create a vibrant, safe and healthy community

Report Title: Request for Township Endorsement of Minister Zoning Order – Avenu Properties Corp. (Castle Harbour Drive) - Part Lots 19 and 20, Concession 7, Geographic Township of Reach

Recommendations:

1. **THAT** Report DEV-2024-29 Request for Township Endorsement of Minister Zoning Order (MZO) – Avenu Properties Corp. (Castle Harbour Drive) - Part Lots 19 and 20, Concession 7, Geographic Township of Reach Report Title, be received; and
2. **THAT** Council endorses the MZO with a letter of support from the Township to accompany the developer’s application to the Minister of Municipal Affairs and Housing, once the following conditions have been fulfilled to the Township’s satisfaction:
 - a. The submission and acceptance of an updated Environmental Impact Statement/Natural Heritage Evaluation and Flood Mitigation Study to determine the limits of development;

- b. The submission and acceptance of an updated Draft MZO that addresses zoning limits of development, permitted uses, maximum density and gross floor area, and performance standards;
 - c. The submission and acceptance of other technical studies including a Financial Impact study, Hydrogeological and Geotechnical studies, updated Functional Servicing Options and Infrastructure study, updated Archaeological Study (including a Cultural Heritage Landscape Assessment), updated Planning Justification Report, and Land Use Compatibility study;
 - d. The submission of a revised concept plan that reflects the findings of the above study findings and limits of development, together with:
 - i. revisions to the concept plan that reflect the Township’s requirements for the right-of-way and municipal stormwater management drain.
 - ii. confirmation that the Region will enter into a Responsibility Agreement for private communal services or alternative to the satisfaction of the Ministry of Conservation, Energy and Parks, and that any alternative does not include a Township responsibility.
 - iii. confirmation from the Region that a second entrance to Simcoe Street will be permitted and if not, a full traffic analysis be undertaken to assess the impacts of one access point and the necessary upgrades required to the surrounding road network.
 - e. That staff be authorized to hold a public meeting once the additional information has been submitted for staff and agencies to review and comment;
 - f. That the Township undertake meaningful consultation with Indigenous Peoples, such as the Mississaugas of Scugog Island First Nation; and
3. **THAT** Council include in the letter to the Minister of Municipal Affairs and Housing a request that any MZO issued for the subject lands include a deeming provision deeming the MZO to be a municipal zoning by-law to give the Township rather than the Minister the control to amend the permitted uses and performance standards in the MZO should future amendments be required.

OR

4. **THAT** Council deny the MZO by Avenu Properties Corp., and that the proposed development proceeds through a municipal planning process.
-

Executive Summary:

This report was prepared in response to a request from Avenu Properties to the Township to support their request for a Minister Zoning Order (MZO) to permit the uses and establish the provisions for a development concept of up to 600 dwelling units and commercial uses within a number of different building styles. In response to a Council resolution in June 2024, staff have reviewed the developer's MZO Briefing and have prepared a staff recommendation report for Council's consideration.

Key elements of this report are to inform Council and residents of the typical zoning by-law amendment process compared to the MZO process prepared under the Provincial Zoning Order Framework.

This report also summarizes Township, Region, Mississaugas of Scugog Island First Nation, and public comments about the proposal. Reviews of the MZO Briefing were also undertaken by qualified professionals for the various reports submitted in support of the concept.

Increasing public interest, as news of the project spread, has also resulted in significant feedback being received by the Township. Every submission received was reviewed and considered in the discussion and recommendations of this Report in an effort to balance the public interest with a planning request by a private developer.

Despite a large MZO Briefing document prepared by the applicant with some supporting studies, the internal Township reviews, augmented by external experts acting on behalf of the Township, confirmed a number of outstanding threshold issues that prevent staff from recommending that Council endorse the MZO request at this time.

Most importantly, the limits of development need to be established with the findings of a current Environmental Impact Study and Flood Mitigation Study to identify appropriate areas for development that avoid natural heritage features and their buffers as well as low lying areas that may be subject to flooding.

Endorsement of the MZO as currently proposed will result in Council relinquishing its authority to apply applicable land use policies including those in the Township's own Official Plan as the Minister needs only to consider Provincial policies. After endorsement and the potential approval of the MZO, the Township will have no control over the site's land uses or ensuring that the community benefits proposed are delivered.

An MZO can be an effective planning tool when accompanied with the necessary background studies to ensure the community's preferred land use outcome and a transparent process has been achieved when being considered and endorsed by Council. However, in this instance the lack of policy conformity, insufficient supporting information, and legitimate

concerns from the community and MSIFN, a local zoning by-law amendment process would be a more appropriate process to respond to matters raised. A well-coordinated application with the necessary supporting information would likely be as efficient as the current MZO process and more likely would reduce local concerns. If the MZO request is pursued by the developer, at the very least, staff recommend that complete supporting reports be submitted for Council's review and endorsement.

Furthermore, it is Township policy that public consultation be an integral component of any land use planning process. On this basis, before making any planning decision, Council shall be satisfied that:

- a) Enough information to enable a person to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting;
- b) All public and agency comments have been assessed and analyzed by Staff; and,
- c) Council's decision will appropriately balance the overall public interest against the private interests expressed in the application.

Therefore, staff cannot support the proposal as submitted at this time. The results of the review process have many unanswered questions and missing information that are considered fundamental to the principles of development that need to be resolved prior to the consideration of an MZO request. Any downstream planning approvals, such as a draft plan of subdivision or site plan approval, are intended to implement the zoning by-law regulations including land uses and performance standards. The requested additional information is considered critical to determine the zoning regulations.

Staff recommend that before Council submit their endorsement of the MZO to the Minister of Municipal Affairs and Housing, that the following conditions be fulfilled to the Township's satisfaction:

- a. The submission and acceptance of an updated Environmental Impact Statement/Natural Heritage Evaluation and Flood Mitigation Study to determine the limits of development;
- b. The submission and acceptance of an updated Draft MZO that addresses zoning limits of development, permitted uses, maximum density and gross floor area, and performance standards;
- c. The submission and acceptance of other technical studies including a Financial Impact study, Hydrogeological and Geotechnical studies, updated Functional Servicing Options and Infrastructure study, updated Archaeological Study (including a Cultural Heritage Landscape Assessment), updated Planning Justification Report, and Land Use Compatibility study;

- d. The submission of a revised concept plan that reflects the findings of the above study findings and limits of development, together with:
 - i. revisions to the concept plan that reflect the Township’s requirements for the right-of-way and municipal stormwater management drain.
 - ii. confirmation that the Region will enter into a Responsibility Agreement for private communal services or alternative to the satisfaction of the Ministry of Conservation, Energy and Parks, and that any alternative does not include Township responsibility.
 - iii. confirmation from the Region that a second entrance to Simcoe Street will be permitted and if not, a full traffic analysis be undertaken to assess the impacts of one access point and the necessary upgrades required to the surrounding road network.
- e. That staff be authorized to hold a public meeting once the additional information has been submitted for staff and agencies to review and comment;
- f. That the Township undertake meaningful consultation with Indigenous Peoples, such as the Mississaugas of Scugog Island First Nation.

Attachment 1 is a copy of Avenu Properties Proposed Concept Plan 2024

Attachment 2 is a copy of the Existing Approved Draft Plan of Subdivision for the Subject Lands

Attachment 3 is a copy of the Draft MZO by-law and schedule provided by Developer, June 2024.

Attachment 4 is a copy of the Draft MZO mapping with limits of development

Attachment 5 is a copy of the Draft Council MZO Resolution June 2024 prepared by Developer.

Attachment 6 is a copy of the examples of other municipal protocols to consider MZO requests.

Attachment 7 is a copy of public comments received by the Township September 4, 2024

Attachment 8 is a copy of the letters provided by the Mississaugas of Scugog Island First Nations, dated March 27, 2024 and August 30, 2024.

Attachment 9 is a copy of the table provided in MSIFNs letter dated August 30, 2024 with Township comments.

Attachment 10 is a summary of agency comments (including key correspondence letters).

Attachment 11 is a map of the Official Plan designations for the Subject Site.

Attachment 12 is a map of the current Zoning for the Subject Site.

1.0 Background:

At the June 24, 2024 Council meeting, Council directed the following:

THAT Council refer resolution CR-2024-153 to planning and development staff for study of the proposal and report back to the first PCA meeting in September.

This report is to address the June 24, 2024 Council resolution above by providing background and recommendations based on internal and external professional advice. This is not a typical planning application process, and this report has been written to provide additional context to the Minister Zoning Order process, assess the applicant's supporting information to date, identify matters for further consideration, and provide a professional planning opinion to assist Council with its decision to support the proposed Minister Zoning Order.

This report has been prepared by Township planning staff in consultation with SGL Planning and Design Inc., after reviewing the information submitted to date, together with comments already received by the Township from stakeholders and the public. When undertaking reviews and making recommendations to Council, the planner's role is to balance the public interest with the proposed development. The planner's role and subsequent role of Council when making decisions is enshrined in Section 2 of the Planning Act where Council shall have regard to matters of provincial interest such as the resolution of planning conflicts involving public and private interests. Without full and complete information to confirm consistency with Provincial policy and the development's response to the concerns raised, this planning review is unable to make a recommendation for Council to support the request in its current form.

1.1 What is Zoning?

A zoning by-law regulates the use and built form on lands in a manner to implement the goals and policies of an Official Plan and contains specific requirements that are legally enforceable. All new development must comply with the regulations of the Township's current by-law in force and effect. A by-law controls land use by establishing how land may be used, where certain buildings and structures may be situated, the types of buildings that may be permitted and their use, and more detailed requirements including lot sizes, building heights and densities.

The Township has a comprehensive zoning by-law (14-14) that separates all land within the municipality into different land use zones, illustrated on detailed maps. The by-law sets out the permitted uses and required standard in each separate zone.

A zoning by-law is an important planning tool and serves the following key purposes:

- Enacting the objectives and policies of the Official Plan, in a manner consistent with policies of the Region and Province;
- Providing a legal and precise way of managing land use and development; and
- Protecting a municipality from conflicting land uses within the community.

If someone seeks to develop their property in a way that conflicts with the zoning by-law, it is possible to apply for a zoning by-law amendment ('rezoning'). However, Council can consider a change only if the proposed use still complies with the Official Plan.

A Council decision regarding a zoning by-law amendment can only be appealed by the applicant and external agencies as defined in the Planning Act (e.g. utilities, Durham Region, etc.).

The full Provincial guide to The Planning Act can be viewed at:

<https://www.ontario.ca/document/citizens-guide-land-use-planning/planning-act>

In addition to making decisions on planning applications and preparing an Official Plan, a municipality is responsible for the preparation of a zoning by-law, the purpose of which is to establish the rules and regulations that control development within the municipality.

Municipalities are responsible for the public circulation of information on a proposed zoning by-law or amendment prior to its passing, in addition to the organization of at least one public meeting at which every attendant must be provided the opportunity to speak.

Council can pass, change or reject a proposed by-law. A proposed by-law is evaluated on criteria including its consistency with Provincial policies, Township and Region Official Plans, compatibility with adjacent land uses, and how appropriate the proposed purpose is for the land.

In the consideration of a zoning by-law, Council's decision must be consistent with the policies of the Provincial Policy Statement (PPS) issued under the *Planning Act*. Zoning by-laws must also conform with any applicable provincial plan, such as the Greenbelt Plan, and the Growth Plan.

1.2 Overview of the MZO Process

The Planning Act enables the Minister of Municipal Affairs and Housing to control how land is used in the province. Zoning orders can protect important provincial interests or help with large projects that might face delays. If a minister’s zoning order (MZO) conflicts with a local bylaw, the MZO prevails. The local by-law still applies in other ways if not expressly addressed in the MZO by-law.

[In the Provincial Guide](#), the Minister of Municipal Affairs and Housing suggests that before a municipality requests or endorses an MZO, they should:

- Talk to their communities;
- Work with the conservation authority in charge of the land; and
- Engage with Indigenous communities that might be affected.

The Minister also expects municipal requests or endorsement for an MZO to include a supporting Council resolution. Since Council meetings are usually open to the public, this helps to ensure people are aware of the request.

An MZO is issued under the authority of Section 47 of the Planning Act to directly zone lands for a specific purpose. Previous public concerns over the increasing frequency of MZOs in communities, resulted in the Province ‘rebranding’ and increasing the role of local municipalities and Indigenous Communities as part of the Minister's consideration process.

As part of Provincial changes to the Planning Act and approval processes in 2024, the Province established the Zoning Order Framework (“ZOF”) to guide how requests for zoning orders under Section 47 of Ontario’s Planning Act are submitted and considered. The ZOF has three main components:

1. Intake thresholds;
2. Submission expectations; and
3. Ministry assessment and decision-making process, including the role of public consultation.

The overarching purpose of an MZO is to fast-track the advancement of a provincial priority by permitting specific land uses on a property and establishing performance standards (e.g. building height, density, setbacks, etc). An MZO must include similar components of a local zoning by-law in terms of permitted uses and lot and built form provisions. Sometimes an MZO will take the form of a stand-alone zoning by-law with all the provisions necessary for its implementation or alternatively establish specific provisions that augment or replace in part the content of the Township’s comprehensive zoning bylaw. The MZO submitted by the developer contains site-specific provisions to implement the development concept while still

relying on applicable and relevant provisions in the Township’s comprehensive Zoning By-law 14-14, as amended.

While an MZO establishes the zoning of a site, the matters of site plan approval and building permit typically remain under the control of the Township unless otherwise directed by the Minister. In the case of this proposal, site plan control and plan of subdivision/condominium would continue to be approvals required by the Township. However, once the zoning is established, the owner has the right to develop the lands for those permitted uses.

The site’s location within the Greenbelt Plan (regardless if the site is located in a designated “Town/Village”) means that any decision of Council and/or the Minister of Municipal Affairs and Housing will need to be consistent with Provincial Policy Statement (2020) or Provincial Planning Statement (2024) as per Section 7(1) and 3(5a) issued under the Planning Act. In other words, the policies of the Provincial Policy Statement 2020/Provincial Planning Statement 2024 (after October 20, 2024) continue to apply.

The Intake Threshold described in the ZOF requires the MZO request to either have the support of Council or delivers on a provincial priority supported by a minister. Should Council not support the MZO request, then the MZO request may be supported by a Minister looking to deliver on a provincial priority(ies). It is not clear how different, and potentially conflicting priorities (e.g. housing and environment), would be considered as part of the MZO process.

The following table summarizes the Submission Expectations established under the ZOF. Note that the items on the list are discretionary and may be weighted according to the details of a particular MZO. A review of these items will be discussed in the report below. An additional column has also been included for the submission expectations of a local zoning by-law amendment (ZBA) process as described in the Zoning section above (based on a complete application) for comparison purposes:

Table 1: Submission Expectation for an MZO and local Zoning By-law Amendment

Submission Content	MZO	Local ZBA
Description of the project and how it would support governmental objectives	X	X
Map and description of the subject lands	X	X
Copy of a draft zoning order/local zoning amendment ¹	X	X
Description of consultation with the public and engagement with Indigenous communities	X ²	X ³

For municipally-supported zoning order requests:		
- evidence of municipal support for the proposed project	X	
- information related to land ownership and name of the requestor	X	X
Rationale on why the project requires ministerial zoning relief rather than following municipal planning processes	X	
Description of any licences, permits, approvals, permissions or other matters that would be required for the project after a zoning order is made	X	
Justification for the exemption of the application of provincial and local land use policies to downstream approvals, where requested	X	
Anticipated timelines related to applying for downstream approvals (for example, site plan, plan of subdivision, building permit)	X	
Anticipated timing for project completion	X	
justification for the use of any of the enhanced authorities, where requested	n/a ⁴	
Information related to how and when servicing (water/wastewater) will be addressed	X	X ⁵
Commitment that if a zoning order is made, the landowner will notify the minister 30 days in advance of the sale of any land it applies to	X	
Ability for the applicant or agencies to appeal decision		X ⁶

1. Draft instrument is dependent on what process is being followed.
2. The MZO Briefing document summarizes discussions with MSFIN who have provided comments (Attachment 3), however, there is no information regarding engagement with other potentially affected Indigenous Communities (e.g. Alderville First Nation, Beausoleil First Nation, the Chippewas of Georgina Island First Nation, Curve Lake First Nation, Hiawatha First Nation, Rama First Nation, Metis Nation, etc).
3. An Engagement Plan can be required at the discretion of the Township.
4. Based on the MZO Briefing document, no enhanced authorities are being requested at this time. This would not prevent the developer from asking for enhanced authorities when they make their request to the Minister. These enhanced authorities could include site plan approval from the Ministry and associated development agreements.
5. For a local ZBA application, this information would be required together with additional information required for a complete application as outlined below.
6. There are no 3rd party (from opposed individuals) appeal rights under both the MZO and local processes.

While the decision of the Minister for an MZO needs to be consistent with Provincial policies, a decision on a ZBA by Township Council needs to be consistent with Provincial policies and conform with the local and Region of Durham Official Plans. It is not known how the Minister evaluates MZO requests using the framework above and how Section 2 of the Planning Act and Provincial policy are considered. The Minister’s consideration process is less transparent than the local ZBA process. In the local ZBA process after the public meeting, a recommendation report is prepared by staff to provide an objective assessment of the application and make recommendations to Council that seek to balance private and public interests. These recommendations may then be debated by Council in an open meeting before making a decision.

While the applicant is justifying this MZO request on the basis of timing and certainty for partnerships and funding, the MZO request would also avoid the need for the proposal to conform with both the local and Region Official Plans. This distinction will be considered later in the Analysis section of this report when addressing applicable policies for the development.

While an MZO establishes the zoning of a site, the matters of site plan approval and building permit remain under the control of the Township. In addition, MZOs typically deem the zoning change to be a municipal zoning by-law to allow flexibility for future amendments during the detailed design stages of a project.

In this case, an MZO is sought to rezone the 25-hectare site for a mixed-use development, permitting up to 600 residential units comprising a variety of dwelling types, in addition to some limited commercial uses.

Thus, a municipality should carefully consider whether to endorse the use of the MZO tool to only advance provincial priorities.

1.3 Other Municipal MZO Consideration Process Examples

To help guide the Township in processing the MZO request, examples or processes from other municipalities were investigated. Ideally, municipalities that had established protocols to deal with MZO requests could be an effective template for the Township. Alternatively, examples of how municipalities have dealt with specific MZO requests could also be helpful.

Municipal examples of processing MZO requests are ad hoc because of unique site contexts, the applicant's approach, and how the application is received by staff and Council. In addition, the Province has changed their approach to MZO requests several times over the last 12 months. The most recent change being the replacement of the Community Infrastructure and Housing Accelerator (CIHA) with the current Zoning Order Framework (ZOF) outlined above.

Examples of other municipal protocols are included in Attachment 6. The common theme with all examples was the attempt by the municipality to make the process more transparent and mimic a more traditional application for zoning by-law amendment at the local level.

1.4 Overview of the local Zoning By-law Amendment Process

This section is to provide a brief overview of the Zoning By-law Amendment (ZBA) process that would otherwise apply to the proposed development if an MZO was not being requested. This overview is being provided since the developer has stated that a primary reason for the MZO request is to avoid a lengthier local zoning by-law amendment application process.

In cases where the ZBA is consistent with the local and regional OPs, the ZBA application would be discussed with the developer in a pre-consultation meeting (optional after Bill 185 changes to Planning Act) to identify and scope the information and studies needed for staff and experts to review the application prior to making a recommendation for Council. The list of required information would be ‘shortlisted’ from the complete application policies in the Official Plans. Based on staff’s understanding of the MZO request, the site context, and the information reviewed to date, the following Table 2 lists reports and studies that would likely be required in the case of a ZBA application:

Table 2: List of Studies/Information considered required for ZBA of the Subject Lands

Study/Information	Required	Provided
Archaeology and Cultural Heritage Assessment	X	X ¹
Environmental Impact Study (EIS)/Natural Heritage Evaluation	X	X ²
Financial Impact Study including future potential costs to Township/Region	X	
Hydrogeological Study	X	
Geotechnical Study	X	
Natural Hazard Study and Flood Impact Study	X	
Phase 1 and 2 Environmental Site Assessments and Records of Site Condition (2016 Study)	X	X
Planning Rationale/Justification Report assessing consistency with ALL applicable policies	X	X ³
Servicing Options and Infrastructure Study (Functional Servicing Report) including assimilative capacity of the lake	X	

Study/Information	Required	Provided
Storm Water Management Report	X	
Transportation Impact Study	X	X
Tree Preservation Plan/Compensation Study	X	
Land Use Compatibility Study	X	
Cultural Heritage Landscape Assessment	X ⁴	

1. Former report provided but needs updating to reflect revised development areas being proposed, in addition to MSIFN comments from August 30, 2024 requesting additional archeological information.
2. Former 2017 EIS provided from previous development, but the study is out of date, does not match the proposed limits of development, and may not reflect changed environmental conditions/features. MSIFN concerns noted in their August 30, 2024 letter will need to be addressed by the updated EIS.
3. The current PJR included in the MZO Brief does not address all applicable policies.
4. As requested by MSIFN in their letter dated August 30, 2024.

While the above list may seem excessive to a developer, these studies are considered critical when establishing a new and more intense land use within or adjacent to a sensitive area. The list of studies is typical for an application of this size and context. It is unclear if the Minister would require a similar level of study to inform his decision. Each study submitted is evaluated in detail in section 2.1.1 Threshold Matters of this report.

The required information is also considered necessary for the Township to not only assess its own Official Plan policies but also to ensure that Council is fulfilling its responsibilities under the Planning Act to have regard to matters of provincial interest including, but not limited to:

a) the protection of ecological systems, including natural areas, features and functions;

(b-) the conservation and management of natural resources;

(c) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

(d) the supply, efficient use and conservation of energy and water;

(e) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

(f) the minimization of waste;

(g) the orderly development of safe and healthy communities;

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

(h) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

(i) the adequate provision of a full range of housing, including affordable housing;

(j) the adequate provision of employment opportunities;

(k) the protection of the financial and economic well-being of the Province and its municipalities;

(l) the co-ordination of planning activities of public bodies;

(m) the resolution of planning conflicts involving public and private interests;

(n) the protection of public health and safety;

(o) the appropriate location of growth and development;

(p) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

(q) the promotion of built form that,

(i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

(r) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

While the MZO Brief does provide information to assess some of the Section 2 matters above (e.g. provision of housing, promoting built form, employment opportunities, etc), there remains insufficient information to determine more fundamental matters (e.g. protecting natural features, servicing, fiscal impact, etc.). Similarly, in order for Council to endorse an MZO, consistent with its obligations under Section 2, the minimum information in Table 2 should be provided for consideration by the Township.

Once a ZBA application is received and reviewed by internal staff, external agencies, Indigenous Communities, peer review experts, and stakeholders, the potential land use matters would be considered through discussions with stakeholders and the applicant. A statutory public meeting would then be held by Council to hear directly from residents about

their thoughts or concerns with the proposal. Any additional information, further internal/external comments and public feedback would be considered by staff for their recommendation report for Council's consideration.

1.5 The preferred approach - MZO or ZBA

For this proposal, the process of the MZO to date with the Township looks like a typical rezoning process in that the developer has prepared an application package that staff have reviewed as part of this recommendation report. When considering whether to support an MZO request instead of a ZBA application, there are three key questions that should be considered:

1. Should the MZO have to be consistent with the established policies of the Township and Region with the understanding that provincial policies already apply because of the site's location in the Greenbelt?
2. Is the amount of information provided sufficient for the Township to feel confident that, if the Minister were to issue the MZO to allow the land use, that there would no unacceptable land use impacts?
3. Is it more important to focus on the substantive issues of the proposal rather than the most expedited process?

Thus, the Township and Region have established land use policies to guide planning decisions for consistency and to uphold the wider public interest. For Council to support an MZO, it should be confident that the required studies and considerations have been undertaken since it is unclear what the Minister may consider as part of their review. Similarly, if the Minister is focused on provincial planning matters, they may not have as much consideration for local policies.

1.6 Application Context

1.6.1 Proposal Details

The lands subject to the MZO request are bounded by Castle Harbour Drive, Lake Scugog to the east and south, existing residential development to the south, and a section of wetland to the southwest. It is noted that wetland areas also border some sections of the lake's shoreline. Adjacent to the Subject Site, to its west, is an additional site under the same ownership as the application site, with frontage on Simcoe Street. The Planning Justification Report ("PJR") submitted with the MZO package notes that while these lands are not subject to the present MZO, they may be used to access the MZO site and enhance amenity and natural features associated with the development.

The proposed site access is via a new public road from Simcoe Street to the west of the site, connected to a system of roads within the development, which will also provide public access to the waterfront. Additional access is proposed from Castle Harbour Drive to the north of the site. The Township's existing unopened right-of-way connecting Castle Harbour Drive to Lake Scugog has also been included in the concept plan under the developer's assumption those lands would be conveyed to the developer.

According to the PJR, the development will provide a maximum of 600 residential units, providing a gross residential density of 24 units per hectare, and will offer a range of housing typologies. Concentrated along the northern boundary of the site, lots will be designated for lower density housing types comprising townhouses and single detached units. Beyond this, moving south across the site, the development will graduate towards higher density residential forms, comprising 4 and 5 storey residential buildings (possibly up to 6 storeys where at grade parking is provided below the buildings).

The concept also proposes potential community benefits through the PACE (Program All-Inclusive Care) community hub for lower socio-economic community members, Toyota mobility project, and a program with the Ontario Tech University (OTU) housing program for medical professionals. No details are provided about how these community benefits would be realized/ensured if Council were to endorse the project. Section 37 of the Planning Act establishes that Council may impose Community Benefit Charges (CBCs) to cover the cost of capital facilities as a result of the development or allow the developer to make in-kind contributions for services or facilities required because of the development. To require Community Benefit Charges (capped at an amount based on a background study), the Township must have a Community Benefit Charges By-law in place to either require monies or to ask for in-kind contributions. If the Township were to have a Community Charges By-law, it would still not apply to an MZO approval but could be applied if a subsequent Plan of Subdivision was required by the developer.

Based on the developer's responses at the December 2024 Council meeting, the new MZO application will not change any developable boundaries on the site. However, the existing approved draft plan of subdivision was reviewed, and it appears that is not the case. Based on the existing approved plan of subdivision, the net developable site area would be approximately 12.4 ha (excluding the Township's right-of-way and environmental lands).

Section 4.1.3 p) of the Scugog Official Plan defines density based on net area (not gross area) which excludes roadways, parkland and environmentally protected, non-developable areas on a site. The types of residential density are defined in the following categories:

- Low Density - 15 to 25 units per hectare
- Medium Density - 25 to 40 units per hectare
- High Density – 40 to 50 units per hectare

As a result, the proposed net density would be approximately 48 units per hectare – approximately twice the density stated in the PJR and in the High Density residential category of the Township Official Plan. It should be further noted that the actual net density would be confirmed once the updated EIS is completed, and the development limits are established for the subject site.

In addition to the residential mix of dwelling types, the PJR describes ‘small-scale commercial uses geared towards serving the immediate needs of resident’s’. It is understood that these uses would comprise retail and restaurant uses. Additionally, the development would utilize the shoreline to the east to create new sand beach areas, docks and a pier. Elsewhere on the site, walking trails are proposed in conjunction with a pedestrian bridge that would connect to the lands to the south.

A proposed access road is shown between the site and Simcoe Street within a potential natural heritage/wetland feature. Services are proposed that will use regional water supply with a private communal wastewater treatment system out-letting to the lake, in conjunction with grey water reuse.

1.6.2 Chronology of proposal

Based on information provided by the developer, Avenu Properties has been working for the last two years on evolving their development concept and providing some of the technical information listed above. The development concept has built upon the existing permissions for an estate residential draft plan of subdivision last amended in 2017.

On June 17, 2024, a submission was made to the Township comprised of an MZO briefing document including several supporting technical documents. A follow-up letter was submitted on June 20, 2024 summarizing due diligence matters and enclosing a draft MZO document for Township consideration.

Avenu’s briefing document was prepared after unanimous Council Resolution No. CR-2023-371 from the December 4, 2023 Council meeting. An update/response for each of the December 4, 2023 resolutions is also provided below:

THAT staff, on or before January 5, 2024, provide written notice of, in accordance with section 5 of O. Reg 545/06, the development proposed by Avenu Properties Corp. and Council’s contemplated use of section 34.1 of the Planning Act;

No written notice was given because the applicant did not provide staff the technical documents including a Planning Justification Report to support the proposal.

THAT on or before February 9, 2024, a Public Open House shall be held wherein Avenu Properties Corp. shall present its development proposal and the use of section 34.1 of the Planning Act to advance the proposed development;

No Public Open House was scheduled by the Township because the applicant did not provide staff the technical documents including a Planning Justification Report to support the proposal.

However, the applicant held their own meetings from January to June 2024 to engage with the public and their selected agencies and community groups. Township staff did not take part in this process and do not know if regulations were followed to give notice to the public of these public engagement sessions.

THAT Avenu Properties Corp. be asked to engage the Ministry of Municipal Affairs and Housing at the earliest opportunity after December 4, 2023, to seek the Ministry's position regarding the use of the process under section 34.1 of the Planning Act in relation to the lands proposed to be developed by Avenu Properties Corp.; Special Council Meeting Minutes – December 4, 2023;

Staff are unaware of the Ministry's position regarding the proposed use under section 34.1 of the Planning Act or otherwise.

THAT staff circulate the proposal to applicable agencies for input regarding the proposed communal sewage system;

On June 30, 2024, staff circulated the proposal to agencies for input based on the information provided to Council at the June 24th Council meeting.

THAT staff work in collaboration with Avenu Properties Corp., during the discussions with the Ministry of Municipal Affairs and Housing regarding the process under section 34.1 of the Planning Act;

Staff are unaware of discussion with the MMAH regarding this proposal and staff are unaware of the Ministry's position regarding the proposed use under section 34.1 of the Planning Act or otherwise.

THAT prior to February 9, 2024, Avenu Properties Corp. enter into a written agreement with the Township, in a form satisfactory to the C.A.O., in which Avenu Properties Corp. shall agree to compensate the Township for any and all of the Township's professional consulting and public consultation costs incurred to assist with the review of the proposed development;

At the time of writing this report, a verbal agreement committing to the above has been made. If not complete already, the written agreement should be entered into prior to any further resolution of Council.

AND THAT staff target the last Council meeting in March, 2024, to report to Council, with such report including a draft Zoning By-law for the lands in a form that could be

provided to the Ministry of Municipal Affairs and Housing should Council determine to pass a Resolution in accordance with section 34.1 of the Planning Act to advance the proposed development of the subject lands.

Staff did not report to Council in March 2024 on the proposed CIHA as staff did not receive the technical documents to review the proposal and provide a recommendation.

Based on discussions at the December 4, 2023 Council meeting, we understand that the motion was drafted by the developer, with a minor amendment made on the night of the meeting to clarify the role of agencies regarding private communal servicing. No accompanying Township staff report was prepared for the December 4, 2023 meeting.

At that meeting, the developer made a presentation to Council regarding the proposal and requested Council to consider the use of the Community Infrastructure and Housing Accelerator (“CHIA”) (now replaced by the ZOF) process to advance the development. The meeting's purpose was to introduce the project to Council, the CIHA process, and seek Council input before undertaking additional work supporting the development.

We understand there was small public attendance at the meeting due to limited public notice beyond the Township’s typical Council agenda posting process. No supporting staff reports have been prepared regarding this application to date.

On June 24, 2024, following the submission of the MZO Brief from the developer, Council resolved (Resolution CR-2024-154) the following:

THAT Council refer resolution CR-2024-153 to planning and development staff for study of the proposal and report back to the first PCA meeting in September.

This report fulfills Council's June 2024 direction. In preparation for the June 24, 2024 meeting, the developer prepared a draft set of resolutions for Council to consider (refer to **Attachment 5**).

Since the December 2024 Council meeting, the proposal has been disseminated through local and social media, as well as various public and stakeholder meetings. Staff are also aware of an online petition. There has been significant public interest in the application with approximately 241 submissions received by the Township up to Wednesday September 4, 2024 and residents are generally concerned with the following themes:

- Density/Growth
- Environment/Natural Heritage
- Infrastructure
- Road Access/traffic

- Affordable housing
- Community/Servicing
- Consultation/Available information
- Process
- Taxes

These themes are consistent with what was heard at a developer hosted public meeting on May 7, 2024.

1.6.3 Consideration of Public Comments

A complete list of public comments received to date is included as Attachment 7. Due to the considerable number of comments, they were categorized into themes (identified in the Section above) for the purpose of being addressed in this report. Please note that in the absence of key information from the applicant, not all comments can be addressed, but they have been considered in the preparation of this report.

A) Density and Growth

The Township OP has already identified the lands for urban development up to a maximum density of 50 units per hectare subject to several land use compatibility criteria. There is no question that this is a higher density than existing surrounding development that may have potential impacts on the area's existing character. However, the site is within the Township's settlement boundary for Port Perry (and only urban area) and has the potential to be fully serviced. On that basis, there can be an expectation of a higher density than the surrounding area subject to other matters being addressed.

The proposed development has responded to this context by transitioning using lower density development in areas of the site closest to existing homes and limiting higher density building internal to the site to 5 storeys (6 storeys with at-grade parking).

Calculations provided by the developer speak to their density being well under the acceptable maximum density, however, it appears these calculations have included areas of the site that cannot be developed due to natural heritage features. The net site density will not be able to be determined until the developable land area has been defined. Excluding these features as well as the Township's right of way along the north boundary of the site, results in the proposed density likely exceeding the maximum density in the Township OP.

Other matters resulting from higher density will be discussed in the following sections related to servicing, traffic and natural heritage.

B) Environment/Natural Heritage

This theme was one of the most common issues from the public and stakeholders for at least two reasons – 1) the site’s obvious natural heritage features along the shoreline and within wetland areas, and 2) a submission that was missing critical information that would normally be required through an Environmental Impact Study. Adding to this uncertainty is that despite ongoing commitments that the development is respecting the development limits of the existing draft plan of subdivision, it appears that the concept plan is extending into natural heritage features, buffers and hazard lands previously excluded from development. Furthermore, in the absence of an EIS, there has been no confirmation that the previous development limit remains the same with the potential for new policies and evolving natural heritage features.

Comments from the Township, Region, Conservation Authority and MSIFN are generally aligned with those heard from the public. One of the key reasons for the deferral recommendation is to address the fundamental matter of the revised development limit based on natural heritage features, appropriate buffers, compensation areas (where appropriate) and natural hazards. The revised development limit should be to the satisfaction of the Township, MSIFN, Conservation Authority and other affected agencies prior to the development concept being revised.

Only after the new EIS has been reviewed, and development limits set, could the policy assessment be undertaken to confirm the proposal responds to natural heritage features near the site and does not impact ecological functions.

The EIS and agreed development limit would also consider shoreline areas and, if features proposed by the current concept are appropriate.

The Township also shares concerns about the health of the lake, assimilative capacity with any wastewater effluent discharge, stormwater quality, and shoreline impacts from increased density and intensity of supporting recreational uses. Staff recommend that these matters be addressed through environmental and engineering studies prior to any Council endorsement.

C) Infrastructure

Typically, a development of this size within an Urban Area would be on full regional services (water and wastewater). Furthermore, the Region of Durham has an Official Plan policy that does not support the long-term operation of private communal systems by having a requirement that future connections to the public system will be required.

Staff recommends that the use of partial services needs be better understood before Council endorsement and examine the track record of similar systems in similar contexts. A key part of determining if private communal services will be appropriate is whether the private

management corporation for the development is capable of managing and can be fiscally responsive to maintaining such a complex private system over the lifespan of the system/development. Equally important is whether the Region must enter into a Responsibility Agreement should the system ever fail, needs servicing, or has to be replaced in the medium to long term. Despite the fact that Regional servicing is not currently planned to extend to the site, it does not mean that full services will never be available. The principle of land use on the subject lands should not be permitted in the absence of a functional servicing plan to the satisfaction of the Region and Township.

The proposed servicing is also subject to further study in terms of Provincial guidelines for Land Use Compatibility and setback to sensitive uses (e.g. existing and proposed homes and wetland). Without this study, it is impossible to determine if there will be impacts and how the concept plan may have to be amended to comply.

D) Road Access/traffic

While a traffic impact letter has been prepared by the developer, access to and from the site using Castle Harbour Drive and a new local road to Simcoe Street remains uncertain due the proposed road being located in a potential natural heritage feature and the Region's unwillingness to allow the new road connection to Simcoe Street.

In addition, impacts on the intersection of Castle Harbour Drive and Simcoe Street have been identified and further data is requested from the developer to assess traffic impacts in the vicinity.

Another transportation matter that the Township has identified is the developer assuming they can use the unopened right-of-way from Castle Harbour Drive to the lake. Portions of this land parcel are already being planned for access to the new Shoreline Park. The future of these lands will impact the proposed development concept plan.

E) Affordable housing

The MZO Briefing documents speak to housing that is more affordable but not 'true' affordable housing. Housing that is smaller becomes more affordable usually as the result of reduced construction costs. Attainable and more affordable housing needs to be defined as per the Envision Durham Official Plan.

Truly affordable housing, as defined in the Envision Durham Official Plan, should form part of the concept plan with agreements in place to ensure it is actually provided at the Region's required rate of 25% of all housing units within the Township. Further discussions with the developer are required to ensure that a sufficient amount of affordable housing is provided and secured as part of any development approval.

F) Community/Servicing

This matter is discussed in the Financial Considerations section of this report. Community and soft services may include library, hospital, parks, and schools. A large influx of residents from the development warrants some analysis of existing and proposed community facilities as part of the Planning Justification Report. This analysis will assist in planning for an increase in community services.

G) Process

Sections of this report above refer to the MZO process and the importance of transparency and fulsome information at the onset of a proposal. In the absence of an MZO consideration protocol at the Township, the local endorsement process should be transparent and generally follow the same process as a local zoning by-law amendment.

There is a theme from the comments that the proposal is unnecessarily rushing through the approval process without proper regard for the context of Planning Act applications. It should also be noted that recent changes to the Planning Act removed third party appeal rights, i.e. residents.

H) Taxes

A Fiscal Impact Study, based on the proposed concept, would help identify other financial risks and benefits. Both hard (e.g., servicing, roads, etc.) and soft (e.g., police, fire, schools, libraries, etc.) services may also be impacted by the development. While some of these costs would be covered by development charges, increased operational costs and the Township's/Region's share of new facilities for existing residents, not covered by development charges, could affect property taxes. Although this tax impact would be offset by an increased tax base, further analysis is needed to identify potential future shortfalls.

1.6.4 Indigenous Communities

Engagement with Indigenous Communities has become a key consideration for the issuance of MZOs and is identified specifically in the Province's Zoning Order Framework as expected material to be submitted:

Description of consultation with the public and engagement with Indigenous communities

The MZO Briefing does contain a summary of engagement with the Mississaugas of Scugog Island First Nation (MSIFN) with most of the discussions occurring prior to March 2024. It appears that engagement became limited after their failing to reach an agreement between Avenu Properties and MSIFN on terms related to a non-disclosure agreement and financial assistance for MSIFN to review supporting studies.

A letter from MSIFN was received by the Township on March 27, 2024. The letter requested that the proposed development receive a thorough environmental assessment with meaningful consultation with the Township. The letter goes on to speak about general concerns with the streamlining of approvals in the Province, as well as specific concerns about the impact of the proposed development on the shores of Lake Scugog. MSIFN identified concerns that using an MZO would greatly impact their exercise of Constitutionally protected Aboriginal and Treaty Rights. In the absence of Conservation Authorities undertaking technical reviews of environmental reports, MSIFN is concerned about the level of review regarding environmental matters.

MSIFN also expressed concern over the development experience of Avenu Properties and the potential long-term impacts on the shoreline and wetland that may significantly impact MSIFN's treaty protected harvesting rights.

While there was limited attendance indicated in the MZO Briefing of individual Indigenous Community members at other community meetings, there are no records indicating direct engagement with other Indigenous Communities. It is not known if the limited engagement with MSIFN would satisfy the Minister before the issuance of a zoning order.

The Township should consider further engagement with all interested Indigenous Communities with fulsome supporting studies.

A second and more detailed letter was received from MSIFN on August 30, 2024. This letter expresses a much clearer position that their community strongly opposes the proposal on the basis of its threat to overall lake health, provincially significant wetlands and the watershed. These features are considered by MSIFN as part of their Indigenous Cultural Landscape. The significant environmental risks of the concept are considered by MSIFN to undermine their treaty rights.

The letter also reminds the Township that:

as per Provincial guidance, zoning orders shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982. MSIFN asserts rights associated with the waters and lands surrounding Lake Scugog, especially given our community's reliance on the health of these waters for fishing, harvesting, and other cultural activities. Impacts on these waters have generational consequences for our members' ability to practice their rights and responsibilities associated with Lake Scugog.

The letter also summarizes the consequences of not consulting nor undertaking an environmental review including loss of trust, environmental degradation, legal challenges and archeological concerns. Additional concerns expressed in the letter include:

- Communal sewage system risks and wastewater discharge;
- Impacts on the Provincially Significant Wetland and species at risk including:
 - Flood mitigation,
 - Water filtration,
 - Carbon sequestration,
 - Biodiversity, and
- Upholding the Duty to Consult and honour of the Crown.

The above issues can be viewed in the MSIFN letters included in Attachment 8. The August 30 letter also contains a table (see Attachment 9) that has been responded to by the authors of this report to assist with Council’s consideration.

The conclusion of the MSIFN letter states that they are not opposed to the development in principle but want the development to respect the land, environment, and Indigenous rights. The letter goes on to say that part of that respect includes meaningful and urgent discussions with the Township and developer to address the concerns of MSIFN to avoid the Township acting in contravention of available evidence and MSIFN’s constitutionally protected rights.

1.6.5 Township and Agency Circulation Comments

Further to the Township’s circulation for agency comments for the MZO Brief, responses received by the Township are summarized in Attachment 10 and key correspondence letters. The MZO Brief was circulated in accordance with the Township’s standard procedure for zoning by-law amendment applications.

The following is a list of commenting agencies with any comments/concerns identified.

- Kawartha Conservation Authority - comments/concerns
- Durham Region Planning – comments/concerns
- Township Public Works and Infrastructure Services - comments/concerns
- Township Fire Services – no comments at this time
- Township Municipal Law Enforcement - no comments at this time
- Township Building Department - comments Ministry of Municipal Affairs and Housing – no comments. Refer to zoning order framework.
- Ministry of Environment, Conservation and Parks – no comments.
- Enbridge Gas Distribution – comments
- Canada Post - no comments
- Department of Fisheries and Oceans Canada - comments

- Bell Canada c/o WSP - comments
- Elexicon Energy – no comments
- Durham Catholic District School Board - comments
- Scugog Lake Stewards Inc. – comments/concerns
- Scugog Environmental and Climate Change Advisory Committee -comments

The following agencies were consulted but provided no response:

- Hydro One Networks
- Ontario Power Generation
- Rogers
- Durham District School Board
- Parks Canada, Trent-Severn Waterways

1.6.7 Planning Context

The Subject Site is designated “Living Areas” within the regional Durham Official Plan 2020 and “Community Area” under the approved Envision Durham new Official Plan.

Under the Scugog Official Plan 2017 Office Consolidation (Schedule A-1), the site is designated ‘Residential’ and ‘Hazard Lands’ (See Attachment 11)

The Township of Scugog Zoning By-law 14-14 (Port Perry, Schedule B1) zones the site as R3 ‘Urban Partial Service Residential’, and EP ‘Environmental Protection’. (See Attachment 12).

The MZO would negate the need for any required Regional Official Plan Amendment and Township Official Plan Amendment. The permission for the proposed development would be established through a single MZO process by the Minister of Municipal Affairs and Housing. Detailed design matters such as building placement, road locations, landscaping, etc. would be determined through the Township’s subsequent draft plan of subdivision and/or site plan process.

At the December 4, 2023 meeting, the developer indicated that matters of potential Official Plan conformity were related to:

1. The Region of Durham has an Official Plan policy that does not support the long-term operation of private communal systems by having a requirement that future connections to the public system will be required. The developer has stated that such a requirement will impact the financial viability of the proposed privately

operated communal system and potentially stop the development from collecting waste heat from the system for district energy.

2. The local Official Plan requires a direct connection to an arterial road. While the developer tries to address this non-conformity policy issue by proposing a new road connection to Simcoe Street (a Type A Arterial Road), the result is a road located in what is likely a protected Key Natural Heritage Feature and the connection to Simcoe Street is not supported by the Region. The Region confirmed their objection to a new road in their comments to the Township dated August 8, 2024 where they stated that given the extensive frontage on Castle Harbour Drive, which is designated as a local road in the Region Official Plan, no direct access will be permitted to Simcoe Street.

Township initial responses to these potential Official Plan conformity matters are as follows:

- A future connection to a regional municipal sanitary sewer system rather than a private communal system would likely result in long term costs savings for residents of the development, potentially both through annual operating savings and long-term asset replacement costs. Regarding the inability to collect waste heat from the development for the proposed district energy system if connected to the Region’s system, it is not clear why the waste heat could not be collected by a heat exchanger prior to discharge to the regional system.
- If the only local Official Plan conformity issue was the lack of direct connection to an arterial road, a local Official Plan amendment (OPA) could be run concurrently with the local ZBA resulting in minimal additional time to the process (pending the Region expediting their approval of the local OPA). Like the ZBA, there would be no third-party appeal rights for the OPA to potentially delay the final approval.
- The above Official Plan conformity issues were raised in the PJR, however, it is unclear if there are other Official Plan conformity matters regarding natural heritage, servicing, etc. in the absence of a full analysis by the applicant. For example, the proposed MZO (refer to Attachment 4) would permit residential uses over the entire site which would not be consistent with the Hazard Land policies of the Official Plan. Attachment 4 has been prepared illustrating both this scenario and the concept’s footprint outside of the previous limits of development established by the existing draft plan of subdivision. It remains unknown if an updated EIS and Flood Mitigation Study would change the previous limits of development. Similarly, access to the development within/proximity to natural heritage features (e.g. PSW) would be other matters not supported by Official Plan policies.

- Despite the developer's assurances at the December 4, 2023 special Council meeting and June 4, 2024 Council meeting, the proposed concept plan does not appear to align with the development limits of the existing approved draft plan of subdivision as shown in Attachment 2. As a result, the existing limits of development established in the Township Official Plan and comprehensive zoning by-law would also not align with the proposed concept plan. This matter will be discussed in more detail below.

1.6.8 Supporting Studies

A number of technical feasibility supporting studies were provided by the developer within the Minister's Zoning Order Briefing provided in June 2024. The findings of these reports are summarized below. The Township engaged external consultants to review the concept plan and supporting studies in the MZO Brief. Those comments are also provided below after each summary.

Concept Plan:

A Proposed Development Concept Plan was included in the PJR prepared by the Planning Partnership dated June 2024.

Township comments:

- Natural heritage - based on an overlay of the concept plan and Figure 1 from the EIS, a significant area of the development extends into the previously identified wetland limits and buffers. Additionally, environmental limits for the area west of the development adjacent to Simcoe Street have not been established.
- Natural heritage - blocks for the beach and amenity areas appear to be in a sensitive shoreline area and wetland features.
- Roads - General concerns with the proposed road network geometrics. Some elements do not comply with Township guidelines and standards. A CAD block plan drawing should be provided with the next submission, and a meeting should be held for the applicant to explain the proposed road network,
- Roads/Natural Heritage - The public street connecting Simcoe Street to the development is located within a PSW or its buffer, so it is not a viable alignment. Secondary/emergency access will be required.
- Roads - daylighting will be required as per Township standards.
- Roads - The concept plan uses part of the Township's right-of-way extending east from Castle Harbour Drive. These lands have not been conveyed to the applicant and comments from Township staff indicate that these lands will be required to access the approved capital project for the community shoreline park to the north (see

Attachment 10 for further comments and map showing the park concept from the Public Works and Infrastructure Department).

- Roads - Lack of clarity around the north-south public street that is shown entering Block 50. It may need to terminate as a cul-de-sac.
- Design - Block 52 does not have access to the proposed public street, requiring clarification.
- Design - The purpose for Blocks 34, 46, 53 and 54 is unclear.

Draft MZO Zoning By-law and Schedule:

A draft MZO with the proposed zoning language and land use schedule was submitted to the Township for review by the developer in June 2024. The MZO was drafted to accommodate the proposed development concept in the MZO Brief submitted by the developer. A copy of the draft MZO by-law and schedule submitted by the developer is included as Attachment 3. A copy of the MZO schedule with the existing and proposed limits of development is included in Attachment 4.

Staff note that the draft MZO, if endorsed by Council, and approved by the Minister would permit development as-of-right on the subject lands under the Planning Act. Based on the MZO schedule provided, this would allow development well outside of the development limits associated with the existing draft plan approval and within PSWs, shoreline areas and potentially even the lake itself.

Township comments:

- The by-law proposes to permit up to 600 units on either private or communal wastewater treatment systems. This is inconsistent with the development concept that speaks to only a communal system. Including the use of private systems would permit individual septic systems in a dense development. Furthermore, this provision would cause non-compliance should the development connect to the regional system as preferred by the Township and Region. The Region has not yet agreed to entering into a required Responsibility Agreement should one be required.
- It is difficult to ensure a transition from development to the north to new homes in “Zone 1” when there are no draft provisions such as lot area, frontage, read yard, etc. These matters could not be mandated under site plan approval.
- While the MZO brief speaks to a maximum height of 5 storeys, the draft MZO provisions exclude parking and non-residential uses on the ground floor from the maximum height calculation. This could permit 6 storey buildings across most of the site.
- There is no zone or use listed to reflect the neighbourhood park identified in development concept.

- The draft by-law refers to an area of “Environmental Protection/Open Space”, however, no area is shown on the schedule to apply those provisions.
- A significant issue is that the schedule of the draft MZO does not reflect the limit of development for either the existing draft plan of subdivision or the proposed concept plan. The current MZO schedule would permit development in a natural heritage area (including a PSW), its associated buffers, and hazard lands. This permission would not be consistent with Provincial policy which applies to the MZO.
- The MZO proposes to rezone Township owned lands for residential development (extension of Castle Harbour Drive) that is to be used to access the Township’s proposed shoreline park (see Attachment 10 for further comments from Public Works and Infrastructure Department).
- Lands for a proposed road connection through the property to the west are not included in the MZO.

Natural Heritage Feasibility Letter - GHD (June 2024)

GHD prepared a natural heritage feasibility letter, making a number of recommendations and proposed mitigation methods related to the treatment of the wetland boundary/buffer, sediment and erosion control, and other environmental matters. Staff do not consider this to be an Environmental Impact Statement or update to previous environmental work.

The report concludes that further discussions with agencies will be required at the later detailed site plan design phase to ensure compliance with current natural heritage policies and features resulting in revisions to the concept plan. The PJR refers to a “new EIS being prepared” on Page 38, however, no timing of this study has been provided. In addition, the GHD letter concludes that additional site investigations are recommended to verify natural features to ensure their presence or absence.

Township comments:

- The development limit to the Environmental Protection Zone cannot be approved until the pending Environmental Impact Study has been prepared and reviewed to the satisfaction of the Township and other review agencies such as the Conservation authority, DFO, Parks Canada in consultation with MSIFN. Site Plan Approval would not give the Township the ability to limit uses inside environmental features if the MZO was approved in its current form.
- The Feasibility letter only covers the eastern portion of the property. An EIS must cover all the application lands, identifying environmentally sensitive areas and determining the limits of development (including any lands required for future road access).

- Within the Conceptual Site Plan, development is shown (multiple lots, docks, a pier and a man-made sand beach) within a PSW which is not permitted by the PPS. The EIS must confirm the wetland boundary and demonstrate that development is outside the wetland, with a minimum vegetation protection zone 30m around the wetland.
- If any in-water work is proposed outside the PSW, an assessment of the impact to fish habitat will be required.
- If no new data was collected in spring 2024, then it is likely any future Environmental Impact Study (EIS) would be delayed until the spring of 2025 to collect necessary data to establish the limits of development. The current limit of development needs to be established by an EIS and Flood Mitigation Study at the onset of the concept planning process and ultimately the proposed MZO. The June 2024 Concept Plan does not appear to align with the limits of development already in place with the approved low density residential draft plan of subdivision as shown in Attachment 2 and 4. Endorsing the proposed MZO in its current form, and it being approved by the Minister, in the absence of a current EIS, would allow development in sensitive natural features and their associated buffers.
- The reliance on previous Environmental Impact Studies associated with the existing approved subdivision is not acceptable given that those studies exceed 5 years in age and new studies are required to reflect existing conditions.
- While the June MZO Briefing Document contained an “Important Placeholder” for a wetland boundary assessment to be completed by June 30, 2024, no assessment has been provided. Any support for a concept plan in advance of the development limits is not good planning and would be premature.
- With their own consultant recommending an update to natural heritage feature mapping, it is premature to assess wider policy conformity, including density, as the concept will likely change.

Traffic Letter- LEA Consulting (March 2024)

The Letter found that the development site had limited access to the existing public transit network operated by Durham Region Transit (DRT). The letter states *‘The nearest bus route is located approximately 1.5 km (about a 20-minute walk) south of the subject site at the intersection of Reach Street & Simcoe Street. The available bus service at this intersection is capable of providing future residents access to the wider DRT transit network with transit connections at Whitby Station and Oshawa Station.’* Additionally, there is minimal cycling infrastructure around the site, which received a BikeScore™ tool score of 27/100. Regarding this, the letter mentions that *‘the Durham Regional Cycling Plan has outlined proposed changes to Simcoe Street which will improve cycling for future site users.’*

Similarly, from a pedestrian network standpoint, the site has been identified as heavily car dependent, receiving a WalkScore™ of 10/100. It is however recognized that *‘there are plans to improve the walkability of the surrounding area as noted in the Township of Scugog Active Transportation and Transportation Master Plan.’*

Regarding trip generation, the letter conducted by LEA Consulting Ltd. found that *‘the proposed residential development is forecasted to generate 227 two-way auto trips (53 inbound and 174 outbound) during the AM peak hour, and 248 two-way auto trips (151 inbound and 97 outbound) during the PM peak hour based on the ITE Methodology.’* As such, it is envisioned that under future background conditions, the intersection close to the west of the site where Simcoe Street, Castle Harbour Drive and Scogog Line 8 meet, is expected to operate within capacity, with no constraints identified. While *‘most intersections in the study area are expected to operate within the capacity in future Scenarios’*, the Scenario 2 analysis results indicated that some intersection improvements would be required at the intersection of Simcoe Street and Castle Harbour Drive.

Township comments:

- Any potential intersection improvements and active transportation connections can be addressed as part of the more detailed site plan process once the permitted access points are established.
- The report was unsigned and did not state the author. All reports to the Township must be signed.
- While the TIS identifies Simcoe Street as a Type ‘B’ arterial road, the Official Plan designated it a Type ‘A’ arterial road.
- Background traffic growth was applied, yet the TIS fails to outline the % growth used or provide a justification for the % growth used. The TIS also fails to consider the background developments surrounding the site. Analysis must be updated to include justification of traffic growth used and relevant background developments around the site.
- Further analysis is required to determine the impacts of traffic on the area and effects on Level of Service at the Simcoe Street and Castle Harbour Drive intersection, including any impacts of a new intersection to the south as part of the development.
- The feasibility of a new road through natural heritage features should have been assessed from a natural heritage perspective and all options explored to address potential issues.

Civil Engineering Report- SCS Consulting Group (May 2024)

The Summary of Servicing Feasibility report provided by SCS Consulting Group outlines that the proposed development was found to be feasible from a servicing standpoint, subject to further detailed design *‘to correspond with the development size, scope, and*

construction phasing.'

Township peer review comments:

- Grading- A preliminary grading plan and preliminary cut and fill plan should be provided with the next submission.
- Water Servicing- The existing water infrastructure will need to be upgraded per the Region of Durham 2018 EA and 2023 Development Charge Background Study. It does not appear that water servicing feasibility has been established. Further study is required to support the proposed development.
- Stormwater Management- A SWM facility would be a permitted use in the proposed zones of the MZO draft. Therefore, there are no comments related to the proposed MZO provisions.
- It is unclear how SWM and LID features and functions referred to on Page 57 of the PJR can be relied upon to support the concept in the absence of supporting hydrological and geotechnical studies (e.g. a high water table may prevent servicing options relied upon for a higher density development).

Wastewater Treatment- WSP (June 2024)

WSP produced a report to establish the feasibility of implementing a proposed wastewater recycling system for the proposed development. The report finds that the feasibility of a private wastewater treatment system for this development aligns with the Township of Scugog's sustainability initiative, which is outlined in Section 3.16 of the Township of Scugog Official Plan. It is also stated that the reuse of recycled water is common practice across countries including Canada, USA and Australia.

WSP's analysis suggests a promising outlook for the implementation of the proposed wastewater reusing system. It is considered that subject to careful consideration of various factors, there is potential for the proposed system to provide effective treatment of wastewater for reuse.

Township comments:

- This report's scope would need to be expanded to address policy conformity issues with the Region OP and the Province's D-2 Compatibility between Sewage Treatment and Sensitive Land Use Guideline for adequate separation distances to nearby sensitive land uses. The D-2 Guidelines require setbacks generally between 100 and 150 metres between wastewater treatment facilities and sensitive land uses which may include residential and wetlands which may require significant changes to the Concept Plan.

- A 100% water reuse scenario does not appear to be proposed, or realistic. A suitable effluent receiver must be identified.
- Additional information is required to quantify an overall wastewater balance.
- Pre consultation discussions with the MECP is highly recommended, for input on the feasibility and approvability of the overall servicing approach prior to the endorsement of the MZO.
- Where references are made to other examples, additional information confirming those developments that have a similar context is requested (e.g. private systems that may have back-up connections to a municipal system, climatic differences that could impact treated effluent disposal options like irrigation, etc.)

Sustainability Feasibility Report- Internat Energy Solutions (February 2024)

Internat Energy Solutions Canada (IESC) undertook a preliminary Sustainability Feasibility study for the proposed development. The report finds that there is a promising opportunity to apply sustainable design principles for the proposed development, in accordance with the Official Plan.

It is stated that the project demonstrates a strong commitment to environmental stewardship, with considerations of maintaining the natural environment, protecting wildlife, and implementing measures to reduce resource consumption and emissions.

It has been identified that the preservation of Scugog's natural landscape involves several key strategies, including strategies to mitigate disruptions to the shoreline, designing buildings with consideration of bird habitats, the effective management of storm and wastewater, and utilizing renewable energy sources.

It is recommended that this report be reconciled in the future against any natural heritage evaluation for the subject lands.

Township comments:

- The relationship between district energy, geothermal heat sources and grey water reuse should be clarified.
- Confirmation is needed as to whether on-site waste heat could still be recovered from effluent prior to entering a regional wastewater system.
- Any commitment to environmental stewardship should start with the delineation of the limits of development from hazards and natural heritage features, including required buffers to demonstrate no negative impacts on the natural heritage features or their ecological functions.

Stage 1-3 Archaeological Assessment - Archaeological Assessments Ltd. (November 2003)

A report produced by Archaeological Assessments Ltd. In November 2003 has been provided with the proposed MZO. It is understood this study formed part of the original draft plan of subdivision application.

Stage 1-3 assessments were carried out, with the results of the Stage 3 assessment indicating that none of the surveyed sites represent significant archaeological resources. Given the results of the Stage 1-3 assessment, it was recommended that the subject property should be cleared of any conditions related to archaeological resources.

Township comments:

- If the revised limits of development exceed those of the original draft plan of subdivision, then the archeological study should be updated accordingly.
- The updated Assessment should be submitted to the Ministry of Tourism, Culture and Sport for entry into the Ontario Public Register of Archaeological Reports and receipt of confirmation from the Ministry provided to the Township and Region.
- There shall be no disturbance or grading of the site until the Ministry signs off on the said archaeological study requirements and findings.
- Council may through a Zoning By-law Amendment conserve the integrity of archaeological resources by adopting Zoning By-laws, under Section 34 of the Planning Act, that prohibit land uses on sites where an identified significant archaeological resource exists. However, it is unknown if the Minister would exercise such a tool through an MZO. The Township should further consult with MSIFN who have identified in their letter dated August 30, 2024 that potential archaeological resources may exist on the Subject Site.

Phase One Environmental Site Assessment Report - Existing Vacant Property (GHD, 2016)

A Phase One Environmental Site Assessment Report was undertaken on the vacant site in 2016 and submitted with the present application. The Phase One ESA was prepared to establish the potential for materially significant environmental liabilities. The report established that the 'Property is suitable for its current zoning and proposed future residential use.' The report concluded '*It is GHD's opinion that only a Phase One ESA is required and a Phase Two ESA is not warranted. A Record of Site Condition is not required.*'

Phase One Environmental Site Assessment Update (GHD, dated November 17, 2023)

A Phase One Environmental Site Assessment Update letter was prepared and concludes that there no new potentially contaminating activities (PCAs) or new areas of potential environmental concern (APECs) since the 2016 ESA report and recommends no further ESA work is recommended.

Township comments:

- Any future ESA work should be current, i.e. no more than 18 months old, and should be a condition of any subsequent approval, i.e. Site Plan, draft plan of subdivision, etc.

Planning Justification Report (PJR)

The role of the PJR is to assess the various technical reviews undertaken by professional peer reviewers and assess consistency with applicable policies and the principles of good planning. The role of the professional municipal planner is not to create 'red tape', but instead balance the needs of the community and good planning with an objective opinion that that Council can rely upon when making decisions.

The PJR prepared by the Planning Partnership submitted in June 2024 has been reviewed. The report concludes with:

The Proposed Development is consistent with the Provincial Policy Statement, conforms with the Growth Plan for the Greater Golden Horseshoe, directly addresses numerous Provincial, Regional and local planning policies and objectives, and represents good planning and provides good, thoughtful urban design.

The PJR further states that:

The Proposed Development addresses the broader goals and objectives of the Regional and Local Official Plans, along with the matters of Provincial interest that are crucial in developing complete communities and supporting the Province's overall success...

While elements of these statements have been confirmed after reviewing the materials, there are significant gaps in the policy analysis and supporting materials for the Township to arrive at the same conclusions as evidenced in the peer review comments below.

Township comments:

- The PJR refers to the Natural Heritage Feasibility Letter prepared by GHD that confirms further investigations are recommended to verify natural features. Without the knowledge of these features and their location, it is impossible to confirm if the proposed concept plan is indeed consistent with applicable natural heritage policies in the PPS that continue to apply given the site’s location within the Greenbelt Plan. Section 2.0 of the PPS specifically states no development shall be permitted on lands adjacent to natural heritage features if there are negative impacts on the features and their functions. Page 20 of the PJR only speaks to siting that “minimizes” impacts to the adjacent Provincially Significant Wetland without the benefit of a completed EIS as referred to on Page 31. Section 2.0 also clearly states that no development can occur in a PSW. It is in the developer’s best interest to deal with these matters now since it is unlikely that the Minister would approve the MZO if there are provincial policy issues not consistent with the PPS.
- Typically, the local rezoning process would identify the development limits at the onset of the process to inform the concept plan and only lands necessary for the concept and within the development limits would be permitted. It is inappropriate and not best practice to establish development rights across the entire site at the onset and then try to implement natural heritage protections at a later date.
- Requirements for environmental areas and buffers, after the proposed uses are permitted by the MZO, cannot be addressed through any conditions imposed by Section 41, Site Plan Approval, of the Planning Act, contrary to what is stated on Page 32 of the PJR. Section 41 of the Planning Act clearly states what matters the Township can consider as part of site plan approval conditions and these matters are essentially limited to:
 - Highway widenings
 - Site access details
 - Parking, loading and driveways
 - Walkways and pedestrian access (including accessibility matters)
 - Lighting
 - Landscaping features
 - Garbage facilities
 - Servicing easements and facilities
 - Grading and site alteration

Furthermore, the Minister is not able to approve an MZO with conditions under the Planning Act.

- The EIS would need to include lands proposed as part of the future road connection to the west to confirm no impacts on natural heritage features and ecological functions or if the road would be considered “infrastructure” for the purposes of applicable Greenbelt Plan policies.
- There is a significant policy summary in the PJR, however, not all the applicable policies have been identified and responded to (e.g. balance of Section 1.6.6, sections 1.7, 1.8, 2.0 and 3.0) in the spirit of Section 4.2 of the PPS that states:

This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.

- The incomplete policy analysis makes it difficult to reach the same conclusion as the developer’s planner that the development is consistent with the PPS.
- Similarly, broad statements suggesting the development conforms with other policies and meets other policy objectives at the local and regional level is difficult to confirm (e.g. Section 3.4.3 of the Greenbelt Plan).
- The applicant should clarify their preferred method to meet the Township’s parkland dedication by-law 83-01. The Township could ask for 5% of developable area (approximately 0.6 ha) or the alternative rate under the Planning Act of 1 ha per 600 units (approximately 1 hectare). If the Township were to acquire parkland, this land could be consolidated with the existing Township owned right-of-way to the north and proposed shoreline park already being planned.
- An MZO does not consolidate planning approvals nor can it require sustainability as stated in Page 3 of the PJR.
- A reference is made in the PJR that the existing draft approved Plan of Subdivision will need to be amended to reflect the updated development. This proposal is significantly different and should have a new draft plan of subdivision to reflect the current proposal, applicable policies and existing conditions. Reliance on an existing development with an outdated Natural Heritage Study is not appropriate.
- Reference is made to Council’s December 4, 2023 resolution regarding public engagement and implies that a public open house has fulfilled the direction of the December 4 resolution. However, the developer’s public meeting process did not follow Section 34.1 of the Planning Act as resolved by Council.
- A more detailed review of local and regional policies has not been undertaken at this time until conformity with the Provincial policies is better understood and possibly incorporated into a revised concept plan.

- While the partnerships to advance the proposal for a shuttle, the utilization of the PACE model, and university study could advance some provincial interests, these components are secondary to the principles of good planning and the fundamental elements of the proposed development. Moreover, the MZO itself cannot require partnerships or future operational details such as mobility methods, defined housing operators, specific tenants, etc.

2.0 Discussion:

2.1 Outstanding Matters and Land Use Principles

2.1.1 Threshold Matters

The Council resolutions proposed in this report are based on a review of the information provided as part of the Developer's MZO Brief and comments received from Township staff, MSIFN, external agencies and public comments. During this review, threshold matters that would prevent staff's recommendation to support the proposed MZO were identified as follows:

- Study and Assessment Requirements:
 - Updated Archaeology and Cultural Heritage Assessment
 - Environmental Impact Study/Natural Heritage Evaluation
 - Financial Impact Study including future potential costs to Township/Region
 - Hydrogeological Study
 - Geotechnical Study
 - Natural Hazard Study and Flood Impact Study
 - Planning Rationale/Justification Report assessing consistency with ALL applicable policies
 - Servicing Options and Infrastructure Study (Functional Servicing Report)(including assimilative capacity of the lake)
 - Land Use Compatibility Study/D-2 Guideline Assessment
- Establishing the limits of development based on a new Natural Heritage Evaluation and Hazard Impact Assessment and input from the Region, Conservation Authority, MOECP, MSIFN, DFO, and Trent Severn Waterway.
- Confirmation from the Region of Durham that they will enter into a Responsibility Agreement to secure MOECP approvals. Lack of viable servicing is considered fatal to the development concept.
- Consistency with applicable provincial policies since the site is located within the Greenbelt Plan.

- Confirmation that the Township will allow its own right-of-way to be used to accommodate the proposed concept. Township staff have confirmed that the ROW is required for the approved shoreline park project. If that is the case, the ROW should be removed from the MZO request and the concept plan amended accordingly. Decisions regarding the ROW should consider the Town's preferred method of parkland dedication and whether there is a potential consolidation of the ROW and additional parkland with the proposed shoreline park. It should also be noted that lands containing natural heritage features should not be considered part of any minimum required parkland dedication.
- A suitable alternative road, such as for emergency purposes, needs to be identified and reflected in a revised concept plan and MZO schedule. The Region has confirmed that the proposed road to Simcoe Street is not supported.
- Confirmation is required that concerns of MSIFN and other interested Indigenous Communities have been addressed to support the MZO request. It is unclear if Township support will make the difference for the developer's request to the Minister if other key elements of the MZO Framework are not being met. Lack of supporting information, concerns from MSIFN (as noted earlier in this report), and potential non-conformity with Provincial policies are examples of other matters that may affect the Minister issuing an MZO.

In summary, staff would reconsider its recommendations to Council once the above fundamental matters have been addressed by the developer to the satisfaction of the Township.

2.1.2 Technical Matters

Also identified in the review of the submitted materials and comments were a series of technical comments that should be considered in subsequent planning approvals and permits after the threshold matters above have been addressed:

- Clarification of how District Energy and Geothermal Systems are being proposed. In addition, there may be technical options that would still allow these activities to take place if connected to a regional water/wastewater system.
- Confirmation of required parking rates and how parking will be provided for both residents, commercial users, and the public accessing amenity areas. Specific rates may need to be included in the site specific MZO provisions. Extent of at grade parking within buildings needs to be better understood to determine maximum building height.
- A more specific breakdown of the commercial floor spaces being proposed and possible inclusion in the MZO.

- Identify mechanisms and agreements to ensure the community benefits proposed to support the MZO request are delivered.
- More detail on how the proposal will be integrated with Township trail systems and park facilities.
- Clarification of how autonomous vehicles will have an impact on modal split that is different than current ride hailing services.
- Provision of operation details associated with the marina and other private/public open space areas.
- Details of how housing can be made more affordable and attainable.

Other technical matters will be identified as part of future reviews concerning additional information and a revised concept. The above list is not considered to be exhaustive.

2.2 Future Processes and Timelines

As mentioned above, the potential issuance of an MZO is but one step in a continuum of approvals as the matters are addressed and the details are better understood. Should the MZO establish the principle of land use, then subsequent approvals would be required by the Township, Region and Province as outlined below.

2.2.1 Other applications

The following applications would be expected if an MZO was approved. This list is not meant to be exhaustive and may change subject to the details of the MZO and any changes that may occur as the design evolves. These applications would be subject to the approval of the respective approval authority and are listed in the likely order of their submission.

Plan of Subdivision (Region) – To establish lots and blocks/parcels for future homes and future condominiums. Required parkland, whether actual land dedication or cash-in-lieu, would form part of this approval.

Plan of Condominium(s) (Region)- To establish specific transferrable units and common elements necessary for the function of the condominium (e.g. roads, driveways, parking, servicing, etc.)

Site Plan (Township) - To establish the specific details of the development such as building location, landscaping, access, and servicing. Please note that site plan can only control matters listed under Section 41 of the Planning Act which prevents the municipality requiring other matters such as sustainability features, building appearance, site amenities, unit types, density, building heights and setbacks, parking, occupancy, operational matters, etc.

Conservation Authority Permits (Kawartha Conservation) - permit(s) would be required for works in regulated areas of the site to protect against potential flooding and hazard impacts.

The permit(s) would not be able to regulate matters related to natural heritage features and potential impacts.

Servicing Approval(s)(Region and Province) - Depending on future access and servicing arrangements, approvals will be required for various matters. This would include permits from the Region for access and from the Province (e.g. MNR, MECP) for stormwater, wastewater facilities and in water works.

Building Permit Applications (Township) - These permits would represent one of the last in the approval process to give permission to erect buildings and structures that meet applicable law, and the conditions of permit listed above.

Parks Canada - All work on, under and over the bed and waters of the lakes and rivers of the Trent–Severn Waterway requires a permit from Parks Canada. This includes (but is not limited to), the installation, repair, replacement, relocation and removal of docks, ramps, inland wetlands, shoreline stabilization, dredging and the removal of aquatic vegetation.

2.2.2 Estimated Timelines

It is unknown how long the Province would take to consider the MZO request and if they would require additional information and consultation.

If the proposal was to move forward under a local rezoning process with no amendments required to the local or regional OP, then Council could decide within four to six months of receiving a complete application with the required studies.

Once the principle of land use was established on the subject lands, either through an MZO or local ZBA, it is estimated that the final building permit applications to commence construction could occur as early as 3 to 4 years after other approvals and permits listed above have been received.

3 Financial Implications:

There are no direct financial implications to the Township by supporting the request for MZO support. The developer has verbally committed to cover the Township's professional consulting and public consultation costs incurred to assist with the review of the proposed development.

Any future applications to the Township would be subject to the respective application fees to offset the cost of their consideration.

Future agreements will be executed as part of the future draft plan of subdivision / condominium and site plan to allocate offset required works and costs required by the development.

Residential units and commercial floor space will be subject to Development Charges to contribute to Township expenses related to growth as set out in the Township’s Development Charges Background Study.

The Township could incur increased costs for the approved shoreline park capital project if the Township’s right-of-way were to be transferred and used by the developer as proposed.

Township residents contribute a portion of their property taxes to the Region. If the Region were to enter into a Responsibility Agreement for the private wastewater facility and had to assume repairs or operation of the facility in future, there would be impacts on the Region’s budget.

A Fiscal Impact Study prepared by the applicant to the satisfaction of the Township’s and Region, based on the proposed concept, would help identify other financial risks and benefits. Both hard services (e.g. servicing, roads, etc.) and soft services (e.g. police, fire, schools, libraries, etc.) may also be impacted by the development. While some of these costs would be captured through Development Charges, increased operational costs and the Township’s/Region’s share of new facilities for existing residents, not captured by development charges, could have a property tax impact. While this tax impact would be offset by the increase in the tax base, further analysis would need to be undertaken to identify potential future shortfalls.

4 Communication Considerations:

4.1 Public Engagement to Date

The proposed MZO Briefing Document submitted by the applicant outlines the public engagement undertaken by Avenu Properties.

A copy of the presentation shown at several public meetings was provided. The applicant states that the total combined attendance of community engagement meetings was between 250-300. Meetings were held with various local groups, in addition to various one-on-one meetings, including:

- Canterbury Commons Engagement Session
- Castle Harbour Community Consultation
- Scugog Public Community Consultation
- Scugog Chamber of Commerce

Without Township attendance at meetings held by the proponent, this report relies on the engagement summaries contained in the June 2024 MZO Briefing prepared by the developer. Key questions and “Takeaways” were documented for most meetings. It is not clear if the questions raised were specifically addressed in the MZO Briefing. It seems many

of the questions raised remain unanswered. Should additional studies be undertaken as suggested, there would be additional time and material to answer questions for the benefit of stakeholders and Council.

The Township did reach out to the public and placed information on the Township’s webpage in August 2024 to get public input. Significant public interest occurred as a result and was considered as part of this report in the above sections.

4.2 Recommended Engagement Strategy

If Council were to defer their support for the MZO, it is recommended that at least one Township hosted public meeting be held after revised materials have been posted for public comment. Council’s resolution from December 4, 2023 requiring a public meeting in accordance with the Planning Act is still outstanding. A public meeting would fulfill that resolution and give the public an opportunity to comment on revised supporting documents.

No additional open houses are considered necessary given the public engagement work by the developer to date. The developer may choose to have additional public engagement with revised information that may address previously raised concerns.

6. Conclusion:

This report has reviewed the developer’s MZO briefing document. In addition to internal Township staff reviews and external agency circulation, external experts have reviewed the available materials whose comments are included in this report. All public comments received by the Township to date have been reviewed and considered.

The result of the review process is summarized in this report and the recommendations to Council. The proposal has many unanswered questions and missing information that are considered threshold issues that need to be resolved prior to the consideration of an MZO request.

Respectfully Submitted by:

Valerie Hendry, MCIP, RPP
Manager of Planning

and

Paul Lowes, MCIP, RPP and Tim Cane, MCIP, RPP
SGL Planning and Design Inc.

Reviewed By:

Kevin Heritage,
Director of Development Services

Attachments:

Attachment 1 is a copy of Avenu Properties Proposed Concept Plan 2024

Attachment 2 is a copy of the Existing Approved Draft Plan of Subdivision for the Subject Lands

Attachment 3 is a copy of the Draft MZO by-law and schedule provided by Developer, June 2024.

Attachment 4 is a copy of the Draft MZO mapping with limits of development

Attachment 5 is a copy of the Draft Council MZO Resolution June 2024 prepared by the Developer.

Attachment 6 is a copy of the examples of other municipal protocols to consider MZO requests.

Attachment 7 is a copy of public comments received by the Township September 4, 2024

Attachment 8 is a copy of the letters provided by the Mississaugas of Scugog Island First Nations, dated March 27, 2024 and August 30, 2024.

Attachment 9 is a copy of the table provided in MSIFNs letter dated August 30, 2024 with Township comments.

Attachment 10 is a summary of agency comments (including key correspondence letters).

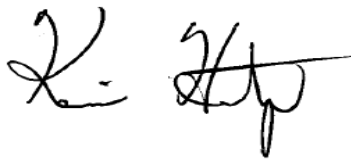
Attachment 11 is a map of the Official Plan designations for the Subject Site.

Attachment 12 is a map of the current Zoning for the Subject Site.

Report Approval Details

Document Title:	MZO request Avenu Properties - South of Castle Harbour Drive - DEV-2024-029.docx
Attachments:	<ul style="list-style-type: none"> - Attachment 1 Avenu Properties Proposed Concept Plan 2024 AODA.pdf - Attachment 2 Existing Approved Draft Plan of Subdivision for the Subject Lands AODA.pdf - Attachment 3 Draft MZO by-law and schedule provided by Developer June 2024 AODA.pdf - Attachment 4 Draft MZO mapping with limits of development AODA.pdf - Attachment 5 Draft Council MZO Resolution June 2024 prepared by Developer AODA.pdf - Attachment 6 Examples of other municipal protocols to consider MZO requests AODA.pdf - Attachment 7 Public Comments Received by the Township_Redacted_acc.pdf - Attachment 8 Letters from Mississaugas of Scugog Island First Nations, dated March 27, 2024 and August 30, 2024 AODA.pdf - Attachment 9 Table MSIFNs letter (30 August 2024) with Township comments AODA.pdf - Attachment 10 Summary of Agency Comments (including key correspondence letters) AODA.pdf - Attachment 11- Official Plan Schedule Excerpt.pdf - Attachment 12 - Zoning By-law Excerpt_acc.pdf
Final Approval Date:	Sep 12, 2024

This report and all of its attachments were approved and signed as outlined below:



Kevin Heritage

No Signature - Task assigned to Ralph Walton was completed by assistant Ashley MacDougall

Ralph Walton

Attachment 1:
Avenu Properties Proposed Concept Plan 2024



Attachment 2:
Existing Approved Draft Plan of Subdivision for the Subject Lands

SITE STATISTICS

TOTAL HOLDINGS OF APPLICANT	88.14 ha	88.12 ac
LAND AREA OF HOLDINGS	20.31 ha	50.18 ac
WATER AREA OF HOLDINGS	4.83 ha	11.94 ac
BLOCK I - PART 3 REG. PLAN 4033803	0.90 ha	0.74 ac
BLOCK J - CASTLE HARBOUR ROAD ALLOWANCE	0.90 ha	0.83 ac

DRAFT PLAN STATISTICS

NUMBER OF LOTS	20	
TOTAL LOT AREA	18.91 ha	46.37 ac
MIN. LOT AREA	0.47 ha	1.19 ac
MAX. LOT AREA	2.91 ha	7.23 ac
MIN. LOT FRONTAGE AT 15m FROM PROPERTY LINE	34.22 m	112.07 ft.
MAX. LOT FRONTAGE AT 15m FROM PROPERTY LINE	134.48 m	441.81 ft.
LENGTH OF STREET 'A' - 1 (21m EASEMENT)	44.84 m	146.46 ft.
LENGTH OF STREET 'A' - 2 (30m EASEMENT)	403.82 m	1324.28 ft.
LENGTH OF STREET 'B' (30m EASEMENT)	198.77 m	652.13 ft.

TOTAL BASE LOT AREA

TOTAL BASE LOT AREA	11.47 ha	28.26 ac
BLOCK A - 0.8m RESERVE (ADJACENT TO LOT 4)	0.01 ha	0.01 ac
BLOCK B (1-3) - VISIBILITY TRIANGLES	0.04 ha	0.10 ac
BLOCK C (1-3) - RESERVE FOR ENTRANCE FEATURE	0.16 ha	0.40 ac
BLOCK D - STORMWATER POND	0.34 ha	0.84 ac
BLOCK E - BUFFER AREA	5.95 ha	14.73 ac
BLOCK F - ADDITIONAL NATURAL OPEN SPACE	2.14 ha	5.30 ac
BLOCK G (A, 20) - ROAD ALLOWANCE ASSIGNED TO BASE LOTS	0.30 ha	0.74 ac
BLOCK H - TO BE MAINTAINED BY TOWN AS SUFFIX	0.07 ha	0.17 ac
ROAD EASEMENT (STREET A & B)	1.41 ha	3.48 ac
TOTAL AREA OF DRAFT PLAN	21.81 ha	53.01 ac

AREA TO BE TRADED TO APPLICANT

ROAD ALLOWANCE (BLOCK G-4) - ASSIGNED TO LOT 4	0.097 ha	0.242 ac
ROAD ALLOWANCE (BLOCK G-20) - ASSIGNED TO LOT 20	0.207 ha	0.513 ac
ROAD ALLOWANCE (BLOCK F20E) - ASSIGNED TO LOT 20	0.178 ha	0.440 ac
TOTAL	0.612 ha	1.519 ac

AREA TO BE DEDICATED TO TOWN

BLOCK E	5.95 ha	14.73 ac
AREAS OF STREET 'A' & 'B' NOT ALREADY OWNED BY TOWN	1.658 ha	4.102 ac
TOTAL	8.608 ha	21.14 ac

LOT AREAS

LOT #	BASE LOT AREA (ha)	BLOCK F	BLOCK G	TOTAL LOT AREA (ha)
1	0.489	0.410	N/A	0.509
2	0.464	0.880	N/A	0.684
3	0.714	0.850	N/A	0.794
4	0.487	N/A	0.067	0.514
5	0.849	N/A	N/A	0.849
6	0.691	N/A	N/A	0.691
7	0.805	0.085	N/A	0.600
8	0.848	0.182	N/A	0.640
9	0.869	0.167	N/A	0.736
10	0.475	N/A	N/A	0.475
11	0.413	N/A	N/A	0.413
12	0.988	0.160	N/A	0.703
13	0.912	0.186	N/A	0.711
14	0.792	0.109	N/A	0.893
15	0.834	0.039	N/A	0.533
16	0.469	0.130	N/A	0.391
17	0.896	0.018	N/A	0.814
18	0.917	0.018	N/A	0.559
19	0.900	0.019	N/A	0.519
20	0.434	0.128	0.073	0.635
TOTAL	11.475	2.137	0.300	13.912

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE LIMITS OF THE LANDS TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

H. CRANMER
H.F. CRANMER CO. LTD.
1975 HWY 7A WEST, UNIT 2A
P.O. BOX 616
PORT PERRY, ONTARIO
L4L 1A6
(905) 885-8600

OWNER'S CERTIFICATE

WE AUTHORIZE HENRY KORTEKAAS AND ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE REGION OF DURHAM FOR APPROVAL.

PAUL TRELOPS
FORT PERRY HARBOUR INC.
4 PICKERSGILL COURT
PORT PERRY, ON
L4L 8Z4

NOTE

PORTIONS OF LOTS 1, 2, 5, 6, 7, 8, 9, 10, 15, 16, 18, 19 AND 20 ARE WITHIN THE LIMIT OF ONTARIO REGULATION 83/04. NO DEVELOPMENT WITHIN THIS REGULATED AREA WOULD REQUIRE A PERMIT FROM MRCA. THE SETBACK IS TO BE RECONSTRUCTED ON TITLE. EACH LOT IS TO HAVE COMPLETE PLOT AND GRADING PLAN PRIOR TO CONSTRUCTION.

ADDITIONAL INFORMATION

P. PRESENT ZONING: C-8 - RECREATIONAL COMMERCIAL
Q. REQUIRED UNDER SECTION 50 OF THE PLANNING ACT:
A. ROADWAYS AS SHOWN ON DRAFT PLAN.
B. BUFFER OR DEF. PLAN.
C. AN BUFFER OR DRAFT PLAN AND DEF. PLAN.
D. BUFFER AREA TO BE DEVELOPED ON PRINCIPAL WATER.
E. NORTH - NEW RESIDENTIAL.
F. NORTH - BEAVER HEADS CREEK / ENVIRONMENTAL PROTECTION AREA.
H. BEST: RURAL/ENVIRONMENTAL PROTECTION AREA.

F. DIMENSIONS AND LAYOUT AS SHOWN ON DRAFT PLAN.
G. PARTIAL SERVICES - TOWNSHIP OF SCARBOROUGH.
H. SLOPE: LOW OVER CLAYEY SOIL - LOW WATER ABSORPTION CAPACITY (SEE HYDROLOGICAL REPORT).
I. SOFTING CONDITIONS AND ELEVATIONS AND DRAINAGE AS SHOWN ON DRAFT PLAN.
J. SEPTIC TANKS, CONDUIT AND STORM DRAINAGE PIPE FOR FRESH WATER DRAINAGE TO BEACH WATER POND.
K. EXISTING DRAINAGE EASEMENTS FROM CASTLE HARBOUR.

DRAFT PLAN OF SUBDIVISION

NO.	DATE	DESCRIPTION
12	12/11/16	REVISED FOR PER REVIEW COMMENTS
11	11/20/16	REVISED FOR PER REVIEW COMMENTS
10	11/15/16	REVISED FOR PER REVIEW COMMENTS
9	11/15/16	REVISED FOR PER REVIEW COMMENTS
8	11/15/16	REVISED FOR PER REVIEW COMMENTS
7	11/15/16	REVISED FOR PER REVIEW COMMENTS
6	11/15/16	REVISED FOR PER REVIEW COMMENTS
5	11/15/16	REVISED FOR PER REVIEW COMMENTS
4	11/15/16	REVISED FOR PER REVIEW COMMENTS
3	11/15/16	REVISED FOR PER REVIEW COMMENTS
2	11/15/16	REVISED FOR PER REVIEW COMMENTS
1	11/15/16	REVISED FOR PER REVIEW COMMENTS

PROJECT

PORT PERRY HARBOUR INC.
4 PICKERSGILL COURT
PORT PERRY, ONTARIO

**PART LOTS 14 & 20 CONCESSION 7
NORWICH TOWNSHIP OF BEACH
MUNICIPALITY: TOWNSHIP OF SCARBOROUGH
DURHAM REGION FILE NO. D-5-2004-001
REFERENCE NO.: 67421 & 67446**

DRAWN

DRAFT PLAN OF SUBDIVISION

DATE

DWG: DSC
REV: HJK
DATE: 11/25/16
SCALE: AS SHOWN
PROJECT NO.: 84002.0
DRAWN BY: DSH

11/29/2016 8:15:03 AM

Attachment 3:

Draft MZO By-law and Schedule Provided by Developer, June 2024

Planning Act
Loi sur l'aménagement du territoire

ONTARIO REGULATION XX/XX (DRAFT)

ZONING ORDER - TOWNSHIP OF SCUGOG, REGIONAL MUNICIPALITY OF DURHAM

Last amendment: XX/XX.

This Regulation is made in English only.

Definitions

1. In this Order,

“zoning by-law” means Zoning By-Law No. 14-14 of the Township of Scugog.

Application

2. (1) This Order applies to the lands in the Township of Scugog in the Regional Municipality of Durham, in the Province of Ontario, being lands identified on a map numbered XXX and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

(2) Despite any severance, partition or division of the lands identified on the map referred to in subsection (1), the provisions of this Order shall apply as if no severance, partition or division occurred.

Density

3. (1) This section applies collectively to the lands located in the areas shown as Zone 1 and Zone 2 on the map described in subsection 2 (1).

(2) A maximum of 600 residential units serviced by private or communal wastewater treatment system(s) is permitted.

Zone 1

4. (1) This section applies to the lands located in the area shown as Zone 1 on the map described in subsection 2 (1).

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for the following:
 1. A dwelling, single detached as defined in part 3 of the zoning by-law.
 2. A dwelling, semi-detached as defined in part 3 of the zoning by-law.
 3. A dwelling, townhouse as defined in part 3 of the zoning by-law.
 4. A dwelling, linked as defined in part 3 of the Zoning By-law.
 5. A dwelling, duplex horizontal as defined in part 3 of the zoning by-law.
 6. A dwelling, row as defined in part 3 of the zoning by-law.
 7. A dwelling, fourplex as defined in part 3 of the zoning by-law.
 8. a home occupation, as defined in part 3 of the zoning by-law.
 9. Accessory uses, buildings or structures, including:
 - i. An open space use as defined in part 3 of the zoning by-law.
 - ii. A parking area as defined in part 3 of the zoning bylaw.
(3) The following requirements apply to the uses, buildings and structures permitted under subsection (2):
 1. The maximum building height is 3 storeys and 12 metres.
 2. There is no minimum lot area.
 3. There is no minimum lot frontage.
 4. The minimum yard setbacks for all buildings and structures are set out below,
 - i. The minimum required front yard is 6 metres.
 - ii. There is no minimum required rear yard.
 - iii. The minimum required interior side yard is 1.2 metres on one side, 0.6m on the other side.

iv. The minimum required exterior side yard is 6 metres.

(4) The zoning requirements set out in part 9 of the zoning by-law shall not apply to the uses, buildings and structures permitted under subsection (2).

Zone 2

5. (1) This section applies to the lands located in the area shown as Zone 2 on the map described in subsection 2 (1).

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for the following:

1. A dwelling, townhouse as defined in part 3 of the zoning by-law.
2. A dwelling, row as defined in part 3 of the zoning by-law.
3. A dwelling, fourplex as defined in part 3 of the zoning by-law.
4. A dwelling, apartment as defined in part 3 of the zoning by-law.
5. A dwelling, multiple as defined in part 3 of the zoning by-law.
6. A retirement home as defined in part 3 of the zoning by-law.
7. A special needs facility as defined in part 3 of the zoning by-law.
8. a home occupation, as defined in part 3 of the zoning by-law.
9. Non-residential uses located on the ground floor of a building, as defined in part 3 of the zoning by-law, including:
 - i. Art gallery
 - ii. Bakery
 - iii. Bar
 - iv. Convenience store
 - v. Day care centre
 - vi. Fitness centre
 - vii. Grocery store
 - viii. Medical Clinic
 - ix. Office, business, professional or administrative
 - x. Operations of a non-profit or charitable institution
 - xi. Place of entertainment
 - xii. Restaurant
 - xiii. Retail Store
 - xiv. Service shop, personal
 - xv. Wellness centre, including where operated by a non-profit or charitable institution
10. Accessory uses, buildings or structures, including:
 - i. An open space use as defined in part 3 of the zoning by-law.
 - ii. A parking area as defined in part 3 of the zoning bylaw.

(3) The following requirements apply to the uses, buildings and structures permitted under subsection (2):

1. The maximum building height is 5 storeys and 20 metres, excluding any required mechanical penthouse or equipment.
2. Notwithstanding subsection (3)1. above, the ground floor of a building will be excluded from the calculation of building height if it does not include any residential units.
3. There is no minimum lot area.
4. There is no minimum lot frontage.
5. The minimum yard setbacks for all buildings and structures are set out below,
 - i. There is no minimum required front yard..

- ii. There is no minimum required rear yard.
- iii. There is no minimum required interior side yard.
- iv. There is no minimum required exterior side yard.
- v. The minimum required separation between two buildings on the lands is 10 metres.

(4) The zoning requirements set out part 9 of the zoning by-law shall not apply to the uses, buildings and structures permitted under subsection (2).

Environmental Protection/Open Space

6. (1) This section applies to the lands located in the area shown as EP/OS on the map described in subsection 2 (1).
- (2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for the following:
- 1. Flood/erosion/siltation/stormwater management control structures and measures.
 - 2. Conservation use as defined in part 3 of the zoning by-law.
 - 3. Recreation uses and associated infrastructure.

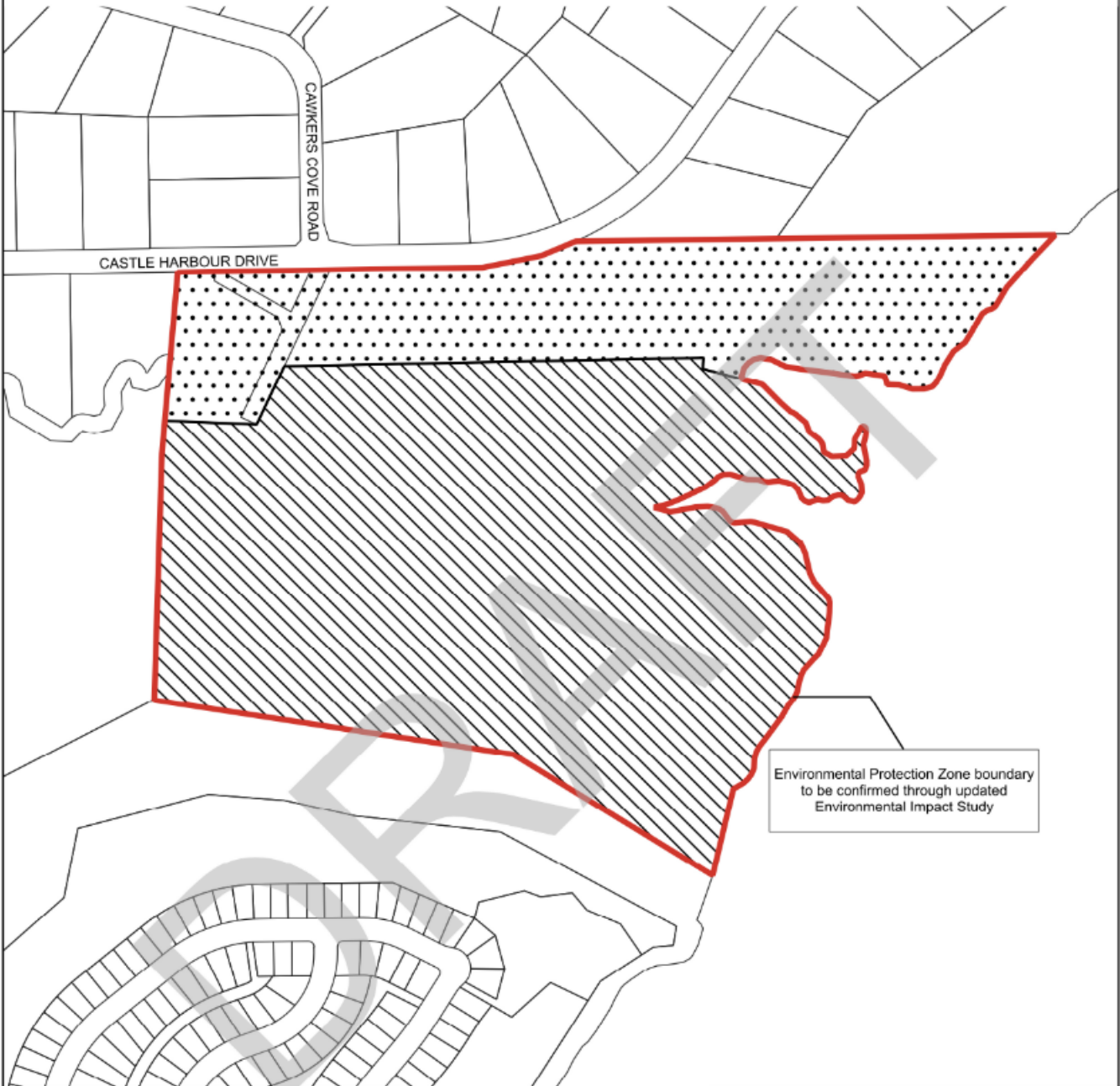
Terms of Use

7. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.
- (2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.
- (3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.
- (4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed by-law

8. This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the Township of Scugog.
9. OMITTED (PROVIDES FOR AMENDMENTS TO THIS REGULATION).
10. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

Part Lots 19 & 20, Concession 7



Environmental Protection Zone boundary to be confirmed through updated Environmental Impact Study

Map filed at the office of the Ontario Ministry of Municipal Affairs and Housing
777 Bay Street, Toronto, Ontario

The Planning Act

Ontario Regulation:

Date:

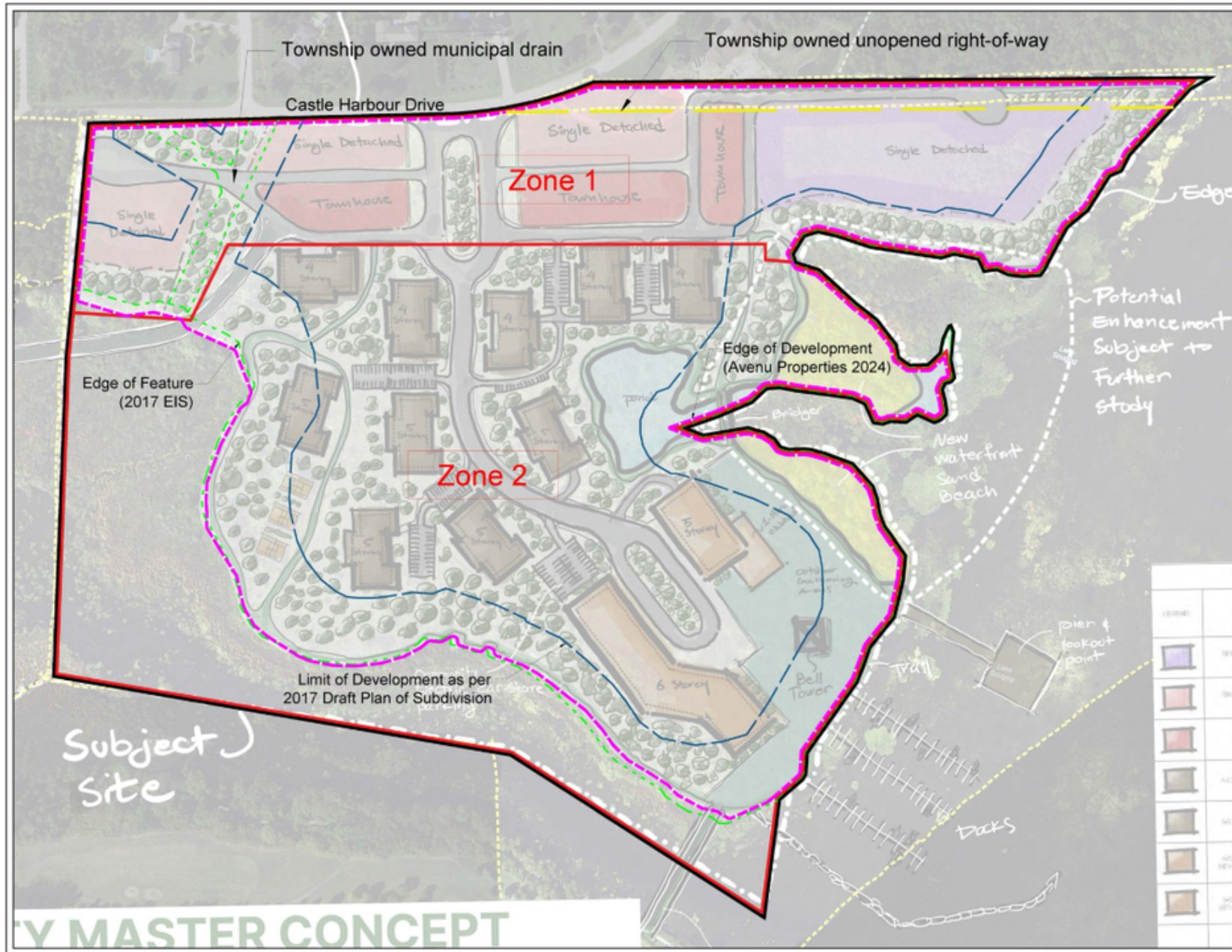
Original Signed By:

LEGEND

- Lands Subject to Zoning Order
- Zone 1
- Zone 2
- Assessment Parcel/Lot Fabric

0 75 150 m

Attachment 4:
Draft MZO mapping with limits of development



AVENU PROPERTIES
DEVELOPMENT LIMIT OVERLAY
 Castle Harbour Drive, Port Perry

- Site Boundary
- Proposed edge of development and MZO boundary
- - - Limit Of Development as per 2017 Draft Plan of Subdivision
- - - Edge of Feature (2017 EIS)
- - - Edge of Development as per Concept Plan 2024

LEGEND	Color
Site Boundary	Black
Proposed edge of development and MZO boundary	Red
Limit Of Development as per 2017 Draft Plan of Subdivision	Blue
Edge of Feature (2017 EIS)	Green
Edge of Development as per Concept Plan 2024	Magenta



Scale: 1:1000
 September 10, 2024

*Linework shown is an estimate based on scanned images of previous plans and schedules-subject to verification by EIS/Survey.

Y MASTER CONCEPT

Attachment 5:
Draft Council MZO Resolution June 2024
(as provided by developer)

WHEREAS the Ontario government recognized the housing crisis by targeting 1.5 million new homes to be built in 10 years.

AND WHEREAS Durham Region mandated a supply of 84,000 new homes in 10 years, by prioritizing greater density with a minimum 50% intensification target.

AND WHEREAS the Township of Scugog (“**Township**”) urban population is forecast to increase from 11,880 residents in 2021 to 12,940 in 2031, further increasing growth to a total of 17,740 residents in 2051.

AND WHEREAS the Township has identified Port Perry as a highest priority area for new development and intensification particularly on greenfield sites.

AND WHEREAS the Township has identified sustainability as a highest priority for new residential development and seeks to achieve greater levels of attainable or affordable housing as well as aging-in-place opportunities as 25% of residents are 65 years or older.

AND WHEREAS the greenfield 62 acre site located east of Simcoe Street, south of Castle Harbour Drive, (“**Subject Lands**”) is within the Urban Area and designated Residential, permitting medium/high density residential uses at up to 50 uph under the Official Plan.

AND WHEREAS Avenu Properties Corp brought forward a proposal for a New Urbanism intergenerational community with up to 600 new dwelling units with a mix of unit types, sizes, and tenures, supported by local commercial uses (“**Proposed Development**”).

AND WHEREAS the proposal replaces a limited-use large-lot single homes only estate subdivision with contemporary urban design ideas, enhanced public waterfront access, natural heritage preservation, extensive landscaped open spaces and innovative, state-of-the-art servicing approaches.

AND WHEREAS Council previously unanimously passed a motion on December 4, 2023 confirming they were prepared to explore the utilization of the *Community Infrastructure Housing Accelerator* under section 34.1 of the *Planning Act*.

AND WHEREAS the Ontario government has created a more efficient accelerator process than *Community Infrastructure Housing Accelerator* in the interim period, captured in Ontario Bill 185.

AND WHEREAS Bill 185 received Royal Assent on June 6, 2024, resulting in changes to the Planning Act including replacing the previous *Community Infrastructure and Housing Accelerator* with a *Minister’s Zoning Order (“MZO”)* framework.

AND WHEREAS the MZO framework is intended to establish a well-defined and transparent process, such that requests for MZOs must address one of the two different intake thresholds, both of which have already been satisfied.

AND WHEREAS the MZO allows a municipality to advance development projects in line with strategic partnerships and funding opportunities that deliver important community needs in a streamlined and efficient process.

AND WHEREAS the MZO will allow planning approvals to be consolidated to implement the Proposed Development, establishing broad built-form and commercial use permissions, as well as the technical parameters to guide subsequent detailed approvals.

AND WHEREAS Council on December 4, 2023 required Avenu to give notice and hold a Public Open House to present its development proposal.

AND WHEREAS the previous Council on December 4, 2023 authorized Avenu to engage with the Ministry of Municipal Affairs and Housing and other Ministries and Departments.

AND WHEREAS Avenu engaged a team of qualified professionals to assess the proposed development, including preparing technical studies to ascertain project feasibility with more detailed analysis to follow through the Site Plan Approval process.

AND WHEREAS a Planning Rationale was prepared by a qualified Planning Consultant with planning experience in and for the Township to provide information to Staff, Council and the Minister in consideration of the proposed development.

AND WHEREAS the Planning Rationale assesses the Proposed Development against existing and evolving planning and growth management frameworks at the Provincial, Regional and local level.

AND WHEREAS the Proposed Development and requested MZO are consistent with the PPS, conforms with settlement area policies of the Greenbelt Plan and conforms to the Growth Plan.

AND WHEREAS the Proposed Development conforms to the applicable policies of the Regional OP and has explicit permission for servicing by municipal water and private sewage disposal systems.

AND WHEREAS the Proposed Development meets the Township's criteria for residential development.

AND WHEREAS the Proposed Development strongly responds to numerous Township planning objectives.

AND WHEREAS the MZO establishes site-specific regulatory framework modeled on existing zones from the Township's ZBL to provide permissions and regulations to implement the Proposed Development.

AND WHEREAS the MZO is the first planning approval step to establish permission for the project.

AND WHEREAS Avenu is not seek any “Enhanced Authorities” to exempt it from other normally required Planning Act approvals.

AND WHEREAS Avenue Properties has submitted a proposed draft text of an MZO with Schedule attached (“**Draft MZO**”) to implement the Proposed Development for consideration by Township Council.

AND WHEREAS the Proposed Development has been the subject of a robust voluntary consultation and engagement process involving Township Council, Township, Region and Agency staff and a wide variety of community stakeholders and many residents as anticipated by Council’s previously unanimously passed Resolution on December 4, 2023.

AND WHEREAS a Consultation and Engagement Report has been prepared under separate cover and may be included with the submission to the Township and the Ministry of Municipal Affairs in support of the request for the MZO.

AND WHEREAS the voluntary consultation and engagement process exceeds that first anticipated under the December 4, 2023 Council Resolution, the recent “Zoning Order Framework” and what is legally required for regular Planning Act Applications.

AND WHEREAS a widely advertised and promoted Public Open House was held on May 7th in Scugog followed by an extensive consultation program from January to May 2024, with open houses with Canterbury Common and Castle Harbour representatives.

AND WHEREAS over a five-month period 25 individual meetings were held, including virtual and in person meetings as well as another 60 one-on-one conversations and an extensive print advertising campaign what went out to 9,000 households and 40 businesses, all of which has been reported to Council and in which several Council members also voluntarily attended in person as observers.

NOW THEREFORE BE IT RESOLVED:

THAT the Council of the Corporation of the Township of Scugog requests the Minister of Municipal Affairs and Housing to approve an MZO to implement the Proposed Development on the Subject Lands and associated uses as specified in the Draft MZO.

THAT Council forward this resolution along with certain supporting materials to the Minister of Municipal Affairs and Housing, including as appropriate the Planning Rationale Report, Draft MZO, supporting technical studies and the Consultation and Engagement Report.

THAT Council request that the Minister approve the MZO to give effect to the Proposed Development, with the order outlining the permitted land use, density, height and setback for development and other land use controls as set out in the Draft MZO.

THAT Council request the Minister of Municipal Affairs that the Township retain full control to grant approvals for all other subsequent site specific approvals such as Site Plan Approval and Draft Plan of Subdivision or Condominium through regular Planning Act process.

THAT Council require Avenu proceed through the Township’s standard planning approval process for all subsequent Planning Act approvals, including pre-consultation activities and

providing “Complete Applications” including all required technical studies and reports to the Township’s satisfaction.

Attachment 6:

Examples of other municipal protocols to consider MZO requests

The following examples were reviewed for the purposes of this report:

Township of Springwater

The Township of Springwater published a Minister's Zoning Order (MZO) Request Protocol document (revised February 2023).

The document acknowledges that whilst Council's support is not required for the Minister to issue an MZO, Council's endorsement of a request can allow the Minister to prioritize projects whereby political support is established. Whilst the Township of Springwater has received an increased number of requests for the support and endorsement of schemes seeking an MZO, these have often not been accompanied by basic technical information.

As such, to support an informed evaluation of requests for support of MZO's, Springwater Township Council has established a standardized protocol to ensure all aspects and information related to a request are considered.

In reviewing a request for MZO support, the following application submission materials are required by Township Council to establish the preliminary feasibility of a proposed project:

- i) Completed MZO request Application Form*
- ii) Site Plan Package*
- iii) A Planning Justification Brief*
- iv) Traffic Impact Analysis*
- v) Functional Servicing / Stormwater Management*
- vi) Environmental Impact Analysis*
- vii) Archaeological Analysis*

The following notification and circulation requirements are established and outlined in detail within the Request Protocol;

- i) Notice to residents*
- ii) Public Information Centre (PIC) Meeting*
- iii) Township Circulation Requirement*

A processing fee of \$2,000.00 will also be required.

Once a complete MZO request application has been submitted to Township, Staff prepare a report for Council's review, to advise of the preliminary details of the application and propose a date for a public Information Centre (PIC) meeting. Once the (PIC) meeting has been conducted, Township staff will prepare a final summary Report to Council, outlining public

comments received accompanied by final responses from the developer. The report will not include Staff Recommendations or any expert analysis of the application materials.

Town of Caledon

In May 2023, the Town of Caledon adopted a MZO protocol in response to multiple MZO requests, both to the Town and directly to the Minister. There was local concern over the applications not following the typical and more rigorous planning process.

The previous process when a MZO was received was to send it back to staff for a report and recommendation. To assist in this process, a protocol was sought so that MZO requests would better reflect town priorities, planning legislation, community needs, growth management, public engagement, and town finances.

Key elements of the protocol are:

- Business case for the development
- Planning justification report
- Fiscal impact study
- Servicing capacity assessment
- Public consultation
- Indigenous Community engagement
- Public notice
- Council resolution
- Cost recovery to process requests

In summary, the Town has established an effective framework for improving transparency and establishing an evaluation framework. Should the Township of Scugog wish to pursue a MZO Protocol, the Town of Caledon provides a good precedent that includes elements of how the Township is considering the Avenu Properties request.

Background materials at the Town of Caledon can be found in the following link:

[Planning and Development Committee - May 16, 2023 \(escribemeetings.com\)](https://www.escribemeetings.com/Planning-and-Development-Committee-May-16-2023)

City of Cambridge

In September 2021, the City of Cambridge approved a policy for considering MZO requests. Council had frozen the consideration of MZO requests earlier in the year until a new policy was in place.

The policy includes requirements for:

- Planning justification report
- Transportation impact study (where applicable)
- Heritage Impact Assessment (where applicable)
- Public engagement
- Agency circulation
- Supporting studies
- Review and request for additional information

The City of Cambridge may have been one of the first municipalities to implement a MZO consideration policy. It is understood that some members of Council wanted more thorough policy, however, a more limited policy was adopted.

City of Brampton

In April 2022, the City endorsed a framework to inform Council decisions in considering future MZO requests in response to a number of granted and pending MZOs.

The framework appears to mirror the framework of the former CIHA tool by adopting the following themes:

- Consistency with Provincial policies
- Provides a direct public good
- Engagement and consultation of the affected municipality and key stakeholders
- Ensuring future development review

Town of Innisfil

The Town of Innisfil has had three significant MZO processes over the past four years – a Major Transit Station Area (Orbit), new hospital campus (RVH) and casino relocation.

Regarding Orbit, the municipality initiated a MZO in partnership with a major developer to help facilitate the construction of a new GO station in exchange for more dense residential development to better accommodate the Town's projected growth. The Town's approach to

the municipally initiated MZO process was to introduce greater public input and more regular public discussions than typical MZO processes at the time.

A Vision was created to help guide the drafting of the proposed zoning after which a public open house was undertaken. The intent of the process was to make it look like a more typical ZBA process but maintain a greater level of transparency with regular reports to Council.

The MZO for a new hospital campus was initiated by the hospital to assist their application request with the Ministry of Health. Similar to the approach of Avenu Properties, Royal Victoria Hospital (RVH) undertook significant independent engagement with community stakeholders. This independent engagement was combined with Town processes for the review of the application and ultimate support by Council once fundamental questions regarding the proposal were answered.

The third, and most recent request in June 2024, was to support the relocation of an existing casino to keep it within the municipality. This request was supported by a MZO briefing document after a number of studies had already taken place to determine if the use was appropriate. This MZO appears to have been handled differently in that the new Council was comfortable with a commitment from the applicant to undertake future engagement later in the process after Council endorsement.

The main difference of the Town of Innisfil approach was that the MZO requests were to facilitate significant public infrastructure and retain employment uses. The key takeaway from Innisfil's earlier approach was a more public process through Town Council meetings and open houses. These Town led meetings, together with acceptable responses to concerns raised, ultimately allowed Council to support and endorse the MZO requests.

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 11:31 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Adele Chatten

Adele Chatten


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Adele Chatten

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 27, 2024 12:30 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Agnes Gibson

Agnes Gibson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.
Agnes Gibson

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Aidan Pearce
Date: August 19, 2024 12:32:35 PM

Aidan Pearce



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Aidan Pearce

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 1, 2024 6:47 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Alexandra Davies

Alexandra Davies


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Alexandra Davies

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Amy King - FW: Concerns on new subdivision being proposed in Castle Harbour
Date: September 4, 2024 10:36:59 AM

From: Amy King [REDACTED]
Sent: Monday, May 27, 2024 1:25 PM
To: Mail Box <Mail@scugog.ca>
Subject: Re: Concerns on new subdivision being proposed in Castle Harbour

You don't often get email from [REDACTED] [Learn why this is important](#)

Following up on this. I have not received any correspondence in regards to my request below.

Thank you,
Amy

On Wed, May 15, 2024 at 4:14 PM Amy King [REDACTED] wrote:

Hi there,

I am a resident of Scugog at [REDACTED] My children go to SA Cawker Public School which is directly impacted by this proposed development.


Can you please provide me with information that has already been published regarding the Castle Harbour proposed development? The website does not make it clear.

Secondly, can you please let me know what email/ phone number I can reach to voice my concerns?

Thank you,
Amy

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 2, 2024 11:54 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Anna Hiebert

Anna Hiebert


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Anna Hiebert

From: GrantandMarion Laird [REDACTED]
Sent: July 7, 2024 7:51 PM
To: Valerie Hendry
Subject: Avenu Proposal for Castle Harbour area.

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Ms. Hendry.....

Please add our names to the list of people objecting to the proposed development for the Castle Harbour area. We believe the zoning should remain as is.

Thank you.
Grant and Marion Laird
Get [Outlook for iOS](#)

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Brian Stephen - FW: Update and questions for proposed development on Castle Harbour Drive
Date: September 4, 2024 10:39:02 AM
Attachments: [image001.png](#)

From: brian stephen [REDACTED]
Sent: Wednesday, April 24, 2024 11:16 AM
To: Janice Hamilton-Dicker [REDACTED] Valerie Hendry <vhendry@scugog.ca>
Subject: RE: Update and questions for proposed development on Castle Harbour Drive

Good morning, Janice and thank you for keeping the Castle Harbour residents informed.
Valerie thank you for getting back to us.

Valerie can you please advise why the Mayor and council have not been willing to meet with the Castle Harbour residents yet have participated in private meetings with the developer and other interest groups. We are after all arguably the most impacted. Per Janices email it is our understanding that elected officials are expected to remain impartial during the consultation period. A project of this magnitude so out of keeping with existing land use requires a massive amount of study and technical evaluation to determine feasibility. Understandably the residents are upset that this has been publicly endorsed prior to the required due diligence.

We understand that developers have the right to develop and of course no one wants anything in our own backyard. We also understand the township is looking for new revenue streams but should only be endorsed once all concerns are publicly addressed.

In our opinion this project has not met that criteria due to numerous and legitimate concerns put before the township. Respectfully the developer nor council can not accurately confirm based on currently available information.

This property went through rigorous evaluation over many years to get regional approval for 20 homes so to have our representatives publicly endorsing such a deviation from existing plan is disturbing. Understandably the developer is attempting to utilize still unclear fast track legislation to build approximately 600 homes but in our opinion is not in keeping with intent.

Kind Regards
On behalf of the concerned Castle Harbour Residents
Brian Stephen

From: Janice Hamilton-Dicker [REDACTED]
Sent: Tuesday, April 23, 2024 3:26 PM
To: Valerie Hendry <vhendry@scugog.ca>
Subject: RE: Update and questions for proposed development on Castle Harbour Drive

Hello again Valerie,

Thank you for keeping us informed.

The information regarding the size of the property has been obtained from previous planning reports, for instance Township of Scugog Staff Report Number DEV-2018-032 under 2.1.

Proposal: that stated that Lalu Peninsula Inc. was the new owner of this 24.72 hectare (61.08 acres) parcel of land on the south side of Castle Harbour Drive.

It has however come to our attention that the Mayor and some of the Councillors have met multiple times with the developer and have publicly endorsed the development.

It is our understanding that until such time as there are public meetings and proper evaluation elected officials are obligated to remain impartial. This comment was found in the Township of Scugog minutes dated May 10, 2004. The Scugog Mayor at that time Marilyn Pearce advised a resident “that it is not appropriate for any Member of Council to take a position, either pro or con, prior to the public meeting – that the purpose of the public meeting is to gather more information from the Applicant and an opportunity to consider any concerns brought forward from the public”.

Could you please advise or comment.

Thank you.

Janice Hamilton-Dicker

From: Valerie Hendry <vhendry@scugog.ca>
Sent: Tuesday, April 23, 2024 11:15:12 AM
To: 'Janice Hamilton-Dicker' [REDACTED]
Subject: RE: Update and questions for proposed development on Castle Harbour Drive

Hi Janice, perhaps the developer acquired some land or their area calculation is different than yours. Without seeing a plan and them confirming the subject site it would be premature for me to comment. I am sure they will clarify for you at the April 30 meeting.

Bill 185 has not yet been proclaimed and in effect so I also cannot comment on the process for a new MZO request. Here is a hyperlink to the Provincial website about the process: [Zoning order framework | ontario.ca](https://www.ontario.ca/gov/topics/zoning-order-framework)

Valerie

Valerie Hendry, MCIP, RPP
Manager of Planning

Township of Scugog, 181 Perry St. P.O. Box 780, Port Perry, ON L9L 1A7

P:905.985.7346 ext 100, Fax: 905.985.9914

Website: www.scugog.ca

vhendry@scugog.ca

The information contained in this Township of Scugog electronic message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed including attachments. The message may contain information that is privileged, confidential and exempt from disclosure under the Municipal Freedom of Information and Protection and Privacy Act and by the Personal Information Protection Electronic Documents Act. The use of such personal information except in compliance with the Acts, is strictly prohibited. If you have received this message in error, please notify the sender immediately advising of the error and delete the message without making a copy. Thank you



Please consider the environment before printing this email.

From: Janice Hamilton-Dicker [REDACTED]
Sent: Tuesday, April 23, 2024 11:04 AM
To: Valerie Hendry <vhendry@scugog.ca>
Subject: RE: Update and questions for proposed development on Castle Harbour Drive

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Good morning Valerie,
Thank you for your response to my email.
Is there anyway that you could provide us the information before the meeting of April 30th where the additional acres came from?
Also, by removing the CIHA tool and revamping the Minister Zoning Order tool, does this make it easier for a developer to go through the approval process to build?
Thank you.
Janice

From: Valerie Hendry <vhendry@scugog.ca>
Sent: Tuesday, April 23, 2024 9:11:20 AM
To: 'Janice Hamilton-Dicker' [REDACTED]
Subject: RE: Update and questions for proposed development on Castle Harbour Drive

Good morning, Janice

This is the first I am hearing about a meeting with residents. Avenu Properties has not submitted the supporting documents to the Township for the proposal and to begin the public and agency consultation process before bringing a recommendation forward to Council for a decision. The developer can meet with whomever they choose before the application process begins. I do not know if the Mayor and Council have been invited to

the meeting on April 30, as have not yet heard back from her.

The Province has recently released Bill 185 for comment. The Province is now proposing to remove the CIHA tool and revamp the Minister Zoning Order (MZO) tool. The applicant will need to clarify to the Township what process they are applying for in accordance with the Planning Act.

It is hard for me to clarify what lands are subject to this development without seeing a map of the subject site. I am sure they will clarify that question for you at your meeting.

Take care,

Valerie

Valerie Hendry, MCIP, RPP
Manager of Planning

Township of Scugog, 181 Perry St. P.O. Box 780, Port Perry, ON L9L 1A7
P:905.985.7346 ext 100, Fax: 905.985.9914

Website: www.scugog.ca
vhendry@scugog.ca

The information contained in this Township of Scugog electronic message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed including attachments. The message may contain information that is privileged, confidential and exempt from disclosure under the Municipal Freedom of Information and Protection and Privacy Act and by the Personal Information Protection Electronic Documents Act. The use of such personal information except in compliance with the Acts, is strictly prohibited. If you have received this message in error, please notify the sender immediately advising of the error and delete the message without making a copy. Thank you



Please consider the environment before printing this email.

From: Janice Hamilton-Dicker [REDACTED]
Sent: Thursday, April 18, 2024 8:07 PM
To: Valerie Hendry <vhendry@scugog.ca>
Subject: Update and questions for proposed development on Castle Harbour Drive

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Valerie,

We as residents were wondering what stage the proposed development on the south side of Castle Harbour Drive is at.

The developer Avenu Properties Corp. has sent an email out to residents informing them of a meeting that they will be hosting on April 30th at the library. This is unusual for the developer

to hold a meeting before the formal public meeting is it not? Also, will Township staff, the Mayor or Council be attending this meeting?

Also, in their letter they are advising that the development is proposed for a 100 acre site, this development site has always been listed as a 61.08 acre parcel of land. Could you please clarify where the additional acres are coming from.

Thank you.

Janice Hamilton-Dicker

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Stressed ecosystem
Date: September 4, 2024 9:36:23 AM

From: bryan hazelton [REDACTED]
Sent: Tuesday, July 16, 2024 12:14 PM
To: Wilma Wotten <wwotten@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>; Todd McCarthy [REDACTED] Lou Rocha [REDACTED] Malcolm Ward [REDACTED] Kevin Heritage <kheritage@scugog.ca>
Subject: Stressed ecosystem

Ontario Tech University Professor of Environmental Biology Andrea Kirkwood called Lake Scugog “a stressed ecosystem.”

“Over the last few decades, urban development has disproportionately impacted water quality in the lake relative to agriculture, which is the dominant land-use in the watershed,” she continued, mentioning studies that indicate higher levels of phosphorus and chloride.

“Based on these findings, it is expected that urban development at the scale proposed by Avenu properties would only exacerbate the negative effects of urban development on lake health,” Kirkwood concluded.

Save our lake

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Cam Flieler - FW: Fire department / Save Scugog Wetlands
Date: September 4, 2024 9:36:57 AM

From: cam flieler [REDACTED]
Sent: Friday, August 30, 2024 4:19 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Fire department / Save Scugog Wetlands

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Scugog friends,

As a lifelong resident of Port Perry, I write you today with my concerns over the Castle Harbour development.

I am sure you have heard various concerns with regards to the environment, stress to our hospitals ,doctors office, school and infrastructure...all true, but one item that needs to be addressed is our fire department.

Being a former Scugog Fire and Emergency Services paid on-call/volunteer firefighter and currently a full time professional firefighter I have intimate knowledge with what makes a firehall tick, both full time and volunteer. I still keep in touch with my brothers and sisters from Scugog and am well aware of the new Chief situation and our aging fleet of apparatus. In fact I am told we have two pumpers that need replacing (one being a used pumper that was bought from Markham) and the other with well aged components.

From what I understand council has looked into the possibility of getting an Aerial/Platform truck with several buildings over three stories and the possibilities of more (Castle Harbour Development)

To help you understand from a fire department perspective, Pumpers are the meat and potatoes, the front run trucks, without reliable pumps you cant be a reliable department. They carry more water than an Aerial and are more agile and by more water I mean you will have about a five minute supply (Pumper) vs a three minute supply(Aerial) until you hit a hydrant, that's if you are only using a 45 mm line(flowing 500 litre per minute) and not a 65mm(1235 litres per minute) or a master stream flowing 4800 litres per minute and on top of all that having the man power to staff these which is a challenge in Scugog (seen it with my own eyes)

So what I am trying to point out is we need two new Pumpers ASAP! probably around 3-4 million dollars

For the pair, then an Aerial (minimum 2 million) with a current wait time of two years for both Pumper and Aerial, they just don't have car lots for these things, they are spec d out for the towns needs, and then hopefully some more fulltime staff because I know we are down a couple of full-timers, a proper water supply because our tanker shuttle will not be able to handle this type of development (Castle Harbour)

It is actually quite concerning how this Department is becoming outdated and understaffed! What is holding this department together is the firefighters (mostly volunteers/two fulltime) and their strong wills! But that is only going to take you so far. I have been on scene with this department and watched a house burn in front of me because we ran out of water!(terrible feeling when you are the firefighter and supposed to help) luckily no one was inside! It is just a matter of time before you have "The Big One" I have experienced this first hand with my current department and it had a happy ending, but I can tell you that Scugog Fire is not heading in the right direction. I hope that our new Chief Matthews will be able to fix this and help to restore the department, has anyone spoke to him about this development and the challenge it will bring to our Emergency services?

And what about all our long time residents that deserve a proper Fire Department and the help they deserve when they dial 911!

Lets work together to find solutions for our great town.

Thanks,
Cam Flieler

Sent from [Mail](#) for Windows

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 11:07 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Carolyn Burtch

Carolyn Burtch


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Carolyn Burtch

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Carolyn Hall - FW: Proposed development south of Castle Harbour
Date: September 4, 2024 9:38:24 AM

From: Carolyn Hall [REDACTED]
Sent: Friday, July 19, 2024 2:57 PM
To: Wilma Wotten <wwotten@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>; Janna Guido <jguido@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>; Jamil Jivani [REDACTED] >
Subject: Proposed development south of Castle Harbour

I would like comment on the proposed development south of Castle Harbour, and the seeking of an MZO to accommodate it.

This plan seems very overly ambitious and I do not feel our township has the infrastructure to accommodate it, both in terms of schools, traffic and certainly medical care. I am one of many long term residents (almost fifty years) who are currently without a doctor. How do you think this huge surge in population would be served? I did read one comment that this would be housing for physicians and could draw more to our township. I don't mean this badly but that is hogwash. There is plenty of available attractive housing to attract doctors, that is not the issue.

We currently have a number of new developments being built which have all gone through the proper process, why should this one be allowed the jump the normal barriers?

A further consideration is our lake, the thing that makes our community uniquely beautiful, and which draws tourists, potential homeowners and \$ here. The west shoreline of the lake is disgusting, almost impossible to get a boat through the weeds, a great deal of which is caused by municipal runoff from developed areas. You need only go to other portions of the lake to see the difference. Do we really need more runoff from a huge development on the lakeside?

The proposal calls for a private septic system I have been told. What happens if that fails - we do not have the sewage capacity to compensate for it, nor funds to correct it. Will it be like the never finished roads in Castle Harbour after the initial developer walked away?

In the short term this may help the tax base, in the long term I believe it would be a huge mistake. Please take a step back and listen to your constituents.

Respectfully,

Carolyn Hall

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Catherine Williams - FW: Over \$154M tied to detained Chinese-Canadian oligarch invested in GTA real estate | Globalnews.ca
Date: September 4, 2024 9:40:03 AM

-----Original Message-----

From: Catherine Williams [REDACTED]
Sent: Tuesday, July 30, 2024 6:16 PM
To: Wilma Wotten <wwotten@scugog.ca>; Janna Guido <jguido@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>
Subject: Over \$154M tied to detained Chinese-Canadian oligarch invested in GTA real estate | Globalnews.ca

[Some people who received this message don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I hope you have done your due diligence in investigating the investors involved with the present proposal in Castle Harbour. This is a travesty and very corrupt. My opinion.

<https://globalnews.ca/news/8637896/xiao-jianhua-family-companies-150-million-toronto-real-estate/>

Sent from my iPad

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 2:47 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Cathy Bradley

Cathy Bradley


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Cathy Bradley

Ahasar Syed

From: Celine Batterink [REDACTED]
Sent: Monday, January 08, 2024 10:40 PM
To: Scugog Planning
Subject: Avenu Properties Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from [REDACTED] [learn why this is important](#)

Hello,

I am interested in learning more about the development proposal by Castle Harbour Drive as information becomes available. Please let me know when the public meeting will be held as well.

Thanks very much,

Celine Batterink

Vanessa Reusser

From: Sadica Ramlochan [REDACTED]
Sent: January 10, 2024 3:44 PM
To: Wilma Wotten; mcdougall@scugog.ca; David LeRoy; Janna Guido; Robert Rock; Harold Wright; Terry Coyne; Kevin Heritage; Valerie Hendry; Scugog Planning
Subject: Property Development South Side Of Castle Harbour Dr

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ahasar Syed

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Hi All

It has been brought to our attention,(the residents of this neighbourhood), the massive development proposed. We are strongly opposed to this development for many valid reasons, which we believe you should consider.

The impact on the protected flora and fauna along the waterfront and trails. The water consumption and sewage. The volume of traffic. The already burdened health care and waiting list for a doctor in Port Perry is over 3 years. Not enough schools to accommodate the already crowded classrooms.The limited retail outlets , that preserves this town image. Castle Harbour Dr itself is riddled with potholes, and has never been resurfaced . Lastly the coloured past of the proposed developer is questionable.

We wish you to please, not let this be passed. Our voice needs to be heard.

Concerned Resident

[REDACTED]
Celine Ramlochan

Sincerely,



From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Chris Rohr - FW: Castle Harbour Development Project
Date: September 4, 2024 9:42:00 AM

From: Chris Rohr [REDACTED]
Sent: Wednesday, June 19, 2024 11:38 AM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Castle Harbour Development Project

You don't often get email from [REDACTED] [Learn why this is important](#)

Good morning, Mr. Coyne

My name is Chris Rohr, I'm a home owner in Ward 5, and I'd like to hear your opinion about the proposed development on Castle Harbour Drive just west of Simcoe Street.

I attended the public meeting at the library last month, and frankly I was shocked by how poorly thought out the project is, and how disrespectful the developers were to the audience, being our community members.

I would like to know what the status of this proposal is, including whether it has been approved by council and, if so, on what basis.

I look forward to hearing from you.

Chris

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 27, 2024 7:58 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Christina Wilson

Christina Wilson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Christina Wilson

Vanessa Reusser

From: [REDACTED]
Sent: September 3, 2024 5:29 PM
To: Scugog Clerks; Kevin Heritage; Valerie Hendry
Subject: Please say 'NO' to MZO for Avenu Properties Sept 16th

Some people who received this message don't often get email from [REDACTED] [learn why this is important](#)

Hello Ralph, Kevin and Valerie

I'm sure by now you have received many emails and letters from concerned citizens of Port Perry about the proposed Avenu Properties 600 unit Development on the shores of Lake Scugog, so my letter won't be any different I'm sure. But we are hopeful that you will listen to your community and prevent the passing of the MZO on Sept 16th.

It has been my distinct pleasure to raise my family and be a part of this remarkable community in Port Perry for over 35 years. One thing I have learned is the passion we all have for this town. I chose to live in Port Perry after experiencing a similar uncontrolled development explosion in Markham. Once a charming hamlet with farms and fresh produce stands transformed almost overnight into a mega city. It is no longer a community where neighbours commune together and watch out for each other. It's impersonal, high crime, noisy and very busy. Not really 'advancement' in my opinion. My mother once lived in a historically protected farmhouse in Markham, that during their growth phase, was converted into a Grow Op. Is that really what we want here in Port Perry? We have so much incredible history to protect. There are plenty of other places in Ontario to build 'affordable housing' (whatever that definition truly means??) so why here, and why so quickly?? Why on our precious protected wetlands and shores of Lake Scugog? We have already met Durhams population growth numbers for 2026 so why are we trying to exceed that? No one has provided any answers to any of these questions?

The proposal to build 600 units on our lakefront is worth a head scratch for sure, let alone on our protected wetlands. That's just absurd. If we pass the MZO on Sept 16th, from everything I've read, we hand off the decision to the province and we lose decision power and the ability to appeal. Why does this make any logical sense at all??? The province will build whatever they want without proper studies or assessments (we have already seen this from Doug Ford throughout Toronto) . And after all, why should they care....they don't live here!! Someone has to stand up and stop the destruction of our wetlands/greenbelts and leave the 'affordable housing' in the already established cities. Please let that be us!

I have faith in this council that decisions will be made in favour of protecting the unique community we have built over the hundreds of years that Port Perry has graced these shores.

Hopefully yours,
Cindy Johnston RN

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Colleen Green - FW: Avenu Properties
Date: September 4, 2024 9:43:55 AM

-----Original Message-----

From: Colleen Green [REDACTED]
Sent: Friday, August 30, 2024 4:14 PM
To: Wilma Wotten <wwotten@scugog.ca>
Subject: Avenu Properties

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi Mayor Wilma Wotten

I am happy to see Port Perry growing with proposed subdivisions such as Avenu Properties. However I am very concerned that Avenu's proposed development is on a sensitive wetland.

Lake Scugog is a huge draw not just for tourists, people choosing to move here, movie productions and those that already live here. If we allow the lake to die due to poor lake stewardship we will be allowing Port Perry to die with it. I just don't see building on a swamp as a good idea for anyone.

Is there not another piece of land within Scugog that Avenu could choose to build on?

It pains me to suggest this but would the Township be willing to trade the Port Perry fairgrounds property for the current property Avenu wants to build on. The fairgrounds already have town water and sewage lines, it is flat and would be far less expensive for Avenu to prep. There must be Township land outside of Port Perry that the Township could offer to the Port Perry Agricultural Society. I know a few years ago the owner of the land by Shepstone Haulage was will to trade land for the fairgrounds. I think it would be worth exploring.

As a member of the Port Perry Agricultural Society I know most members do not want to lose our little patch of heaven but most members are realistic enough to know that some day the land will no longer be available to us.

I don't know if this is a doable suggestion but I did want to offer it for your consideration.

Sincerely,

Colleen Green
Concerned Citizen and
Publisher, The Standard News
[REDACTED]

--

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Avenu Properties

Castle Harbour Drive Development Proposal

Avenu Properties is asking Scugog Township to support a rezoning:

- Without filing a rezoning application
- Without paying the proper fees
- Without consulting with affected governing and review bodies
- Without the Township consulting the affected members of the public

Avenu Properties wants the Township to ask for a Minister's Zoning Order (MZO) approval, where:

- The Minister of Municipal Affairs and Housing has no requirement to have any regard for any of the underlying policies of the Township, Region or Conservation Authority.
- The Township will have shown its support for the MZO By-law as written by the proponent, and has given up any right or expectation for further consultation.
- The decision is not appealable by anyone.

The requested zoning does not comply with the following Township and Regional Official Plan (OP) policies:

Density	The zoning permits 600 residential units, about 3x the allowable density in the OP
Environmental	The Environmental Protection Zone boundary (currently approx 40% of the site) has been removed, with a note "boundary to be confirmed" through an unaccountable process by the Minister, and in breach of the OP environmental policies
Parkland	The zoning does not require the 1.32 ha park required by the OP
Affordable Housing	The zoning does not require the 25% low to moderate income housing required by the OP
Servicing	The proposal relies on private communal sanitary services, which is not contemplated in Urban Areas in the OP

The requested zoning also does not:

- Fit within the Township's standard zone categories
- Include any of the Township's zoning provisions other than a few definitions
- Require typical public benefits such as the dedication of environmental lands, the waterfront trail and public art
- Secure the provision and ongoing operation of a required second water supply line, the required water recycling tech, the private communal sanitary services, and the proposed downtown transit shuttle bus service

If the Township decides to ask for this MZO, it could be:

- In breach of its OP, which requires *"any Amendment to the existing By-law shall be in conformity with this Plan"*
- Undermining the Township's Planning process
- Undermining the Township's General Zoning By-law
- Abdicating its responsibility to hold developers responsible for development costs, instead of burdening the taxpayers
- In breach of its Council Member's Code of Conduct

If you are concerned about this, please advise the Clerk's office that you wish to attend, and possibly speak, at:

Planning and Community Affairs Committee
Monday September 16, 2024 at 6:30 pm
Council Chambers, Municipal Building
181 Perry St., Port Perry

clerks@scugog.ca
905-985-7346

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 3, 2024 11:23 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Constance Petley

Constance Petley


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?


I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Constance Petley

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 29, 2024 9:53 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Craig Hucal

Craig Hucal


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Craig Hucal

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Cynthia Johnston - FW: Proposed subdivision by Avenu Properties
Date: September 4, 2024 9:47:05 AM

-----Original Message-----

From: Cynthia Johnston [REDACTED]
Sent: Tuesday, June 18, 2024 8:10 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Proposed subdivision by Avenu Properties

Hi Terry

I recently read an article on the Port Perry Bulletin posted by a concerned resident of Port Perry (and on behalf of Castle Harbour residents) about a proposed subdivision South of Castle Harbour and east of Simcoe St. I honestly had to read the article numerous times because I couldn't believe what I was reading.

I have been a resident of Port Perry for 33 years and originally chose this town for its unique charm. I understand that towns need to grow but expansion should be handled much more strategically. Infrastructure is absolutely critical prior to any expansion and I don't see the township preparing, or considering this, in any way.

In the past 5 years I have seen staggering change of this small serene loving community to one of increased crime and overcrowding (when I say overcrowding I mean our parks, schools, medical facilities, roads etc). I can't even get my grandson on the play equipment at Palmer park for all the people coming in from out of town (and by the way these people are not buying food or items that will support our town....they bring their own and then leave their grange behind as a 'thank you'). It's outrageously concerning.

Now there's a proposal on the table to add another 1500-2000 people, into 'affordable' housing and apartment buildings that will be developed on a protected marshland, and without the proper infrastructure in place.

I do not live in Castle Harbour but I definitely stand with the concerned citizens of this beautiful town. I 1000% appose this new development and hope our council members understand the potential impact it will have and will make the right decision to protect this town and its critical wildlife.

Please feel free to share my email with all parties on the council that have a say in this decision.

No more subdivisions, or people, until we can handle what we already have!!

Sincerely
Cindy Johnston

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 10:07 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Diane Eppel

Diane Eppel


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Diane Eppel

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 30, 2024 9:42 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of DONNA FREDERIKSEN

DONNA FREDERIKSEN


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.

DONNA FREDERIKSEN

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 3, 2024 10:56 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Emma Pinchers

Emma Pinchers


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Emma Pinchers

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Eric and Linda Fletcher - FW: Avenu Development
Date: September 4, 2024 10:40:14 AM

From: Linda Fletcher [REDACTED]
Sent: Thursday, May 16, 2024 2:02 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Avenu Development

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear sir,

We are deeply concerned about the proposed 600 unit Avenu Development in Port Perry. Our town's resources and infrastructure structure would be severely challenged. For the present population there are severe shortages of doctors and classrooms, and limited resources for water and sewage. But the most significant concern is for Lake Scugog.....a prime source of drinking water for Lindsay as well as an integral part of life in Port Perry and surrounding communities.

How can Premier Ford state that they have ruled out allowing municipalities to build fourplexes in small communities?and then instigate the M.Z.O. potentially allowing such a development to take place on and under the water of Lake Scugog?

A short sited decision would affect the lake and our town for generations!
Secondly the futuristic design of in-place- sewage disposal in a large number of units also must rely on the town's sewage for sludge removal . Will Avenu submit the financial securities and insurances for the maintenance of the in-place - sewage system and the completion of the development? Or will this responsibility be turned over to the actual construction company and the town?
The Avenu representatives certainly spin all the buzz words; community outreach, sustainability, affordability, mobility and care for the elderly. But this proposed venture is sited in the wrong place on an environmentally sensitive parcel of wetland on the shore and under the water of Lake Scugog!

We implore you to be very cautious of this company and their proposed development!

Thank you for your deep consideration of this matter on behalf of our community.

Regards,

Eric and Linda Fletcher Sent from my iPad

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Erin and Paul Straughan - FW: Castle Harbour Drive Property
Date: September 4, 2024 10:40:37 AM

From: Erin Straughan [REDACTED]
Sent: Tuesday, December 12, 2023 10:45 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Castle Harbour Drive Property

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Councillor Coyne, my husband and I have lived on Castle Harbour Drive for over 13 years. We are proud residents of Port Perry, raising our two son in a community that we love. We are connecting with you regarding our concern over the proposed development of 800 units on Castle Harbour Drive.

While we understand there is need for development in town, we do not feel this is the right place for a project of this size and density. The amount of fill required and oversight to ensure the fill is clean should be concerning given the ecosystem with direct impacts to lake Scugog.

The last development proposed for the property sited 6000-10000 dump trucks of fill. Large trucks that given the street structure (width) when passing do not safety provide passage for the children walking to the school bus stop located at Castle Harbour Drive and Cawkers Cove.

We are also flagging the amount of accidents that take place at Castle Harbour Drive and Simcoe Street. The proposed 800 units with potentially 1600 vehicles (estimated 2 cars per unit) on a single two lane road leading to Simcoe is irresponsible. Castle Harbour Drive as it is lacks sidewalks and often has issues of speeding drivers. The negative impact to pedestrian safety would be greatly impacted and it is only a matter of time before a fatal accident happens at the corner.

The road structure of Castle Harbour Drive is not compatible for construction traffic and our the increased traffic flow for all that is proposed.

The property of the proposed build of 800 units is home to many species and would decimate the fragile ecosystem once again very connected to Lake Scugog. We urge for new environmental assessments and that the Town does not willingly accept the word of grandfathered environmental assessments.

We urge you to vote against this property and any future requests to accelerate the development of the property in question. As our representative we urge for you to stand up for the residents of Castle Harbour Drive.

We thank you for taking the time to consider our request. We are looking forward to hear from you.

Erin and Paul Straughan



From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Erin Straughan - FW: Castle Harbour Drive Property
Date: September 4, 2024 9:52:40 AM

From: Erin Straughan [REDACTED]
Sent: Tuesday, December 12, 2023 10:45 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Castle Harbour Drive Property

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hello Councillor Coyne, my husband and I have lived on Castle Harbour Drive for over 13 years. We are proud residents of Port Perry, raising our two son in a community that we love. We are connecting with you regarding our concern over the proposed development of 800 units on Castle Harbour Drive.

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We urge you to vote against this property and any future requests to accelerate the development of the property in question. As our representative we urge for you to stand up for the residents of Castle Harbour Drive.

We thank you for taking the time to consider our request. We are looking forward to hear from you.



Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 6:56 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Fabio Boninsegna

Fabio Boninsegna


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Fabio Boninsegna

From: Janice Hamilton-Dicker [REDACTED]
Sent: July 19, 2024 10:54 AM
To: Valerie Hendry
Cc: Kathy Perna
Subject: FW: July 30, 2024 deadline

Follow Up Flag: Follow up
Flag Status: Completed

Hi Valerie,

On behalf of the residents, we have a few questions:

- 1.Regarding the July 30th, 2024 deadline for comments from agencies. Seeing that this is the summer months and many people in different organizations are on holidays, will there be an extension on that time so that all of the reports can be received?
- 2.Also, many in the community are in opposition to the proposed development and would like their comments recorded, they would like to send additional letters to the Mayor, Council and staff. Would these letters be included in the planning reports and is July 30th the deadline for them as well?
- 3.Will the Mon., Sept. 16, 2024 meeting with Council be open to the public and will delegations be allowed to speak?

Thank you.

Janice Hamilton-Dicker

From: Kevin Heritage
Sent: August 14, 2024 10:13 AM
To: Scugog Planning
Subject: FW: Save Port Perry Wetlands - sent on behalf of Cory Clarke

Follow Up Flag: Follow up
Flag Status: Completed

Sincerely,

Lindsay Burnett she/her) – [what's this](#)
Executive Assistant to the
Director of Development Services



181 Perry Street, P.O. Box 780,
Port Perry, ON L9L 1A7
Tel: 905-985-7346 ext. 120
lburnett@scugog.ca
www.scugog.ca

The information contained in this Township of Scugog electronic message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed including attachments. The message may contain information that is privileged, confidential and exempt from disclosure under the Municipal Freedom of Information and Protection and Privacy Act and by the Personal Information Protection Electronic Documents Act. The use of such personal information except in compliance with the Acts, is strictly prohibited. If you have received this message in error, please notify the sender immediately advising of the error and delete the message without making a copy. Thank you



From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 9:52 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Cory Clarke

Cory Clarke



Cory Clarke

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Ainsley Preston
Date: September 4, 2024 9:31:58 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 6:11 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Ainsley Preston

Ainsley Preston



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.
Ainsley Preston

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Allan Ashkewe
Date: September 4, 2024 9:32:18 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 6:57 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Allan Ashkewe

Allan Ashkewe



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Allan Ashkewe

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Chris Grant
Date: September 4, 2024 9:41:32 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 7:39 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Chris Grant

Chris Grant



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Chris Grant

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Clements Christine
Date: September 4, 2024 9:43:21 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Wednesday, August 14, 2024 5:19 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Clements Christine

Clements Christine



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Clements Christine

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Colton Cameron
Date: September 4, 2024 9:44:23 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 7:14 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Colton Cameron

Colton Cameron



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Colton Cameron

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Cory Clarke
Date: September 4, 2024 9:44:52 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 9:52 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Cory Clarke

Cory Clarke



Cory Clarke

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of David McIntyre
Date: September 4, 2024 9:47:47 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 8:00 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of David McIntyre

David McIntyre



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
David McIntyre

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Davina Jones
Date: September 4, 2024 9:49:27 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 1:37 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Davina Jones

Davina Jones



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community. I have read the Envision Durham plans...this should never be allowed to happen and that is clearly stated in the plans. What is the point in planning properly if they just end up ignoring the solid reasons why those plans were created? These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the

developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Davina Jones

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Debbie Clarke
Date: September 4, 2024 9:48:22 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 9:51 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Debbie Clarke

Debbie Clarke



Debbie Clarke

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Debra Parry
Date: September 4, 2024 9:48:44 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Wednesday, August 14, 2024 5:05 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Debra Parry

Debra Parry



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and

interests.

Thank you.
Debra Parry

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Donna Haw
Date: September 4, 2024 9:50:37 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 8:00 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Donna Haw

Donna Haw



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Donna Haw

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Jack Taylor
Date: September 4, 2024 9:56:41 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 11:40 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Jack Taylor

Jack Taylor



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.
Jack Taylor

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Jackie Garratt
Date: September 4, 2024 9:57:08 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 11:39 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Jackie Garratt

Jackie Garratt



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.
Jackie Garratt

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Jeanne Symes
Date: September 4, 2024 9:59:59 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Sunday, August 11, 2024 12:06 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Jeanne Symes

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Jeanne Symes



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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interests.

Thank you.
Jeanne Symes

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Jennifer Britton
Date: September 4, 2024 10:00:17 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 8:52 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Jennifer Britton

Jennifer Britton



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Jennifer Britton

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Jennifer Dale
Date: September 4, 2024 10:00:31 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 7:15 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Jennifer Dale

Jennifer Dale



Jennifer Dale

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Jennifer Fletcher
Date: September 4, 2024 10:01:12 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Sunday, August 11, 2024 10:53 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Jennifer Fletcher

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Jennifer Fletcher



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and

interests.

Thank you.
Jennifer Fletcher

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Jill Collins Minshull
Date: September 4, 2024 10:02:35 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 5:53 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Jill Collins Minshull

Jill Collins Minshull



Please do not let this become another Greenbank Airport enviro disaster or Lakeridge Road helipad dirty fill dump! I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and

interests.

Thank you. Jill Minshull
Jill Collins Minshull

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of John Kennedy
Date: September 4, 2024 10:03:38 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Monday, August 12, 2024 7:42 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of John Kennedy

John Kennedy



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
John Kennedy

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Joy McDonald
Date: September 4, 2024 10:04:10 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Wednesday, August 14, 2024 3:51 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Joy McDonald

Joy McDonald



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Joy McDonald

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Judy Preston
Date: September 4, 2024 10:05:33 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 6:15 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Judy Preston

Judy Preston



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Judy Preston

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Kayleigh Godecharle
Date: September 4, 2024 10:06:20 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Monday, August 12, 2024 11:12 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Kayleigh Godecharle

Kayleigh Godecharle



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests. You have also not properly consulted with williams treaty. You dont

respect the lake or the land you are on. You are guests. Always will be. Act like
it
Kayleigh Godecharle

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Kerri Brangers
Date: September 4, 2024 10:07:19 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Wednesday, August 14, 2024 9:57 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Kerri Brangers

Kerri Brangers



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.
Kerri Brangers

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Laura Preston
Date: September 4, 2024 10:12:05 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Wednesday, August 14, 2024 5:29 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Laura Preston

Laura Preston



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Laura Preston

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Lorrie Mackinnon
Date: September 4, 2024 10:14:58 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Wednesday, August 14, 2024 5:39 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Lorrie Mackinnon

Lorrie Mackinnon



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Lorrie Mackinnon

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Lucy Matchette
Date: September 4, 2024 10:15:21 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 11:58 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Lucy Matchette

Lucy Matchette



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Lucy Matchette

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Marshall Thompson
Date: September 4, 2024 10:16:12 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Monday, August 12, 2024 1:27 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Marshall Thompson

Marshall Thompson



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Marshall Thompson

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Mel Maher
Date: September 4, 2024 10:16:37 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 10:36 AM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Mel Maher

Mel Maher



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Mel Maher

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Michael Coll
Date: September 4, 2024 10:17:43 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Saturday, August 10, 2024 8:28 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Michael Coll

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Michael Coll



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Michael Coll

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Neil Clarke
Date: September 4, 2024 10:19:25 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 9:50 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Neil Clarke

Neil Clarke



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Neil Clarke

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Olivia Hunt
Date: September 4, 2024 10:19:51 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Wednesday, August 14, 2024 6:50 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Olivia Hunt

Olivia Hunt



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Olivia Hunt

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Paul Mountain
Date: September 4, 2024 10:20:33 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Sunday, August 11, 2024 2:24 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Paul Mountain

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Paul Mountain



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Paul Mountain

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Peter Lewis
Date: September 4, 2024 10:21:32 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Friday, August 23, 2024 11:12 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Peter Lewis

Peter Lewis



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Peter Lewis

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Phaedra McIntyre
Date: September 4, 2024 10:27:51 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Tuesday, August 13, 2024 7:03 PM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Phaedra McIntyre

Phaedra McIntyre



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Phaedra McIntyre

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Regan Preston
Date: September 4, 2024 10:28:23 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 6:10 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Regan Preston

Regan Preston



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Regan Preston

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Rob Sinclair-Day
Date: September 4, 2024 10:28:40 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Monday, August 12, 2024 11:13 AM
To: Kevin Heritage <kheritage@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Rob Sinclair-Day

Rob Sinclair-Day



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Rob Sinclair-Day

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Ron Preston
Date: September 4, 2024 10:28:59 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 6:14 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Ron Preston

Ron Preston



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Ron Preston

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Save Port Perry Wetlands - sent on behalf of Steve Preston
Date: September 4, 2024 10:31:54 AM

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: Thursday, August 15, 2024 6:13 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Save Port Perry Wetlands - sent on behalf of Steve Preston

Steve Preston



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Steve Preston

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: FW: Significant concerns over Avenu Development
Date: September 4, 2024 9:39:19 AM

From: Carolyn MacKinnon [REDACTED]
Sent: Tuesday, June 18, 2024 9:36 PM
To: Wilma Wotten <wwotten@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>
Subject: Significant concerns over Avenu Development

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Terry and Wilma,

Please consider this note as an expression of my strong concern over the proposed Avenu development on Castle Harbour.

I know you are under intense pressure to provide affordable and rapid development under the premiers new “fast tracking“ guidelines.

I also know that we need (and you want to deliver) more reasonably priced housing to attract people to live and work in our town.

I am presently on the PP United Church’s search committee to find a new minister and it is very difficult to attract candidates due to our housing costs (minister salaries are moderate at best).

My concerns based on attending meetings, listening hard to the presentations and using common good sense and my business background are that this is not the “deal” which will bring good results to our community for the following reasons:

- The newly formed company seems to be sketchy at best. No history, no past evidence of success , no transparency of ownership. Is this just a land transfer exercise? Is this a ploy for the “former” owner to flip the property? Is this being driven by another developer who is waiting to buy the property - one who was denied elsewhere in the green belt ? I know you are aware of all of these things and they will cause headaches in the future. This could easily become a dirty deal and reflect badly on the council and make our town known as a place for reckless development.

- Too manytime the answer was “we will take that into consideration”. If they can’t answer basic questions now, they aren’t really invested in the project.
- Too many issues on the site to make this a slow project. Environmental hoops alone will take years. Litigation will slow this one down and rapid development will be lost.
- The avg price on this project won’t be less than \$1million per unit. Not with that location - the location will drive the market price and affordable housing will become unaffordable, much to the developers delight.
- Concerns about schooling and healthcare are rampant but weak. The system will stretch and adapt - medical workers and teachers need affordable places to live and if it is the right project, with housing to accommodate those people, the community will adjust. This will only happen with an affordable project.

The premiers “fast tracking” plan is for affordable and rapid development - this project is neither of those things and should have to go through the normal checks and balances of a full review.

Those are just a few of my thoughts. I hope you will consider them and not allow this project to go forward in a rapid format.

Sincere regards,

Carolynn MacKinnon



Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 3, 2024 8:32 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of George Peplinskie

George Peplinskie


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
George Peplinskie

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 9:34 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Gilbert Kee

Gilbert Kee


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Gilbert Kee

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Ivo Finotti - FW: Avenu Equus
Date: September 4, 2024 10:41:05 AM

From: [REDACTED]
Sent: Wednesday, May 15, 2024 1:57 PM
To: Terry Coyne <tcoyne@scugog.ca>
Cc: Wilma Wotten <wwotten@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>
Subject: Avenu Equus

I attended the meeting hosted by AVENU EQUUS at the library last Wednesday. I have attached their presentation FYI. I was glad to hear AVENNU clearly state they are not a builder. They are a company that maintains assets. A property management company.

Slide 10 entitled Stakeholder Consultation Process was used during the meeting to emphasize the extensive consultation that has taken place and the support for the project. I was surprised to see the Economic Development Advisory Committee and the Focus on Scugog on the slide. I confirmed with the Economic Development Advisory Committee chair that there had been no contact save an invitation to a AVENU event at Two Blokes that the chair Keith Williams did not attend. Focus on Scugog also confirmed there were no consultations. These easily contradicted facts cast doubt on the whole presentation. I have not checked any other facts presented. In addition I was surprised that Medical Associates were not consulted as they are the key supplier of healthcare in Port Perry.

The concept of Friday Harbour was mentioned along with the emphasize that AVENU has not ceded lands in the lake hence they can do what they want. A quick search on [Realtor.ca](#) shows homes in Friday Harbour listed for \$2,400,000 and condos for \$775,000 which is outside the upper range of current real estate in Port Perry.

On the positive side we finally got an answer to what AVENU considers affordable seniors oriented housing. Simply put it is the "legal" definition that is 30% less than the regular price. So instead of \$2,400,000 for a home we are

talking \$1,680,000. Instead of \$775,000 for a condo we are talking \$542,500. Plus condo and association fees I believe this is significantly more than our current market.

There was mention of the pedestrian bridge to the waterfront trail with the comment that it is subject to acceptance by the owners of the waterfront trail, Canterbury Commons. I would appreciate clarification from the township as I was led to believe the waterfront trail belonged to the township and is maintained by the township.

The EQUUS proposal will result in housing significantly more expensive than what we currently have in Port Perry. This will irrevocably change our community. Please do not read acceptance into the lack of outrage on what has been discussed so far. It makes no sense to spend time and effort until a plan is presented to the township for consideration.

I would also respectfully suggest that any contract between the township and AVENU be very clear specific and precise and avoid nebulous terms like best efforts, second phase plans may include, etc... I would suggest we clearly understand the sources of the funding for this proposal and secure guarantees for performance to mitigate risks.


Regards

Ivo Finotti



Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 10:12 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Janelle Haldenby

Janelle Haldenby


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Janelle Haldenby

Vanessa Reusser

From: Janice Hamilton-Dicker [REDACTED]
Sent: April 25, 2024 6:27 PM
To: Wilma Wotten; mcdougall@scugog.ca; David LeRoy; Janna Guido; Robert Rock; Harold Wright; Terry Coyne; Kevin Heritage; Valerie Hendry; Scugog Planning; info@scugoglakestewards.com; info@scugogfirstnation.com; Geninfo; NRISC@ontario.ca
Subject: Objection to proposed development on Castle Harbour Drive, Port Perry

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Valerie Hendry

Without Prejudice.

We would like to express our objection to the proposed development of 500-600 housing units of mixed unit types, sizes, tenures on the south side of Castle Harbour Drive, in Port Perry by the owner/applicant Avenu Properties Corp. formerly Lalu Peninsula Inc. The owner/applicant was previously given permission to build 20 single-family dwellings, not 500-600 housing units. The owner/applicant wishes to use the "Community Infrastructure Housing Accelerator" and has been endorsed by some of the Township of Scugog Council members despite a lack of clarity on the legislation.

Castle Harbour residents have requested a meeting with local elected representatives. To date no meeting has occurred. It has however come to our attention that the Mayor and some of the Councillors have held private meetings with the developer and have publicly endorsed the project, despite no public meeting nor any response to resident's concerns. It is our opinion and understanding that elected officials are expected to maintain neutrality until such time all concerns have been addressed in a public forum.

In our opinion this proposed development is not compatible with the surrounding existing land uses and will not conform to the existing neighbourhood of single-family dwellings. Building 5 storey apartment units next to these homes is wrong. Ontario Premier Doug Ford recently stated that they have ruled out allowing municipalities to build fourplexes in little communities. He stated that it was off the table for them.

The province wants to "Super Size" neighbourhoods that are close to transit hubs. There is no transit hub in Port Perry, and we have no public bus service in this area. There is no stores or medical buildings close by and to get to them, people must drive to them.

This development would significantly increase traffic volume and is not permitted to access residential roads like Castle Harbour Drive. Installing traffic lights will not help the situation due to the location of Castle Harbour Drive onto Simcoe Street and the curve in the road. Not to mention the very poor condition that Castle Harbour Drive is in now.

The drawings that the owner/applicant presented showed very limited parking spaces within the development. Where will the 1,200 or more people, plus the service type vehicles park? There is no room for extra parking on Castle Harbour Drive.

There is great concern for the existing infrastructure in the Township of Scugog and how 1,200 more people will affect it. Some residents in our community have been on a waiting list for a family doctor for three years. Without a family doctor, these new residents would have to go to the hospital or walk in clinic, which have long line ups now. Our Fire Department has mostly part time staff and will not be able to handle a large increase in the population. Our schools are

at capacity now and there are no plans on building any new ones. Portables are not an option due to there being a shortage of them.

The existing neighbourhood is on wells and septic. This proposal is calling for town water that would be brought in after construction of a water line. The owner/applicant stated they would have enough capacity to start the project. Where would the additional water come from and who will pay for it in order to complete the project and what does this mean for a timeline of the completion of the project? This development deviates significantly from the approved 20 single-family dwellings. Also, we question the safety of their own private sewage system being proposed. This site is right next to Lake Scugog what if this system fails, that is our lake that could be destroyed. Who would be responsible for the cleanup?

The proposed site has numerous wet areas. In order to build the previous proposed 20 single-family dwellings, 6,000 truck loads of soil would have to be brought in. How many truck loads would have to be brought in to build 500-600 units? If contaminated soil is brought in, the local wells and lake would also be contaminated.

The proposed site is an environmentally sensitive land. Migratory birds with numbers estimated between 60-75 in one week of counting use this site for nesting. Northern Redbelly Dace fish have been found in the drain area on this property. In the many pond areas on this property Spring Peeper Frogs' nest as do ducks. There is protected Butternut Trees in this area and any construction near them would harm them. The Port Perry North Wetland, the Lake Scugog shoreline and the Beaver Meadow Creek must be protected.

We are proposing that a better site be found that would be suitable for clusters of townhomes and five storey buildings.

Respectfully,
Concerned Castle Harbour Residents
Janice and Selwyn Hamilton-Dicker



Those letter sent to:

Mayor Wilma Wotten, wwotten@scugog.ca:

Ian McDougall (Regional Councillor), mcdougall@scugog.ca

David Le Roy (Ward 1 Councillor), dleroy@scugog.ca

Janna Guido (Ward 2), jguido@scugog.ca

Robert Rock (Ward 3), rrock@scugog.ca

Harold Wright (Ward 4), hwright@scugog.ca

Terry Coyne (Ward 5), tcoyne@scugog.ca

Kevin Heritage (Director of Developmental Services), kheritage@scugog.ca

Valerie Hendry (Manager of Planning), vhendry@scugog.ca

General Inbox for the Planning Division, planning@scugog.ca

The Regional Municipality of Durham Planning and Economic Development Dept., to send email Google Durham Region

Scugog Lake Stewards Inc., info@scugoglakestewards.com

Mississaugas of Scugog Island First Nation, info@scugogfirstnation.com

Mark Majchrowski, Current CAO Kawartha Conservation, geninfo@kawarthaconservation.com

Matthew Mantle, Director of Planning and Development Services, Kawartha Conservation,
geninfo@kawarthaconservation.com

Ministry of Natural Resources and Forest, Southern Region, NRISC@ontario.ca

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Janice Hamilton-Dicker - FW: Development property south side of Castle Harbour Drive
Date: September 4, 2024 10:42:50 AM

From: Janice Hamilton-Dicker [REDACTED]
Sent: Wednesday, December 6, 2023 9:49 AM
To: Kevin Heritage <kheritage@scugog.ca>; Carol Coleman <ccoleman@scugog.ca>
Subject: Development property south side of Castle Harbour Drive

Hello,

Could you please provide an update on the development property on the south side of Castle Harbour Drive please. On November 20th and on December 4th a person from the surveying company Van Harten was surveying the property.

Have you heard from the owners and are they planning on building soon?

What conditions still need to be fulfilled in order to start building?

Who would be our contact person in future?

Thank you.

Janice Hamilton-Dicker
[REDACTED]

(Representing the neighbours in the Castle Harbour community)

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Janice Hamilton-Dicker - FW: Update and questions for proposed development on Castle Harbour Drive
Date: September 4, 2024 10:43:17 AM

From: Janice Hamilton-Dicker [REDACTED]
Sent: Thursday, April 18, 2024 8:07 PM
To: Valerie Hendry <vhendry@scugog.ca>
Subject: Update and questions for proposed development on Castle Harbour Drive

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Valerie,

We as residents were wondering what stage the proposed development on the south side of Castle Harbour Drive is at.

The developer Avenu Properties Corp. has sent an email out to residents informing them of a meeting that they will be hosting on April 30th at the library. This is unusual for the developer to hold a meeting before the formal public meeting is it not? Also, will Township staff, the Mayor or Council be attending this meeting?

Also, in their letter they are advising that the development is proposed for a 100 acre site, this development site has always been listed as a 61.08 acre parcel of land. Could you please clarify where the additional acres are coming from.

Thank you.

Janice Hamilton-Dicker

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 3, 2024 7:42 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Jason Lepine

Jason Lepine


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Jason Lepine

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Jean Templeman - FW: New Development
Date: September 4, 2024 10:43:52 AM

From: j temp [REDACTED]
Sent: Wednesday, May 8, 2024 4:41 PM
To: Wilma Wotten <wwotten@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>; David LeRoy <dleroy@scugog.ca>; Janna Guido <jguido@scugog.ca>; Robert Rock <rrock@scugog.ca>; Harold Wright <hwright@scugog.ca>
Subject: New Development

You don't often get email from [REDACTED] [Learn why this is important](#)

My name is Jean Templeman. I have lived in Port Perry my entire. I understand growth and progress, it's inevitable. I understand that communities must get bigger in order to survive. I have watched for the last five years houses being built and never felt any need to say anything. Until this newest proposed development. I am 47 years old. I have children in public school and I have aging parents and I am well aware of the stresses the town council has put on our schools and especially our hospital.

Last night's meeting was not only uninformative it was confusing and contradictory. In one breath someone from Avenu Properties would say that they want kids who grew up here to be able to afford housing. When questioned about schools their reply was 'there won't be that many kids'. They talked about immigration and the need for housing. However, in the next breath said it was for seniors and would provide transportation. What?

I am a child of an immigrant and I'm here to tell you immigrants usually do not go to small towns when they come here. They go to large cities where their communities are, and rightfully so. They tried to use buzz words to justify the build.

No one from that group lives in Port Perry. They want to develop the land, make a wack of money and they'll leave and our community will be strained.

Avenu Properties Corporation is a real estate asset management company that is trying to use the newly implemented 'community infrastructure housing accelerator' program to push through a new development. I encourage everyone here to look at the page on the Ontario government website – <https://www.ontario.ca/page/community-infrastructure-and-housing-accelerator>. Avenu Properties is trying to use this program to propose a large scale development while not providing any plans as to how they will address parts of the stipulations under the act, in particular health, long term care, education and recreation. There doesn't seem to be a plan. Just to build houses, townhouses and condos while using key words like sustainability and environment to get what they want. Their plan is to build 600 new units and this town is not equipped to handle that many new people.

Now let's assume for a moment each of these 600 units has 3 people living in them – two adults and a child, that's being conservative. That's 600 new kids in our public schools. Assuming 200 go to the English stream, 200 to the Catholic school and the last 200 into FI. There's two classes per grade, that's 10 extra kids per classroom. That is not okay. The kids that are on the spectrum already have problems getting the resources they need. An additional 10 kids will be detrimental. Not to mention all the kids from all the schools go to ONE high school.

According to the DDSB website there are no new schools being planned to be built in the Scugog area. Municipalities can work with the DDSB to purchase land but it does not mean it will be approved as the DDSB will have to go in front of the Ministry of Education Capital Priorities program and state their case as to why a school is needed. It may take up to four years to get approval for a new school from the CPP program and can take anywhere between 7 and 10 years to have a new school built after a new

subdivision has been built. And who suffers while we wait? The kids.

According to the statcan.gc.ca website the total population of Port Perry in 2021 was 21,580. According to the website 13,035 of those people are between the ages of 60 and 100 with the highest number of individuals being between the age of 65 to 79 for a total of 8245. So over half the population Port Perry one is a senior. We need a strong hospital more than ever and I can tell you we do not have the facilities to accommodate this. This council has already allowed new dwellings to be put up without any consideration for the aging population.

As I mentioned before I have watched this town grow at a rapid rate over the past five years. I've also mentioned in the beginning my aging parents. My father was a frequent flyer of the Port Perry hospital, they knew us by name. He was sick for a very long time. Three times between December and February his oxygen went down to 67 and emergency resporoligists had to rush into get his oxygen back up. He was admitted to that hospital every other week. Sometimes he'd have to stay in the emergency area of the hospital because there were no beds. We begged for a private room near the nurses station, we said we'd pay. He needed to be monitored. But we were told even if we did pay if someone more dier came in he would be moved to a ward, and he was moved to ward. At the farthest place from the nurses station. And he died on February 28, in that ward, alone, surrounded by strangers on either side of him, who heard nothing. And I blame this council and I blame the Ford government for his passing because neither parties did anything to provide any kind of security in our hospital.

To even consider this plan is assinine. Instead of worrying about bringing in more people to live in a town with an already fragile infrastructure of our most important ressources this council needs to start lobbying, screaming from the rooftops for more schools and a larger hospital that can take care of its population. You were elected to take care of the people of Port Perry and you're not doing that. I hope everyday you think of my father passing and the role you played with your careless planning of multiple developments while putting strain on our healthcare and you make sure another person in your community doesn't pass like that and you stop this development.

Thank you for time,
Jean

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: John Brown - FW: Avenu
Date: September 4, 2024 10:03:12 AM

-----Original Message-----

From: John Brown [REDACTED]
Sent: Tuesday, June 25, 2024 10:47 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Avenu

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Councillor Coyne ,

First of all , I was surprised that you remembered my name at the meeting last night .

Secondly , your restraint in participating in a highly questionable debate - proceeding in ignorance versus getting staff to undertake an independent due diligence report, was notable .

I am challenged to understand the urgency advocated by some despite the lack of any substantive knowledge of the proposed development or the track record of the company in undertaking such a major complex , uncertain and sensitive project.

The total disregard for the potential of a “ failing lake“ on the business community, overall economy and liveability of the Township ,and Port Perry , was something which I did not anticipate. .

Thank you for your professional approach to making decisions in the public’s best interest .

John Brown.

Ps. You are my ward councillor I believe .

Sent from my iPhone

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: John Froats FW: Thank You for Attending Apr 30 Meeting
Date: September 4, 2024 10:44:18 AM
Attachments: [image001.png](#)

From: John Froats [REDACTED]
Sent: Wednesday, May 1, 2024 8:30 PM
To: Contact <contact@avenuproperties.com>
Cc: Terry Coyne <tcoyne@scugog.ca>; Wilma Wotten <wwotten@scugog.ca>
Subject: Re: Thank You for Attending Apr 30 Meeting

You don't often get email from [REDACTED]. [Learn why this is important](#)

Just wanted to say `thanks` for the meeting last night. It was good to hear the facts about what the stage of thinking is and some of the issues / challenges.

I'm sure you came away from the session with an enhanced awareness of the emotion and concern that developed from the impression that things were advancing without adequate engagement of the affected communities. The session can serve as a good beginning as long as there is an open and frequent updating / discussion. These things are challenging.

I would encourage you to think about sharing as much fact based info as you can as early as you can.

Often big projects have problems when there are erroneous assumptions at the beginning. I've seen many in my almost 50 years of engineering projects! I heard several assumptions last night: medical residents will see living here advantageous enough to want to tolerate commute, residents will have lower cars per capita density, public transit will be used, water needs can be managed.....

Our home was the 7th home built in the Castle Harbour development (in 1987). At the time the area behind was designated green belt all the way to the lake. Our well was always good in terms of quality and volume. When the greenbelt was converted to more homes, water table studies were done and the conclusion was `confidence that existing wells would not be adversely affected'. The development progressed with that basis. Shortly after the additional homes were built, our well developed seasonal volume inadequacy although the quality remained good. There seemed no recourse from the town or developer (it is almost impossible to prove cause and effect - but the connection of additional aquifer demand and a change in behaviour of a very reliable well seems to be more than a coincidence). We had to install a second deep well at our expense. We have been fine since with the two wells but I am sure there are many similar stories around this neighbourhood. I came away from the session somewhat surprised that wells were part of the consideration for the development concept, given the local history. It is something for you to consider - I'm sure that it will be a hot topic in future discussions - the question 'what if your studies are wrong' will be an important one.

The conceptual plan is certainly a huge change from earlier versions. So much so that it has some `shock' impact. I suspect most residents were thinking that eventually there would be a development of maybe bungalow type homes of 2000 to 2500 sq ft size on 1/2 to 1 acre lots - a type of home that is rare on the market in this area it seems, and many that may be thinking of a downsizing transition would see as attractive and `in harmony' with the area. The shear change in size of the concept was certainly a surprise.

I haven't spoken to any of the others who attended last night. There are always varied impressions. My personal perspective was a genuine desire to engage - so a `benefit of the doubt' that can be built on or eroded. I suspect no-one came away comfortable with 600 plus additional residents in this development for the town. Earlier correspondence pointed out other infrastructure issues that would seem to be exacerbated by the large growth. You will hear lots of different perspectives. Again, my experience points to the need for frequent engagement and communication along the way - even a routine update that says `nothing new, here's what we see coming' can go a long way to eliminate anxiety that is generated by silence.

Thanks for taking the time to hold the meeting last night.

best regards,

John

On Wednesday, May 1, 2024 at 06:35:57 p.m. EDT, Contact <contact@avenuproperties.com> wrote:

Dear Neighbors of Castle Harbour / Cawkers Cove Community:

THANK YOU. We want to sincerely thank you for coming to our first community information meeting. Your time and participation were valuable. Frank talk makes for very meaningful discussion. So many of you have expertise, local knowledge and insights.

Further meetings can be arranged. With your updated contact information, we will keep you informed.

Voiced concerns, feedback, and advice guide all of us and our technical professionals' thinking at every planning step.

As promised, attached is the April 30 meeting presentation slide. **This is a NOT FINALIZED conceptual plan. It is an evolving process.**

We would like to ask your indulgence for some further assistance. Please look at this [Survey](#). If you inclined to respond, it would be most helpful.

Please don't hesitate to contact us at contact@avenuproperties.com.

Best Regards.

Stephanie Tsang



A V E N U
P R O P E R T I E S C O R P .

Stephanie Tsang
Project Manager
P: +1 416.613.9806
E: contact@avenuproperties.com

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: John Nesbitt - FW: Library Presentation on Development- My Thoughts
Date: September 4, 2024 10:44:41 AM

-----Original Message-----

From: John Nesbitt [REDACTED]
Sent: Thursday, May 9, 2024 1:28 PM
To: Lou Rocha [REDACTED]; Terry Coyne <tcoyne@scugog.ca>
Cc: Sandi [REDACTED]; John Nesbitt [REDACTED]
Subject: Library Presentation on Development- My Thoughts

Hello gents..

It was good to see you both at the Avenu Equus presentation. Some thoughts I have regarding the development follow. Lou, please share them with the board.

1.

I wonder why we need this development in Port at all. It seems out of place and time. The proposed occupants would be better served in a major centre like Oshawa or Toronto. Avenu represented to have lots of land elsewhere. Closer to major centres. Why here. Big city ideas in a small town that wants to stay small and not become Brampton or Mississauga.

The Avenu website is short on detail about the company. Very short.

The last 2021 census had Port population at 9553 people. So with 600 units and potentially 2-5 people per unit it swells our population by 12-31%. Consider the impact on schools, hospital, restaurant bookings, traffic, Fire, Paramedic and other services.

Now layer on the tourist demand on services when we get lots of people downtown.

This development would seem to ruin the fabric of Port Perry itself.

2.

What about the water supply. The town was challenged to find additional wells to support the community. So with a huge influx of development on the hill by Canadian Tire and eventually the Kings Condo site, will we again be looking for more water? If it is driven by this development who pays?

Sandi and I looked at a house where water needed to be trucked in to pump into the water tower due to depletion of the Aquifer. It destroyed the resale market.

3.

It seemed that for a developer that has never developed a property like this before that they have every buzzword needed to gain approval. Solar, Geothermal, Green, Minimal Runoff to avoid Settling Ponds, and multi unit multi generational, seniors etc. throw the buzzwords at the wall and see what sticks.

If a keyword is good for government grants or community buy in they had it. But when pressed they were not sure of the actual green footprint. It was all up to engineering firms and they would pick a good developer. Come on. They were not sure of density per unit. They were not sure of parking. They were not sure of anything. It would all be worked out. Yes. And lots of ideas deemed to expensive for the clientele to afford.

Investment banks and private equity investors want one thing. A return on investment. So if the target market is affordability it will be made cheap

So do you really think that all the green initiatives are free? Not a chance. They will be passed on to the buyer. So

there goes affordable.

4. Ok. So how about PACE. Well we need another social program like a hole in the head. Who will fund it? The provincial government that cant fund doctors and nurses? They said volunteers. Come on. Really? People in pirt get pretty good access already to PSWs when needed.

While it might be a good idea, the execution is suspect. Do they really think there is more than one taxpayer? The first time there is budget pressure it will be unsustainable if in fact it can find funding today.

So to me, keeping seniors at home is a good idea. But do they think for a minute that the model they propose does this. Ohhh we will come to the house in Canterbury. In other communities the senior has to commute to the PACE facility. Really.

5. Ok. So lets now throw in a subsidized building for family doctors who will do a residency in Port Perry. Really? Who pays the subsidy? And will they come ? The last young doctor we had was here for only 2 weeks and his girlfriend said come back to Toronto. Young people like big city life not a town that rolls up sidewalks at 6 pm. Again... lets throw more ideas at the wall and see what sticks.

6.

How about the bridge. They said its up to Canterbury. Nope. It would connect to town property so Canterbury can object all we want but while its a good idea to connect 1000+ people to the waterfront trail its probably not good for Canterbury. With the increase in traffic on the trail will it be widened and maintained? Will it be extended from McCaw to the boardwalk? If not everyone using it will come out near the end of McCaw

7.

Partner with Toyota. I love what they are doing in Micromobility spaces. But Please.

I am a big believer in MicroMobility like the Boomer Buggy by Daymak or Sarit by Magna. They are local canadian companies. Micro mobility cars are a great idea in Port due to 3 minute Commute to everything. But Toyota? Really. Again another idea thrown at the wall.

8.

Sewage plant. Yes its possible. But when it fails , and it will, what is the mean time to repair. And who bears the cost. The details around the 50 year gurantee to the Community were not provided. Is their some large \$\$\$ bond held in trust to cope with the bankruptcy of the supplier or catastrophic failure? Or are Port residents holding the bag.

9. Ok. Now rentals and condos mixed. I am not sure how this will ever work. Owners of rental buildings are fed up with rent controls and tenant demands. I am surprised anyone will build them. When they dont pay rent they are near impossible to evict.

So on the rental units, how will they fund common areas within the development. Is the landlord on the hook to pay even when his tenants dont pay rent? And of course with all the controls in place for landlords who in their right mind spend money on capital improvements. Thats why most rental buildings are dumps, full of bugs and falling apart.

So ok. How about Condo fees. ? To keep the sewer plant working pool operational facilities functional and since only a portion of the units are condos, what is the cost? How is it shared with rental units?

10.

Walk up 3 story units looked like the rentals in the old part of Scarborough. No architectural appeal. And are they condos or rental? Clearly they are not for seniors that probably cant use stairs.

So how about the 5 storey units. Elevators I assume. Do the condo fees from 3 story units or from rental buildings pay for elevator service? Or is each building on its own. Rena the landlord manages and condos the biard does.

11.

Shuttle to downtown is good. If its free to all someone pays. With a rental mix it is likely going to be a dogfight.

12.

All the common costs with subsidized rentals, condos, maintenance and the split of costs between no. Homogeneous owners/ renters will be chaos. For example if sewage costs are levied per sq foot it will be a problem when 3 generations move into one unit and 8-9 people use the water and sewage. It sets up for a dogfight from day one.

Are electricity/gas/water metered individually for homes bs condos and rentals. Again...how are costs divided. And if one group , like a landlord of a rental, does not pay , then who does.

Summary

And the list goes on. I think the Board at Canterbury and the Town should consider carefully if we want to pave paradise and put up a parking lot. The first council meeting open to the public on this should be fun.

Cheers

John Nesbitt

[REDACTED]

[REDACTED]

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Joy McDonald - FW: New development in Cawkers Cove
Date: September 4, 2024 10:04:41 AM

-----Original Message-----

From: joy McDonald [REDACTED]
Sent: Monday, March 18, 2024 12:46 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: New development in Cawkers Cove

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

As my representative I am requesting that you advise council on my behalf that the proposal of which I have just become aware is absolutely against any values our community has. The area is a sanctuary for birds and wildlife. The high density proposal is nothing more than an excuse for some developer to make a lot of money. It will NOT enhance the community in any way regardless of the proposal. There are many areas much further north that could benefit from some development. It is not necessary to infill valuable sanctuaries. Evidence of the negative impact these developments have can be seen in the North end of Oshawa. High density, partly commercial development has totally destroyed the family oriented community that used to be. This NEW provincial committee is nothing more than a ruse by the province to control what municipalities can do in their communities.

It is my sincere hope that you have solicited input from your constituents. I know for a fact that 100% of Canterbury Commons is objecting to this proposal .

Respectfully
JoyMcDonald
Sent from my iPad

Vanessa Reusser

From: joy McDonald [REDACTED]
Sent: July 6, 2024 2:04 PM
To: Valerie Hendry
Subject: Avenu project

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Ms Hendry,

I M writing to you with the understanding that you would like to hear from residents their opinion on the above noted proposal from Avenu development.

I respectfully request that you do not support this development in the area Avenu is proposing to build. This is wetland. A natural habitat for so many wildlife species and this development will destroy it. Please spend some time in the area watching the swans, ducks and other water fowl that nest there. See the many species of turtles that call this area home. The beavers, deer , foxes and other wildlife that live there.

Avenu can build their “ EXPERIMENTAL “ development somewhere that will not negatively impact our lake and wildlife. Having listened to this proposal from the developers several times, I have major concerns over the many unanswered questions. I believe they have misled council and the public of their intentions. They have yet to disclose their opinion on “affordable” housing. They claim to have had discussions with local environmental groups but these groups have no knowledge of their plan. If this is such a needed development, I’m sure they would be willing to build somewhere that has no impact on the lake or wetlands. Please consider the the voices of the residents when making this decision Thankyou J. McDonald

[REDACTED]

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 3, 2024 8:18 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Juli Conard

Juli Conard


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Juli Conard

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 9:58 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Kaiden Ridge

Kaiden Ridge


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Kaiden Ridge

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 10:37 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Kara Olsen

Follow Up Flag: Follow up
Flag Status: Completed

Kara Olsen


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Kara Olsen

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Kathy Payne-Mercer - FW: Development of new property
Date: September 4, 2024 9:54:30 AM

From: Kathy Payne-Mercer [REDACTED]
Sent: Friday, June 21, 2024 1:49 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Development of new property

You don't often get email from [REDACTED] [Learn why this is important](#)

[REDACTED]

June 21 2024

Dear Terry,

We just wanted to add our names to the opposition to the new development proposed by Avenu Properties Limited south of Castle Harbour Dr and East Of Simcoe St.

We are sure you are hearing from many people so we will just highlight our concerns. The actual development design we don't object to but this location does not seem to make sense.

Concerns are: - All the multiple and serious environmental concerns which I know the environmental groups are addressing much more detailed than we can.
- There is no public transport to this area and if you are going to put seniors and possible more affordable homes you need public transportation.
-Initially we heard that they were planning on making housing available for the doctors in training. Honestly, any medical student or resident who is training in Oshawa does not want to live in Port Perry especially in an area with no public transportation.
-Senior homes in an area far from services again without transportation is less than ideal. Are these senior homes going to be affordable?
- the sewage plans seem more experimental than established. What happens if something goes wrong with the sewage who will protect the lake? Where will all the water come from?. There is no town water to that area and wells with that density is surely a bad idea.

Thanks for listening to our concerns

Sincerely,

Gord Mercer and Kathy Payne Mercer

Vanessa Reusser

From: Kathy Perna [REDACTED]
Sent: June 27, 2024 11:50 PM
To: Wilma Wotten; Terry Coyne; Ian McDougall; David LeRoy; Janna Guido; Robert Rock; Harold Wright; Kevin Heritage; Valerie Hendry
Cc: Chief Kelly LaRocca; info@scugoglakestewards.com
Subject: MZO Request Avenu Properties Inconsistencies

You don't often get email from [REDACTED]. [Learn why this is important](#)

Thank you for a very informative council and staff meeting on Monday, June 24th. Many valid and interesting topics were discussed regarding the proposed development off Castle Harbour Drive. I totally understand the need for housing in Port Perry (my 28 year old son is still at home!). However, I strongly feel that this location is so wrong for so many reasons, many of which you have all heard, so I will not repeat.

I have had some time now to go through a portion of the MZO request and would like to point out various inconsistencies and several misleading areas of the MZO for your consideration and response. My questions are varied and I would ask that my ward Councillor Mr. Coyne could provide answers if that would be suitable. Otherwise I would appreciate a response to my questions from Mayor Wotten or appropriate staff.

1. My understanding is that the MZO is only requested for the 62 acre piece of land south of Castle Harbour. My question is - What is the purpose of asking for the MZO for this part of the development when it can only be built if there is arterial road access, as Castle Harbour Drive is a community road. The access road can only be built through the additional land (Adjacent Land) that has been purchased by 1000709511 Ontario Inc. and runs through the marshland. Avenu or 1000709511 Ontario Inc. has not requested a MZO for this portion of the owned land. However, they do make a few statements in the request that do not conform and are very misleading. I refer to the digital copy page numbers.

Page 13 - the lands also front a regional arterial road (Simcoe Street) allowing full emergency and service traffic access.

Page 14 - the site is among the very unique of its kind in Canada - fronting a regional arterial road

Page 133 - In addition the Adjacent Lands provide potential opportunity for direct access to Simcoe Street

Page 133 - the Township shall be satisfied that the proposal - - Is located on and has direct access to a Collector or Arterial Road as shown in Schedule C1 of this plan.

Page 338 - Map 7.2 Part Lot 19 (Fronting Durham Region Arterial Road)
(1000709511 Ontario Inc.)

If someone could explain why Avenu Properties would make these misleading statements and also why the map on page 338 for Lot 19 is even in the request since this land is apparently not included in the MZO or even owned by Avenu Properties, I would like to understand that?

2. Is Avenu Properties trying to avoid or mislead when it comes to the topic of the access road and hoping that once the province approves the MZO they will somehow push through the access road and

destroy the marshland without the necessary studies and consultation?? Will they be doing this under another corporate name? Why is it owned by another company?
Are they hoping the reclamation process will give them the right to build a road through the marshland?
Another misleading statement regarding the reclamation of land is on Page 13 - More than 25 acres of additional underwater lands are in the same ownership of the main building site.
Is this a true statement? Mr. Medhurst stated during the meeting that they were in the process of applying to reclaim the underwater lands, so this is contradictory. They claim to have notified all adjacent land owners on June 7th, has this been confirmed?

2. The MZO is requested 'to establish the principals of land use for the subject site'. My limited understanding of the zoning by-laws is that the township can determine density and land use, why do we need the MZO to determine density and land use as Councillor Rock so insisted? Can our own council and staff not determine this? If so, then what would be the point in granting the MZO at this time (or any time for that matter).

3. Now, with regards to the affordable house issue. I have taken the time of searching the entire digital MZO Request for the word 'affordable' and the word 'attainable'. Please review the following and realize that Avenu Properties has very strategically used both words. They used 'affordable' when referring to statements within the Official Plan, the Provincial Policy Statement 2020, and when referring to questions asked in meetings. They DO NOT once state that the Avenu Properties development will be 'affordable' housing. They do however use the term financially attainable housing (FAH) when referring to the development. FAH has not been defined by the Ontario Government. I think this is highly suspicious and very misleading. Following are the digital page references for 'affordable' housing used in the MZO request.

1. Digital Page (DP) 14 - Avenu Properties smaller units (2 bed, 2 bath, 780 sq ft) hence practical and affordable to many
2. DP 15 - Seniors want smaller, affordable, manageable options
3. DP 23 - Establishing financially attainable housing for seniors - provide a wide range of unit types suitable for downsizing and more affordable
4. DP 95 - The township has identified its ideal future housing, which includes
 - hosting affordable housing
 - providing incentives for affordable housing
5. DP 104 - refers to large single family homes that are no longer affordable or attainable
6. DP 113 - statement from Provincial Policy Statement 2020 (PPS) regarding affordable market-based range and mix of residential types
7. DP 114 - statement from PPS - to meet projected market based and affordable housing needs
8. DP 119 - statement from PPS - to provide range and mix of housing including residential units and affordable housing
9. DP 119 - more urban forms of housing are inherently more cost effective to and thus affordable
10. DP 120 - the township has identified challenges providing affordable housing
11. DP 125 - the township has expressed their strong desire to support more affordable housing opportunities
12. DP 130 - statement from the Township OP - to ensure housing opportunities at a range of pricing, including affordable housing within the marketplace
13. DP 165 - statement from the Township OP - shift toward a diverse range of more compact and affordable housing forms

14. DP 322 - Slide from Avenu presentation Case study 1 - Victoria Harbour - mix o types, affordable housing
15. DP 347 - Slide from Avenu presentation - Key goal to establishing affordable senior oriented affordable housing
16. DP 372 - Refers to affordable PSW programs
17. DP 373 Refers to PACE program being affordable through government subsidies
18. DP 382 - refers to March 19 Stakeholder meeting question - What are the details of affordable housing?
19. DP 392 refers to April 25 Lake Stewards meeting question - What are the ratio between or-sale condo units, rental units, affordable units, and what type of senior housing units?
20. DP 411 - refers to May 7 Public meeting question - Will there be housing that is affordable?
21. DP 412 - refers to Township Op that acknowledges site is within urban area, modern needs are urgently focused on housing which can be affordable, accessible and close to historic downtown.

As you can see all references to affordable housing are either made in a general reference not specifically saying this development will be affordable. However, there are 16 references with the MZO that the proposed development with include attainable housing. I feel that they have used these words in a meticulously thought out deception which must be addressed. Will the town confront Avenu Properties for a clear and precise definition of housing types they are offering? They state the development will cost \$250,000,000 - thats an average COST per unit just to build of \$416,667.00, with over 90% being apartments/condos, once the developer and builder add on their piece of the pie what will the actually prices be. Affordability seems unlikely....maybe attainable to some. Again very misleading!

Following is a portion of the Ontario.ca Newsroom December 13, 2023 which states the Ontario overnments 'attainable' housing program.

New attainable housing program

The government is developing an attainable housing program that will make homeownership a reality for more Ontario families. Following Ontario's first ever Housing Forum on November 27, the province is using insights and ideas from municipalities and partners in the housing sector to define attainable housing and to inform a modular housing framework that will be used, in part, to build attainable homes. These homes will be built on demonstration sites located on surplus government lands using innovative construction techniques, such as modular manufacturing.

In the *More Homes Built Faster Act*, the government's third Housing Supply Action Plan, the province introduced provisions to allow select attainable units to be exempt from municipal fees under the *Development Charges Act* to support the development of attainable homes. The government's definition of attainable homes will apply only to modular home demonstration sites, including surplus provincial lands and surplus lands made available by municipalities, in order to incentivize early development of modular, attainable homes.

The province will be consulting with key stakeholders over the coming months on this definition of attainable.

4. During the meeting Mr. Medhurst and Councillor Rock insisted that the MZO would be used for density and zoning purposes only. The following paragraph from the MZO request on page 165 states -

The MZO is an appropriate tool or implementation of the Proposed Development for a site-specific regulatory framework to be established for the Subject Site, carefully tailored around the specifics of development, avoiding need for separate applications for a Regional Official Plan Amendment, Township Official Plan Amendment and Township Zoning By-law Amendment. All approvals will be merged into one consolidated planning process, which will streamline application timing and allow the Proposed Development to move forward much quicker.

Would these separate applications for amendments only involve density and zoning or would the applications also involve other specifics of development not directly stated??
Could you please clarify?

Thank you for taking the time to read the concerns I have, of which I'm sure are only a few of many, once I have had the opportunity to digest more of the MZO Request. Please know that I do truly appreciate the hard work, dedication and commitment that each and every one of you puts forth to make our town of Port Perry a wonderful and beautiful community, and my concerns only reflect my 30 years of love for this community.

I look forward to your response.

Respectfully

Kathy Perna


Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 8:12 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Kelly Desautels

Kelly Desautels


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Kelly Desautels

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 5:46 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Ken Wilson

Ken Wilson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Ken Wilson

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Kerri Brangers - FW: Proposed Subdivision
Date: September 4, 2024 10:06:57 AM

From: Kerri Brangers [REDACTED]
Sent: Tuesday, June 18, 2024 8:54 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Proposed Subdivision

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Terry

I just read an alarming post on the Port Perry Bulletin regarding a proposed subdivision south of Castle Harbour in the marshlands. How can this possibly be considered since the infrastructure of our town is already stressed without the addition of 600 homes. There are many Port Perry residents that no longer have a family doctor as result of several doctors retiring. All these additional residents would end up using the hospital or urgent care. There will also be a huge impact by eliminating the marshlands which is home to many birds, turtles and other species as well as the risk of contamination as was the case at the Greenbank airport. Please, I am asking for your help in advocating for the residents of our beautiful town to disallow this proposed development.

Sincerely

Kerri and Shirley Brangers

[REDACTED]

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 2:54 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Kim Currie

Kim Currie


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Kim Currie

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Kristine Black - FW: Objection to new Castle Harbour development
Date: September 4, 2024 10:07:53 AM

-----Original Message-----

From: Kristine Black [REDACTED]
Sent: Tuesday, June 18, 2024 6:21 PM
To: Mail Box <Mail@scugog.ca>
Subject: Objection to new Castle Harbour development

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi there, I wish to formally share an objection to the proposed neighbourhood to be developed on our Scugog wetlands by Castle Harbour of about 600-650 units. The fact that this proposal has gotten as far as it has is quite disturbing.

We have to protect our land and not disrupt our already fragile land.

Please share with those involved in this project.

Thank you - a very concerned resident of Port Perry,

Kristine

Sent from my iPhone

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Kylie MacLeod - FW: Avenu Properties Proposed Development
Date: September 4, 2024 10:08:19 AM

From: Kylie MacLeod [REDACTED]
Sent: Wednesday, August 28, 2024 12:00 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Avenu Properties Proposed Development

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Scugog Council,

I am writing to express my strong opposition to the proposed development by Avenu Properties on the environmentally sensitive land near Lake Scugog. This project, which includes the construction of 600 residential units, a marina, and a beach in the marshland, involves significant dredging of the Lake Scugog wetlands and would have detrimental effects on our community and environment.

Firstly, the proposed road construction and dredging are set to devastate the marshlands, leading to increased runoff, degraded lake health, and a significant loss of wetland species and biodiversity. The ecological impact of these activities cannot be overstated, and it is imperative to consider the long-term consequences for our natural environment.

Additionally, this development will place an undue burden on local emergency services and healthcare systems. The influx of new residents will strain existing resources, leading to longer wait times, crowded emergency rooms, and overworked medical staff. This will compromise the health and safety of our current residents.

The potential approval of a Minister Zoning Order (MZO) for this development is particularly concerning. An MZO would grant the Province zoning authority, bypassing local processes and reducing the scope of environmental and heritage assessments. This would risk inadequate protection for our natural resources and undermine the community's ability to have a say in decisions that affect our environment and quality of life.

If approved, this development could also negatively impact the local economy. Lake Scugog is a significant draw for visitors to Port Perry, and the environmental degradation caused by this project would likely deter tourism, thereby affecting local businesses. Furthermore, approving this project could set a precedent for future unsustainable developments around Lake Scugog, exacerbating environmental issues and diminishing the area's natural beauty.

For these reasons, I urge the committee to oppose the MZO application and reject the proposed development. It is crucial to preserve the ecological integrity of our wetlands, protect local services, and safeguard the economic vitality of Port Perry.

Thank you for considering my concerns.

Sincerely,

Kylie MacLeod, Local Scugog Resident.

Kylie MacLeod

[REDACTED]

Vanessa Reusser

From: Kylie MacLeod [REDACTED]
Sent: August 19, 2024 12:31 PM
To: Wilma Wotten; Ian McDougall; Scugog Planning; Vanessa Reusser; Valerie Hendry; khertiage@scugog.ca; David LeRoy; Janna Guido; Robert Rock; Harold Wright; Terry Coyne
Subject: Save Port Perry Wetlands

Follow Up Flag: Follow up
Flag Status: Completed

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

I am writing to express my strong opposition to the proposed development by Avenu Properties on the environmentally sensitive land near Lake Scugog. This project, which includes the construction of 600 residential units, a marina, and a beach in the marshland, involves significant dredging of the Lake Scugog wetlands and would have detrimental effects on our community and environment.

Firstly, the proposed road construction and dredging are set to devastate the marshlands, leading to increased runoff, degraded lake health, and a significant loss of wetland species and biodiversity. The ecological impact of these activities cannot be overstated, and it is imperative to consider the long-term consequences for our natural environment.

Additionally, this development will place an undue burden on local emergency services and healthcare systems. The influx of new residents will strain existing resources, leading to longer wait times, crowded emergency rooms, and overworked medical staff. This will compromise the health and safety of our current residents.

The potential approval of a Minister Zoning Order (MZO) for this development is particularly concerning. An MZO would grant the Province zoning authority, bypassing local processes and reducing the scope of environmental and heritage assessments. This would risk inadequate protection for our natural resources and undermine the community's ability to have a say in decisions that affect our environment and quality of life.

If approved, this development could also negatively impact the local economy. Lake Scugog is a significant draw for visitors to Port Perry, and the environmental degradation caused by this project would likely deter tourism, thereby affecting local businesses. Furthermore, approving this project could set

a precedent for future unsustainable developments around Lake Scugog, exacerbating environmental issues and diminishing the area's natural beauty.

For these reasons, I urge the committee to oppose the MZO application and reject the proposed development. It is crucial to preserve the ecological integrity of our wetlands, protect local services, and safeguard the economic vitality of Port Perry.

Thank you for considering my concerns.

Sincerely,

Kylie MacLeod, Local Scugog Resident.

Kylie MacLeod



Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 19, 2024 12:01 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Kylie Macleod

Follow Up Flag: Follow up
Flag Status: Completed

Kylie Macleod


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Kylie Macleod

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Larry Corrigan - FW: Avenue Project EQUUS Report Update
Date: September 4, 2024 10:45:07 AM

From: Larry Corrigan [REDACTED]
Sent: Tuesday, May 14, 2024 12:30 PM
To: Valerie Hendry <vhendry@scugog.ca>
Subject: Avenue Project EQUUS Report Update

You don't often get email from [REDACTED] [Learn why this is important](#)

Good morning Valerie

Given the following: The CHIA has been replaced by the MZO process and the Avenue public consultations have just taken place as of May 7th

Can you advise when staff will bring forward a report to council given the previous timeline of March has passed

Thanking you in advance for your response

Larry Corrigan

Vanessa Reusser

From: Larry Corrigan [REDACTED]
Sent: June 21, 2024 9:01 AM
To: Valerie Hendry
Subject: Draft Correspondence to Council re Avenu. Would like to discuss with you via phone Please call at [REDACTED]

Dear Mayor Wotten and Members of Council,

We are writing to you today in response to the disturbing news we received via email from your planning staff re the possible approval of an MZO order at the June 24th meeting of Council for the proposed Avenue properties project at Castle Harbour contained below.

"You are receiving this email because you expressed an interest and/or provided comments to the Township about a proposed development for certain Lands south of Castle Harbour Drive and east of Simcoe Street."

Please be advised that the Township anticipates a request from Avenu Properties Limited to Council for the June 24, 2024 Council Meeting. We anticipate the request will be for Council to request the Minister of Municipal Affairs and Housing to enact a Ministers Zoning Order (MZO) to implement the proposed development.

Please be advised that the Township has not received detailed background reports for the MZO from the applicant to circulate to the public and commenting agencies for comment, as staff had anticipated and previously indicated to you.

You will be able to access the Council Agenda when it is available, as early as June 19, 2024. Please see the link: Agendas and Minutes | Township of Scugog and click on June 24, 2024 meeting in the calendar, to get access to the agenda and view the MZO request."

"Never fear to negotiate but never negotiate out of fear" JFK

This is a proposed housing development that affects not only our lake but our entire infrastructure, such as, our hospital, medical associates, schools, recreational facilities, character of town and quality of life we presently enjoy.

We are not opposed to much needed affordable housing for seniors who want to downsize from their large family homes and live in an integrated community with the appropriate infrastructure and program support to keep them in their homes and out of LTC institutions. What we are opposed to, is unbridled growth based on greed not need. In lieu of an MZO order may we suggest the following process.

1. Deny their MZO request and ask Avenu to submit the reports requested by our planning staff. Staff will proceed with the consultation process with the affected agencies and general public within an expediated timeline to receive comments from the appropriate agencies and general public.
2. Enter into an legal agreement within a plan of subdivision with Avenu to revise their original proposal to build a housing development based on the needs of our community with a footprint that mitigates the impact on the present ecosystem and Lake Scugog.

This would give you and the developers an opportunity to build a state of the art twenty first community housing development that Avenue could use as model for other communities to follow while mitigating the concerns of the local body politic.

Yours Sincerely,

Larry Corrigan former Ward 1 councillor and Co Chair of RTO/ERO Durham Chapter Political Action Committee and Co Chair Don Farquharson Past President of RTO/ERO Durham Chapter

A Reflection on The June 25, 2024 Council Meeting and MZO Request of Avenu

An invitation to all stakeholders to put on the bridle of a locally created/approved Avenu build out.

There was a crowded council room that provided standing room only of concerned citizens, ratepayers and debutants at the June 24 Council meeting. Local democracy and the Compassionate Spirit of our valued community, was fully in evidence. For the most part people listened with respect to the deputations, the interchange between council, as well as, the debate that followed regarding the proposed motion to approve the MZO request of Avenu by Councillor Rock and seconded by Councillor Wright. That being said there were moments of tension at the interface which caused Mayor Wotten to publicly call some citizens to account, for their behaviour, as well as, give herself time to share the personal hurt she has received from the public response of attacking her commitment for the common good of the Township since this proposed development was initiated by the proponent's public awareness and marketing campaign.

The mayor to her credit called for a recess for Council to reconsider which brought forward a new motion from Councillor LeRoy to refer the MZO request back to staff for a recommendation re the MZO order request. The staff report is to be brought back to the planning committee meeting in September. It passed with a close majority of four votes to three.

While addressing Council regarding our written correspondence I proposed the idea of a Council ad hoc committee consisting of representation from Avenu properties, regional and Scugog planning staff, Kawartha Conservation Authority, Scugog Lake Stewards, Mississaugas of Scugog First Nation, Castle Harbour residents, and the Ward 5 Councillor.

Its mandate would be to review the concerns of the local body politic by deputations and correspondence, the necessary technical reports of Township planning staff, the sign off from the Ministry of the Environment, Conservation and Parks (MECP) for the well and septic system, as well as, sign off from other key agencies to confirm there are no technical impediments to the proposed size of the project proceeding.

Following the review of the Township Ad Hoc Committee with the developer's request to proceed, a complete application which would include a legal agreement, including a ADR clause to deal with township and public issues during the construction phase. It would also include applications to amend the Township's Official Plan and zoning by-law.

Such a committee would continue the process of building relationships of trust, as well as, the necessary healing the division that this project has caused. It could also access the wisdom and expertise of a broader network including the province with the possibility of expediting the process leading to shovels in the ground earlier than that of a MZO order process. Maybe it could be viewed a pilot project in fast tracking a much-needed development for affordable senior housing in Port Perry for the region and the province to consider.

As to the issue a number of people including council members and the Avenu representative referencing their position on our local official plan, I made the point that this plan is long beyond its shelf life (every official local plan according to provincial statute must be revisited by the local township and region every five years and we are well beyond that time). Great change with respect to environmental awareness and technology with regards to best management practices in housing development practices has occurred since 2011. I would add also, the consciousness that created this problem will require an integral one to find a creative viable solution.

Another issue of common ground was the issue of affordability for much needed housing for seniors, families and individuals. However, there was no referencing a definition of same backed by government policy, statistics such as cost per square foot and the demographics for Scugog as to age and financial income. Such data would perhaps address the concern about the cost of this project, especially the location of the proposed units would be far too expensive and not available to Scugog seniors or citizens at the lower end of financial scale.

To conclude on a note of poetry and inspiration by (President John F Kennedy), “Never fear to negotiate but never negotiate out of fear”.

Come my friends it is not too late to create a desired outcome for the common good of our community, our way of life and Lake Scugog.

May it be so,

Larry Corrigan, Community Elder and “Good Trouble”

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Larry Green - FW: Public Open House - CIHA, February 9, 2024
Date: September 4, 2024 10:45:46 AM

From: Maria and Larry Green [REDACTED]
Sent: Wednesday, February 7, 2024 8:12 AM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Public Open House - CIHA, February 9, 2024

You don't often get email from [REDACTED] [Learn why this is important](#)

Good morning,

On December 4, 2023 there was a special meeting of the Scugog Township Council to consider a request for a Community Infrastructure and Housing Accelerator for a new community in Port Perry by Avenu Properties. I've read the presentation and, apparently, there is a public open house scheduled for this Friday, February 9th.

I've spent about 45 minutes searching through Scugog's website and cannot determine where and when (or if) this open house will be held. If you could let me know it would be much appreciated.

I've attached a link to the presentation which mentions this open house on page 18.

Thank you and best regards,
Larry Green

https://www.scugog.ca/media/s0zdg4wo/special-council-resolution-presentation_final_v4a.pdf

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 3:40 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Larry Willman

Larry Willman


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Larry Willman

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Laura Honey - FW: Development of Beaver Meadows
Date: September 4, 2024 10:11:42 AM

From: Laura H [REDACTED]
Sent: Monday, June 24, 2024 12:50 PM
To: Wilma Wotten <wwotten@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>; David LeRoy <dleroy@scugog.ca>
Cc: Janna Guido <jguido@scugog.ca>; Robert Rock <rrock@scugog.ca>; Harold Wright <hwright@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>; Office of the CAO <cao@scugog.ca>
Subject: Development of Beaver Meadows

Some people who received this message don't often get email from [REDACTED] [learn why this is important](#)

Dear Mayor Wotten, Council and Staff 24/06/25 I am writing to you today in response to Avenue's proposed development south of Castle Harbour Drive in Port Perry. As a long time citizen of Scugog Township I feel the need to express my concerns with this location for the development of medium to high density housing. Beaver Meadow is a very sensitive wetland that provides our ecosystem with many beneficial resources including wildlife habitat, filtering of water, retaining storm surge among many other things we never think about or must because it's just always been there. I have read the report from Kawartha Conservation along with the comments from the Lake Stewarts and I think my concerns are captured very well in those reports and comments. With those reports in hand how could the Township of Scugog ever consider such a development at this location. Over the past few years we have seen a very tight housing market and along with that a lot of emphasis has been put on building more homes. I realize that our township has a unique situation of being surrounded by the green belt and prime agriculture lands that we enjoy so much but it does severely limit the potential for development. I also know that the new Durham Region Official plan has potentially allowed for some rezoning in our township including a very large piece of land on Reach Street that would be better suited for this type of development. It's just a thought but if the subject lands on Reach Street were developed with municipal services (water and sewer) it would bring the infrastructure that much closer to the industrial lands to allow for future connections in the employment area. The irony with this option is that some of the storm water runoff from these lands does end up being dealt with by the Beaver Meadow wetlands that are being considered for development. Wetlands are the lungs of our ecosystems and are protected as they should be by all levels of government. Gone are the days when we filled swamps and water courses for the sake of development and convenience. We now recognize the importance of these lands and continue to add protection to maintain them. My hope is that our township will make the right decision

and find a more appropriate site for development. Sincerely Laura Honey Kelly Hone

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 2, 2024 2:48 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Laura Munroe

Laura Munroe


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Laura Munroe

July 18, 2024

To: Email Recipients

Subject: Proposed Port Perry Avenu (developer) Housing Development

Dear Sirs/Madams

This letter is to register my concerns with this proposed development as follows:

1. The proposed development does not “fit” as designed with the existing community of larger lots and single-family homes.
2. As designed, this will create additional traffic congestion at Simcoe Street, which is already very congested, especially at rush hour and weekend traffic.
3. The local infrastructure, especially the hospital, will be even more overburdened than it currently is. It is most unfortunate that there appears to be no plan to address this issue, or desire to push for one, by the Council.
4. A proposed sand beach and pond will require dredging and sand fill for the beach, which will undoubtedly damage the wetlands for wildlife, and most certainly only wash away during repeated stormy weather and wave action.
5. A proposed boat dockage will only damage the wetland further, create additional traffic due boat owners who don’t even live in the proposed community and eventually lead to the request to build a full-service marina.
6. During a council meeting the need for affordable housing was mentioned. It is highly doubtful that any of these proposed living units will be affordable given the proximity to the lake and the developer selling it as a “Waterfront Community”.
7. The sanitary system will undoubtedly fail at some point due to system failure or heavy rainfall and the subsequent overflow effluent will contaminate the lake.

With the current need for affordable housing, perhaps Municipalities should consider donating their vacant land to have modular homes built, not standing by quietly and allowing developers, who appear to have a complete disregard for environmental sensitivities, to skip the appropriate channels and build communities that will never meet the current affordability demands of our society.

I submit to you that this development should not proceed based on the presentation by the developer.

Thank you.

Laura Preston, very concerned Port Perry citizen

[REDACTED]

[REDACTED]

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Laurie and George Bray FW: Proposed Avenu Development (Castle Harbour)
Date: September 4, 2024 10:46:07 AM

From: L and G Bray [REDACTED]
Sent: Tuesday, May 21, 2024 2:27 PM
To: Terry Coyne <tcoyne@scugog.ca>
Cc: Wilma Wotten <wwotten@scugog.ca>; Janna Guido <jguido@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>; Robert Rock <rrock@scugog.ca>; David LeRoy <dleroy@scugog.ca>; Harold Wright <hwright@scugog.ca>
Subject: Proposed Avenu Development (Castle Harbour)

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mr. Coyne,

Some of the questions or concerns I would like to bring forth regarding the proposed Avenu Castle Harbour Development are:

- the density of the development in that particular location
- proximity to the lake as well as the marshland/wetlands and habitats for wildlife/birds
- with a community of that density wildlife/bird habitats could be changed for ever
- Road access- congestion at the corner of Castle Harbour Drive and Simcoe St. or if a new road is built it would be near or through wetlands/marshland
- if the development is to be inter-generational living, school buses would need to access the area as well.
- Parking- would there be sufficient parking for everyone if there were 2 or 3 cars per unit?

These are some of my concerns and questions regarding this development. I hope there will be further meetings for the residents of the Township of Scugog to hear more about this proposed development.

Laurie and George Bray
[REDACTED]



Vanessa Reusser

From: L and G Bray [REDACTED]
Sent: July 29, 2024 3:27 PM
To: Valerie Hendry
Cc: [REDACTED]
Subject: Avenu Properties Development

Follow Up Flag: Follow up
Flag Status: Completed

Dear Valerie Hendry:

My concern for this proposed development is its location. There would be a lack of walkability to any services in Port Perry in addition to lack of access to public transit. A significant increase in daily vehicle traffic in and out of the proposed development will have an environmental impact. If a new road needs to be constructed, this adds to the negative environmental impact of this project.

The density of this development and the proximity to wetlands and Lake Scugog is also a concern. The natural habitat of birds and other wild life will be affected. Wetlands are important to the health of the environment. We need to take into account the impact on these wetlands not only for today but also for future generations.

These are my concerns regarding this proposed development. I am not in favour of the MZO request at this time. I spoke at the June 24th meeting and I wanted to follow up with my concerns in writing.

Thank you.

Laurie Bray

[REDACTED]

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 4, 2024 5:49 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Laurie Robinson

Laurie Robinson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Laurie Robinson

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 9:10 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Lee Paterson

Lee Paterson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Lee Paterson

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 4:27 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Lesley Simmons

Lesley Simmons


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

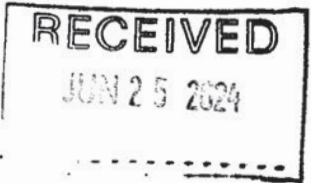
These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Lesley Simmons



Attention Port Perry Clerk

In collaboration with many community members, we have important questions and serious concerns. There are too many unanswered questions to support development of this magnitude at this time.

This is an extremely sensitive environmental area and must be protected land in their natural state. As you know, environmental issues have become one of the most important subjects of our time. 20 years of consultation, environmental studies, interactions with the region municipality and community groups this land was finally granted approval for 20 homes. Now with the flip of a pen, and no proper study we are potentially putting forward an endorsement for 600 homes. This will change our community forever, so not in keeping with the current land use. A landscape previous council spent years maintaining. Understandably we have to move forward, progress requires development and not everybody will agree. We have a housing crisis created by federal policy that is real and needed to be addressed. Unfortunately, without proper consultation a policy was created to fast-track development and skip environmental polices that took year to create . Although still not clear and potentially facing legal challenges developers are understandable attempting to use this loophole to capitalize on their land use.

The intent of this policy is for areas where there is the supporting infrastructure which this community does not have. How can a development of 600 units possible have one parking spot per in a rural community How do they plan to deal with what will likely be 1200 vehicles not including service traffic entering and exiting through protected marsh land onto what is already a very busy road. What impact will that have on the lake.

The developer has an alleged that they will provide EV transportation to the university. With all due respect that does sound like a wonderful idea but is it realistic Has it been done before and if so, is there a model we can review. Who has been consulted and has council been provided any documentation If so, is it publicly available . Will there be a binding financial commitment from the developer prior to any endorsement or approval on such a critical item.

Does council have the confidence in the developer and who is the actual developer and its partners. If so, what other projects have been they completed, involved with or currently submitting for approval. Have they ever-built self contained sewage treatment plant on environmental sensitive land beside a lake. A valid concern considering so many challenges this land faces. Who will actually build the development. Do they have the financial resources. What contingency plans are in place and who is financially responsible if the development is approved, and problems encountered.

How are we getting water capacity to the area. Who pays for this and will it be in place prior to approval.

We need to evaluate the impact on the environment.traffic.hospitals,education,parking,transportation,emergency vehicles, snow removal to name a few associated with such a large-scale development in an area the municipality and Region have so carefully protected until now.

We also respectfully ask that prior to any support that a full review of all concerns with detailed professional information input from "ALL" stakeholders is completed. This is not an attempt to stop development but to ensure it is done safely and to everyone's benefit.

What is the incentive and motivation of this council other than what we can assume is revenue growth. Has council completed any financial review with a realistic budget What is the infrastructure cost and revenue payback, Does this

information exist and if so, is it publicly available. Without this information are we really willing to overlook years of respectful growth to now make rash decision that will potentially have adverse results for generation to come. Not a decision to be taken lightly.

We feel strongly that our elected officials have an obligation to represent their constituents while balancing revenue growth.

Despite so many concerns and very little consultation council has allegedly publicly endorsed the development The Mayor and councillors held "private" meetings with the developer which is in our understanding contravention of Municipal By laws and potentially actionable. Prior to the critical due diligence their support does not appear to be in keeping with their obligations. It is our understanding elected officials are to remain impartial and in the event of a tied vote then and only then shall the Mayor cast a deciding vote. To publicly support and suggest the development exciting in private meeting with the developer is unacceptable.

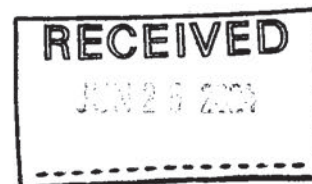
It is our understanding that no formal submission has actually taken place so how are even considering endorsement at this time

On behalf or many continents, we ask you withhold any support until such time as these critical items are properly addressed and reviewed.

Thank you.

Concerned Port Perry Residents

Attention clerks@scugog



THE FOLLOWING LIST OF CONCERNS/OBJECTIONS TO THE PROPOSED DEVELOPMENT OFF OF CASTLE HARBOUR DRIVE FROM COMMUNITY INPUT

PROPOSED DEVELOPMENT HISTORY/DETAILS:

On December 4, 2023, a presentation was provided to Council without any community notification regarding a proposal from Avenu Properties Corp. to build 500-600 units on a 61.08-acre parcel of land on the south side of Castle Harbour Drive. The housing units would be a mix of housing unit types, sizes, tenures, and levels of affordability, including specialized housing. No information was provided to confirm if the development was intended to be private ownership, condominiums or mixed.

The Developer requested that Council use a Community Infrastructure Housing Accelerator under Section 34.1 of the *Planning Act* to rush the development process. This can **only** be requested by the Municipality to the Provincial Government.

A Scugog Official Plan Amendment was passed by Council in May 2006 and approved by the Region of Durham in June 2006 that would re-design the property to a Partial/Private Residential Service designation meaning the homes could be on their own septic systems and town water. This mixed version of services is only permitted to address failed individual on-site sewage and individual on-site water services for existing developments.

In 2012 the property was purchased by CDM Realty with the intent of building twenty estate homes. In 2017 Lalu Peninsula Inc. (now known as Avenu Properties Corp.) purchased the property.

The presentation on December 4, 2023, seemed vague for the size and extent of this project.

During the presentation there was concern with the amount of discussion focusing on the need to **"Hurry"** the approvals to obtain funding from the Toyota Mobility Foundation.

There was no clear discussion on the construction itself.

There was no clear discussion on how many units would be condos or apartment.

The Developer wants the apartment buildings to have five floors, but there is a limit of four floors in the Township of Scugog.

Presently the land is zoned for acre lot homes not high-density homes.

This project is not compatible with the surrounding existing land uses.

The Township's infrastructure and public facilities, fire halls, arenas, works yard etc. will have to be upgraded before that many more residents are brought into the community.

Who will pay for those improvements?

TRAFFIC IMPACTS:

- Development that significantly increases traffic volume is not permitted to access residential roads like Castle Harbour Drive and must do so onto an arterial road such as Simcoe Street.
- Castle Harbour Drive is in poor condition now so it is unreasonable to think it will be able to handle the construction vehicles let alone 1,200 personal vehicles from those living in the proposed development, not to mention the additional traffic from service vehicles, school buses, etc.
- The only feasible location to access Simcoe Street would be south of Castle Harbour. This is behind existing homes and could only be accomplished with the purchase of a private residence south of Castle Harbour bordering environmentally sensitive lands.
- The additional traffic would also place a greater load on other roads close by such as Highway 7A, and the Causeway, which is overloaded and often has road closures due to accidents.
- Since the expansion of Canterbury Estates and the development west of Old Simcoe Road and South of Reach Street there has been a noticeable increase in traffic.
- Simcoe Street will not be able to handle the increase in traffic.
- The junction of Castle Harbour Drive and Simcoe Street is a dangerous intersection, what will be done to mitigate this before the increased traffic load?
- Installing a traffic light at Castle Harbour and Simcoe will not work due to the curve in the road. A traffic light could create possible driving hazards, especially in the winter.
- Completion of this project will take years, with the deteriorating condition of the roads in the neighbourhood it is likely that any maintenance will be delayed until the project is complete.
- Large capital improvements would be required to repair Castle Harbour Drive.
- There will be significant additional air pollution from the increased traffic.
- Will this mean that Scugog Sideline 8 will have its bridge repaired, paved, and opened to traffic to relieve downtown traffic?

PUBLIC TRANSIT PROBLEMS:

- The province wants to "Super Size" neighbourhoods where they are located close to transit hubs. Port Perry overall is not close to transit hubs nor is this neighbourhood.
- This style of proposed development is better suited on major transportation hubs that are on GO Train lines and major subway lines where mass intensification of people can easily move.
- We are not in Toronto and transit will be a big issue.
- There are no stores, medical buildings, etc. within walking distance.
- The area around Reach Street or Highway 7A near the Walmart Plaza would be more suitable for clusters of townhomes and 4-storey buildings.

PARKING SPACES WITHIN THE DEVELOPMENT:

- There is a limited number of parking spaces available within the development. With 500-600 units what is a reasonable number of spaces required for an area with no readily available transit?
- Besides the 500-600 housing units, there is also plans for public parks, marina, and walkways. Where will these people park?
- Looking at the schematic they are proposing minimal parking with communal shared vehicles? The reality is that there will be a major overflow of vehicles parking on Castle Harbour Drive.

WELL WATER QUALITY AND QUANTITY:

- There will be a lot of excavation work and drilling and ground source heat pumps. What will this do to the neighbourhood water table and quality?
- The neighbourhood is reliant on a stable water table for drinking water, what assurances and guarantees can be given to protect the current neighbourhood water supply?
- Residents have noticed a change in the amount of water in their dug wells and their ponds over the last few years. There is concern that the construction will increase the problem.
- If our wells become contaminated, is the Developer and Township going to pay for all the residents to have access to town water?
- Will up to date water testing take place before any construction begins?
- The Developer must protect the private wells of the existing neighbourhood, by monitoring them at least monthly prior to, during and at least up to twelve months after the construction of the proposed development. The wells must be tested for bacterial issues monthly.

SEWAGE TREATMENT:

- The company is proposing to install a micro sewage digester and therefore there will be no septic beds. This is a technology used in remote areas. What assurances or performance guarantees will be in place to ensure a safe and reliable operation?
- If/when the system breaks down, who will be responsible for repairing it and if it leaks into Lake Scugog, who will be responsible for the cleanup?
- What studies will occur to make sure that the "private" sewage system will work in this location?
- What systems are in place to prevent runoff into Lake Scugog?
- If Avenu Properties Corp. changes its name again, or sells the property, how would that affect the responsibility of the ongoing maintenance and operation of the sewage treatment facility? David Medhurst, Special Projects Director, Avenu Properties said during the presentation that they had considered selling the property.

-These housing units that are within the urban boundary should be on town sewers and municipal water. They should have to get in queue for sewage capacity and pay to hook up sewer.

-The sewage treatment facility was not visible on the map provide to Council.

SOIL CONCERNS:

-This property has many low and wet areas which would require a lot of soil to be brought in so that construction could take place. Residents were informed that the previous development of twenty homes would require 6,000 truck loads of soil. How many truck loads would be required to build these 500-600 units?

-At an April 29, 2015, meeting with Rob Messevey, CAO of the Kawartha Conservation at that time, informed those in attendance that the soil for the development would have to come from one farm source. Also, that only one trucking company could be used and that would be chosen by the Kawartha Conservation. He said that the soil would have to be tested at the site and when it is delivered.

-Will there be an inspection of all landfill material being used to ensure it is clean fill?

-A soil testing company said that soil testing can not be done at the back of a truck; it must be sent to a specific laboratory that does specialize soil testing. Plus, there are hundreds of contaminants to check and often and they are very expensive. Who will pay for it?

-We do not want another Greenbank Airport or Earthworx.

MEDICAL AND EMERGENCY SERVICES:

-With almost 2,000 more people that would move into this new development, it would put a strain on our medical and emergency services. What is the plan from Council?

-Will this be addressed before the units are occupied?

-Many people in town do not have a family doctor now. Therefore, the new people moving into these homes will not have access to a family doctor and will go to the hospital or the walk-in clinic to deal with their medical needs.

-Medical facilities are at capacity with ever increasing wait times to see a doctor.

-This development will put more stress on all the emergency services such as police, ambulance, and the fire department.

NOT ENOUGH SCHOOLS IN THE AREA:

-There is NO proposed new school to be built in the DDSB five-year building plant.

-There currently is a portable shortage in the province.

-There is not enough room at the Port Perry elementary schools and high school to accommodate the students in need now.

CONFORM WITH EXISTING NEIGHBOURHOOD:

-This development does not conform with the existing neighbourhood of single-family dwellings.

DEVELOPER CONCERNS:

-Ownership of the property has changed names and direction multiple times. Although that is not uncommon, what due diligence has or will be completed to ensure all concerns including but not limited to financial and legal obligations are in place to protect the existing homeowners.

ENVIRONMENTAL/CONSERVATION ISSUES:

-This is an environmentally sensitive land that will affect flora and fauna with over 60-75 migratory birds using this site for nesting.

-Northern Redbelly Dace fish have been found in the drain area on the property. This means the entire drain is a fish habitat and should be protected.

-Has there been any discussion how to address issues including but not limited to the protected Butternut Trees.

-Concern for the impact to Lake Scugog and the surrounding wetlands from storm water running from the development that could contain pesticides, salt etc.

-The Port Perry North Wetland, the Lake Scugog shoreline and the Beaver Meadow Creek must be protected.

-Has there been a new ecological study on the impact on wildlife and the filling of the wetlands?

-Will the Township make sure that the Developer respects the 30-metre environmental buffer.

LANDUSE MANAGEMENT:

-The site plan shows docking for around 60 vessels, are these for the residents that would live in these units, or will they also be available to the public which could again increase the traffic volume?

-Previously a marina in this area was rejected, so why is the Developer proposing docks?

ACCESS TO LAKEFRONT:

-There is concern that the public will not have access to the lakefront, docks, pier, and the trail and that it could be a gated community.

COST OF BRINGING WATER LINE TO THE DEVELOPMENT:

-Who is going to pay for it?

-Will the town need to expand water service before the buildings are completed?

-Will the town need to pay to extend the municipal water system to meet the developer's needs?

-If the development does not get completed, who would pay for the completion of the water line?

BETTER SITES WITHIN TOWNSHIP TO BUILD:

-Areas around Reach Street or Highway 7A near the Walmart Plaza would be more suitable for clusters of townhomes and four storey buildings.

CONCERN OF PROPERTY TAX INCREASES:

-Residents are concerned that this development could increase their taxes and de-value their homes.

ISSUES DURING CONSTRUCTION PHASE:

- Will the roads be cleaned of mud and debris during construction?
- Will there be parking for the construction vehicles off neighbourhood streets to prevent congestion?
- What is the projected timeline for the project?

COVENANT OF QUIET ENJOYMENT BREACHED:

-Existing residents are deeply concerned how this development will affect their quality of life and their enjoyment of their homes due to the increase in traffic, noise, dust, and construction noise. The length of time to construct a development of this size will be years. Thousands of truckloads of soil will have to be brought in.

-Residents peace and quiet will be disturbed when the steel beams are hammered into the ground to build the larger structures by the lake.

-Whether a breach of quiet enjoyment has occurred is a question of fact that turns on the severity of the landlord's interference. A "brief or trifling" interference will not cause a breach, whereas a "substantial and permanent" interference will. Courts analyze a landlord's interference with reference to at least five factors, including:

- effect on access to the premises.
- effect on visibility of the premises, including signage.
- duration of the interference.
- intrusion into the premises.
- effect on the tenant's use of the premises.

GENERAL QUESTIONS:

-Is the Township selling the waterfront shoreline to Avenu Properties Corp., if so, does that then open it up to others who face the lake to then buy the shoreline in front of their property?

-Looking at some of the conceptual drawings it looks like the multi storey buildings are unimaginative square boxes, not in character with the existing neighbourhood and surrounding area.

-Concern where the source of money will be coming from to build this development.

-Concern that the company is making promises to build these 500-600 units, then once approvals and the Community Infrastructure and Housing Accelerator is in place, can the company change it and build something else?

-Developer liability? How much security will the Township request from the Developer?

- Concern of this massive development on the existing community (noise, dust, dirt, trucks, traffic, duration, land fill required...)
- Will the Developer have the soil that is brought in and put into piles sprayed down in order to prevent it from blowing around?
- Where were the public meetings surrounding the change of site plan from 20 homes to 500-600 units and why are residents just hearing about this now without being notified or it being put in the newspaper? If not for a resident seeing the survey stakes being put up, residents would not have heard about it. Seems too rushed.
- The property has many low areas that would need a lot of soil to bring it to a standard where it can be built on especially for the high-rise units. What is needed to ensure a stable foundation for these multiple storeys?
- The Township's recreation facility will not be able to handle the extra number of people.

Above is a partial list of concerns that is continuing to develop with the entire community's involvement.

While we respect the rights of the Developer, we strongly suggest this is not in keeping with the intent of existing land use nor the increase density legislation.

On behalf of the concerned Port Perry Residents.

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 4:43 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Lindsay Baril

Lindsay Baril


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Lindsay Baril

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 27, 2024 12:39 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Lisa Yelle

Lisa Yelle


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Lisa Yelle

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Lori Walker - FW: Proposed Development on near Castle Harbour Drive
Date: September 4, 2024 10:14:26 AM

From: Lori Walker [REDACTED]
Sent: Friday, August 9, 2024 12:12 PM
To: Scugog Clerks <clerks@scugog.ca>
Subject: Proposed Development on near Castle Harbour Drive

You don't often get email from [REDACTED] [Learn why this is important](#)

Hi

I'm Lori Walker, a tax-paying resident on Castle Harbour Drive.

I'm opposed to building the absurd amount of high density homes in the wetland and lake which is one of the most sensitive areas on Scugog.

To date, the planning department has not hosted nor provided any formal avenue for comments from the tax-payers in our community. The Council has not provided a means to be heard at a Council meeting.

What is the plan for residents to get involved in the process and be heard?

Thanks

Lori Walker

Vanessa Reusser

From: Lori Walker [REDACTED]
Sent: August 12, 2024 9:51 AM
To: Scugog Planning
Subject: NO to Avenu Properties Proposed Development (EQUUS/Port Perry)

You don't often get email from [REDACTED] [Learn why this is important](#)

Hi

I am Lori Walker. I live at [REDACTED] As you may be aware our neighbourhood has organized a committee to oppose the absurd high density housing plan for the land on the south side of Castle Harbour...the land which is one of the most sensitive areas in Scugog - a wetland and a lake. This proposed development alone exceeds the town's growth expectations of the next 10 years, and hence is very risky. We are not equipped to handle this growth nor is lake Scugog equipped to handle the massive amount of pollution.

Below is an email I sent to Terry Coyne and Wilma Wotten before the last Council meeting. Please read my email below.

The planning process and public engagement/consultation has been frustrating for taxpayers and is frankly embarrassing- the Council is supposed to represent the residents and the residents have not been engaged in a meaningful way. On top of this, Avenu Properties is a questionable company with a track record of unethical and 'border-line' illegal undertakings. Their goal is to make money- they don't care about our town or what havoc this proposed development will force upon us. We are a small town, we don't want to be a high density city.

The impacts on local residents are important and are not being considered adequately: community services, traffic, noise, air quality, water quality, lake health, social impact, safety, infrastructure, broader environmental impact, visual impact, loss of wildlife and nature, pollution of the wetland and lake, exponential growth that Port Perry is not prepared to handle appropriately. I have lived here for two years and still don't have a doctor- I have only been able to successfully visit the walk-in clinic in town twice because the clinic hours have been reduced and appointments are not easy to secure. My kids attend S.A. Cawker and there are no open classrooms/spaces- a portable was added last year. My son battled anxiety last year and I was told the school and the Board had no available resources to support him.

In short, my husband and I worked very hard for decades to be able to move to a lovely small town like Port Perry to have a little slice of quiet heaven in a neighbourhood with lovely single family homes on estate lots- it's one of the nicest areas in Port Perry. Please don't ruin this town and our neighbourhood by adding this wildly unreasonable high density housing on a lake. As I state below, if this is approved, I will not be voting for anyone who is in office now. I know the province wants affordable housing but we should not be compromising the health and safety of lake Scugog and the entire town. Leave the wetland and lake Scugog alone, there are better suited areas in the township to build these high density homes.

Thank you
Lori Walker

----- Forwarded message -----

From: **Lori Walker** [REDACTED]

Date: Mon, Jun 24, 2024 at 2:08 PM

Subject: NO to Avenu Properties Proposed Development (EQUUS/Port Perry)

To: <tcoyne@scugog.ca>, <wwotten@scugog.ca>

Cc: <minister.mah@ontario.ca>, <clerks@scuog.ca>

Hi

I'm Lori Walker a resident on Castle Harbour Drive in Port Perry. I am writing to share my distrust in the planning process to this point and share my opposition to the proposed development by Avenu Properties. I implore the Council to oppose the application of an MZO for this development and to oppose the high density housing plan in this location, on the water...literally on a wetland and in the lake. The planning process cannot be skipped or fast tracked in order to give a developer what they want, even if the province needs more affordable housing.

Infrastructure: Health, Education, Transportation: I have been living in Port Perry for 2 years and my family has been on a waitlist for a doctor the entire time. The access to the walk-in clinic has been removed and we only have access to a nurse practitioner on Tuesdays from 8-3pm. I have been successful ONLY ONCE in getting an appointment for my kids because the demand is too high and appointments are booked within minutes of the clinic opening so we have to go to other walk-in clinics in different cities. What is the tax-payer cost going to be to provide the necessary infrastructure upgrades that will obviously be required to support the growth from this development?

Population growth is too fast for Port Perry to Support: The document states that the population in 2021 was 11,880 with a forecasted growth of 1,060 residents over the next 10 years (2031). This development alone exceeds the town's growth expectations of the next 10 years, and hence is a risky undertaking.

There has been no Township public consultation: There have been no Township public consultation meetings to-date, only Developer consultations – with one-sided minutes of meetings that don't reflect the true "temperature" of the meeting and extent of concerns. The resident tax-payers of Port Perry are entitled to the proper public consultation, details and time to assess before such a high-risk, critical decision such as this MZO, and before this ridiculously high density, environmentally sensitive and out of character pilot development is approved.

We need to slow down and be diligent to consider its efficaciousness: The tax paying residents and Council need proper details to be provided with ample time to assess. A 400 page report arriving 3 business days before the Council Meeting today gives residents only a day or two to request speaking time at the Council Meeting. This is not adequate information to issue an MZO. The document includes vision only. It is a concept and does not deal in details or plans. It is a one-sided document extolling the virtues of the vision with no real details to properly assess. The MZO process is required to cut the normal 2-3 year Township planning cycle to 3 months. This creates a high risk pilot project. Proper Planning Department process, reviews, assessments are necessary.

Why would the Council want to give up their decision-making power to the Ontario government?

The Township is being asked to consider an MZO, meaning approval for all zoning requirements will be done by the Province. While I understand the Province is desperate to achieve its 1.5M homes target, fast tracking this process will have detrimental effects for decades to come (just like lock

downs and special orders and decisions made during the Coronavirus, we are still dealing with many health and economic fall outs). This is not something to rush.

Avenu Properties is not an authority on developing:

Although Avenu has hired some experienced consulting firms, the feasibility documents have little substance. They simply conclude that on the surface it is feasible, subject to further detailed planning, that is not good enough to issue a MZO. These firms were hired by the Developer, of course they will conclude that it is feasible because they are being paid by Avenu and they all want the contract to do the more detailed planning work.

Why are you trying to build 600-800 homes on a wetland and partially on a lake? There are other places in Scugog or Port Perry that are safer and more environmentally stable that would support high density housing. Leave the wetlands and lake alone. Moving ahead with this project will put the area at risk as well as the surrounding homes with wells on all sides of the lake.

New environmental impact assessments are required: the proposed project has changed many times over the years, a new assessment is required. No amount of force from the Province should change that.

Avenu Properties is potentially a questionable company: Avenu Properties Corp has acquired Lalu Peninsula, this company owns the subject property. The recently acquired company has a questionable background. Avenu is a property investment and management firm, not a developer. They have no prior experience with the proposed undertaking or anything similar. This is a pilot project, according to the document, they are proposing a revolutionary approach that has rarely been attempted. Again, why are you trying this on a wetland and lake in one of the most sensitive areas in Scugog?

Sewage Treatment: the proposed new sewage treatment plant is a terrible idea to have on a wetland and on/on the lake. What happens if it malfunctions and leaks into the lake? Again, why are we trying to build something like this on a wetland and in/on a lake?

Questionable Stakeholder Consultation: Avenu Properties placed many logos and business names in their slide deck on May 7, 2024 to make it appear that these stakeholders have been consulted but they were not truthful in sharing what the stakeholders' recommendations were. Stewards of Lake Scugog does not believe trucking in that much soil will be a valuable endeavour for the area, it will threaten the health of the soil and lake ecosystem as well as wells thousands of families well/ drinking water.

This area is one of the most environmentally sensitive areas in Scugog: These wetlands, adjacent to a wildlife-friendly waterfront, are not suited for the proposed development, which is incompatible with the surrounding estate and single-family homes. When questioned at the meeting about choosing this environmentally sensitive area, the developer responded, "because we acquired and now own the land".

Backfilling will have implications that have not been deciphered: The document does not address the plans for backfill in a low lying wetland area. There will be an impact of thousands of truck loads of new fill from other sites, varying from the content of the current, sensitive site and could dramatically change the health of the lake, the ecosystem of plants and animals and the wells of many homes on well water.

Transportation with 1000+ extra vehicles is not reasonable: The Transportation feasibility was based on a 1-day AM and PM study in February, middle of winter. The assumptions were hard to decipher,

a forecast of 53 inbound vehicles and 174 outbound vehicles during the AM peak hour, and 151 inbound and 97 outbound during the PM peak hour. I'm not sure how that was derived given that there will likely be 1,000+ new vehicles. Does it take into account a new traffic light to get on to Simcoe Road? It is already difficult to get onto Simcoe at various times of day. Have they considered the implications for other neighbourhoods such as Canterbury Commons that will have a difficult time accessing Simcoe southbound with this substantial increase in traffic volumes. Their assumption is that 82% of the traffic from the development is southbound in nature. Two entrances, one off Castle Harbour, that is not an arterial road and is not currently supportive of this traffic load. The second mentioned is a new road connecting to Simcoe. However, this appears to need to cross the restricted wetlands to build...again why are we disturbing a wetland?

If Residents' concerns are ignored and MZO is approved: what assurances do we have that the Port Perry community will be protected by transferring authority to the Province? What measures can we take to halt the Provincial process if necessary, and what conditions should be imposed on the MZO approval? How can we ensure that our Township Planning Department retains final authority on critical development considerations?

In closing... more time is required to assess the impacts on local residents rather than being brushed off as unimportant: traffic, noise and air quality, community services, visual impact, social impact, infrastructure, environmental impact, public consultation.

My family moved here because Port Perry has unique mix of a rural-feeling and the culture and character that might exist in a larger city but without the messy traffic and high density landscape. The Avenu document states the development will allow Port Perry to get itself into the high-density growth game with mixed mass housing and not single family homes. This is exactly the opposite of why my family moved here. We chose Castle Harbour Drive because it feels like we live in the country but we have access to a quaint town that still has a small-town feel. I don't want to live in Pickering, Ajax, Whitby and Oshawa- too busy and too dense. My husband and I worked very hard for decades to be able to afford an almost 2 acre lot in a lovely single-family home area. We value our land and the space it provides my children to play in.

If this MZO is approved by Council and if Council allows the wetland to be lost to an absurd high density housing plan on the water, I will not vote for anyone currently in office. I want someone in office who will protect the wetland and lake as well as the small town feel of Port Perry. At the very least, the residents deserve diligence from those in office who claim to serve the interests of residents.

Take time, complete proper due diligence and don't be swayed by the Developer. Their document does not have the answers, in fact it only raises more questions. Let's make sure that we have the proper answers and that we put in place a process that provides sufficient Township control to ensure that Port Perry tax-payers get what they really need.

Thanks,

Lori Walker



Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 6:59 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Louis Bertrand

Louis Bertrand


Hello, I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community. I join the call for Scugog Council to lead the opposition to a MZO for this development, and to ultimately reject this misguided project. I previously sent an email to councillors Le Roy and Wright asking about the issue, but it seems from comments seen online that councillors are not eager to discuss the issue. My personal observation, even as a lay person, is that Lake Scugog being small and quite shallow, would be greatly disturbed by excessive runoff from more pavement. However, since provincial environmental regulations have been hacked to bits, we won't be able to know the impact ahead of time. These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Louis Bertrand

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 4:13 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Maggie Rowland

Maggie Rowland


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.
Maggie Rowland

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 26, 2024 11:04 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Mardy Hollingsworth

Mardy Hollingsworth


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Mardy Hollingsworth

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Margaret Greer - FW: Proposed development on the south side of Harbour Castle Drive
Date: September 4, 2024 10:15:53 AM

From: Margaret Geer [REDACTED]
Sent: Monday, June 24, 2024 12:01 AM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Proposed development on the south side of Harbour Castle Drive

You don't often get email from [REDACTED]. [Learn why this is important](#)

I understand the Town Council is being asked to support the application of an MZO for the proposed development on Castle Harbour Drive at the Council meeting Monday evening. The developer is Avenu Properties.

I would like to note that I have serious reservations about this massive, pilot project in our beautiful little town. As you are aware this is an environmentally sensitive area bordering on waterfront that teems with wildlife. I wonder what protections and confidences will be put into place so that the best interests of our Scugog community will be served. Once the Province completes approvals action will happen quickly making it difficult to stop when we have issues and concerns. I feel this is a high risk decision that could have dire consequences.

I'm also concerned about the impact of such a large scale development on our hospitals, schools, transportation network and community resources. I along with many others love the uniqueness of our small town. We embrace the rural feeling, the culture and character that exists today.

I feel that more time is needed for a public consultation process before such a high risk, culture changing decision as MZO is made.

Thank you,
Margaret Geer

●

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 26, 2024 8:52 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Marguerite Holland

Marguerite Holland


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Marguerite Holland

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 5:42 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Martin Smith

Martin Smith


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Martin Smith

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 6:52 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of MARY-ANNE MATTHEWS

MARY-ANNE MATTHEWS


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.

MARY-ANNE MATTHEWS

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Mel Steinke - FW: Letter for consideration
Date: September 4, 2024 10:16:55 AM

From: Mel Steinke [REDACTED]
Sent: Tuesday, July 30, 2024 6:37 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: Letter for consideration

You don't often get email from [REDACTED]. [Learn why this is important](#)

I would appreciate it if you could give consideration to the following letter.
Thanks
Mel Steinke.

To: The Township of Scugog Mayor and Council

Date: July 29, 2024

Subject: Scugog Council Should Apply Proper Planning Process, Due Diligence, and Provide Required Disclosure Through Public Consultation Prior to Considering Approval of MZO for Development of Castle Harbour Lands

Background:

1. Developer Avenu's Proposal:

- Avenu has proposed to the Scugog Council to obtain a Minister's Zoning Order (MZO) to fast-track the development of 600 units, including detached homes, townhouses, and 5-6 story apartments, on Castle Harbour property.

2. Environmental Concerns:

- The proposed development is on Provincially Significant wetlands, which risks the Lake Scugog shoreline and marshlands. This poses an irreversible risk of destruction of marshlands, degradation of lake health and loss of diversity.

3. Implications of an MZO:

- An MZO transfers full authority to the Province for all zoning, and severely limits Township authority over critical assessments and studies, thus bypassing the normal planning process.

4. Provincial Motivations:

- The Province is motivated to build thousands of new low-income homes for immigrants and uses MZOs to expedite this. However, this emphasis may not align with the specific interests of Port Perry residents. Larger communities are resorting to using hotel rooms to house the immigrants. Is this Port Perry's solution to this problem?

5. Lack of Adequate Consultation:

- The Developer touts having held numerous open houses and information meetings with interested groups. These meetings were one-sided presentations of their vision and did not provide any real value as public consultation. Feedback from several critical groups has raised serious questions about the approval of the MZO, many of which remain unanswered. Despite a referral in June, no Public Consultation meetings have been held to properly assess the situation.

6. Council's Actions:

- On June 24th, the Council considered the proposal to authorize the MZO, without first requesting assessment or any input from the Town Planning team. Despite strong endorsement by the Mayor and a few council members, wiser heads prevailed and it was referred to the September meeting to allow Planning Staff to review. However, there are no known plans to hold Public Consultation meetings before the Council makes its decision.

7. Call for Proper Public Consultation:

- There is a pressing need for proper public consultation before approving the MZO to prevent railroading by the Mayor and council. The potential for imminent and irreparable damage to the Port Perry ecosystem and infrastructure necessitates due diligence being done now.

Risks vs. Rewards of the Development:

1. Stated Benefits:

- Access to apparent low-income rental units for transient immigrant workers in the community.
- Potential facilities for housing seniors and temporary medical students, though no commitments have been made, appearing as token inclusions.
- Increased property tax revenue for the township and region

2. Overstated Benefits:

The primary benefit seems to be rental income for a Property Management company, with public opinion indicating considerably more risk than reward from this development.

Concerns About the Developer:

1. Track Record:

- Avenu is a new company with no proven track record, having never done this type of project before hence raising concerns about their ability to handle such a critical initiative.

2. Transparency and Financial Depth:

- There is a lack of transparency regarding the developer, with undisclosed financing origins and speculation about offshore funding. Avenu may lack the financial depth, necessitating capital raises in tranches at each stage, posing risks to project completion.
- Adequacy of Developer Bond raises the question of the potential for a material risk to tax payers

3. High-Risk Methods:

- Avenu proposes new methods and processes rarely deployed before, making this a high-risk decision that warrants further due diligence.

Location Concerns:

1. Environmental Sensitivity:

- The property is a Provincially Significant and environmentally sensitive wetland. Road access is inadequate and would require wetland development. Plans require significant fill and dredging, all threatening the shallow lake's ecological balance.

2. Alternative Locations:

- A more suitable location should be found that does not compromise such a valuable environmental resource.

Infrastructure Support:

1. Public Support Infrastructure:

- The development will introduce 600 homes, 2,000 new residents, and over 1,000 new automobiles. The budget to support this growth must come from somewhere, but not from the Developer or

Province, and not sufficiently from the new tax-base of these transient and low-income rental dwellings.

2. Taxpayer Burden:

- The township's taxpayers will bear the costs to build necessary infrastructure for schooling, medical access, transportation, police, ambulance, fire, hospital, water supply and quality, garbage collection, snow removal and other services. How much can taxes be raised to support this?

MZO Process Concerns:

1. Public Interest and Risks:

- The project should not proceed until the public's best interests have been heard and the many risks addressed. The MZO fast-tracks the development, risking shortchanging necessary studies and assessments and creates a virtually unstoppable momentum.

2. Control and Oversight:

- The MZO gives complete control to the Province, reducing local authorities' oversight. Any belief in controlling the process later is unrealistic. Once started, the planning processes will be bypassed, tying the hands of the Town Planning department.

Conclusion:

Why is the Council prepared to expose the township to these risks without proper due diligence and public consultation? Respect for residents and taxpayers should prevail as these are the people that Council has been elected to serve. Let's take the time to evaluate properly and avoid abdicating planning control to meet the developer's demands. Let common sense prevail and let's do this right!

Thanks for your consideration.

Mel Steinke, a concerned resident



Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 4:38 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Melissa Sturges

Melissa Sturges


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Melissa Sturges

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 25, 2024 9:06 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Melody DeGroot

Melody DeGroot


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Melody DeGroot

Submission to Council
September 2, 2024

Let's go back to 2021. When asked about an MZO application for long term care homes in Port Perry the previous Mayor Bobbie Drew was quoted on April 29, 2021:

"MZO's are given a bad name because a number of them are infringing on hazard lands or eventually provincially-sensitive wetlands."

She accurately predicted the application before us.

Fast-Forward to the end of her 30 years in Politics on March 25, 2022 she states:

"The lake is so important to our community and this environmental project includes dredging the Port Perry Bay to improve the health of Lake Scugog. A healthy lake means a healthy community"

She continued, "I attribute my success to the many partnerships and relationships that we have cultivated in recent years." Mayor Drew said giving special mention to developing a close respectful relationship" between the township and the Missisaugas of Scugog Island First Nation.

As part of the partnership the MSIFN contributed 1.5 Million dollars to the Lake Scugog Enhancement Projects. This includes The Environmental Assessment completed in 2023.

Mayor Drew concluded "The wonderful thing about our small community is that the leaders of the community get involved for the right reasons- because they are committed to enhancing life for everyone in the township of Scugog".

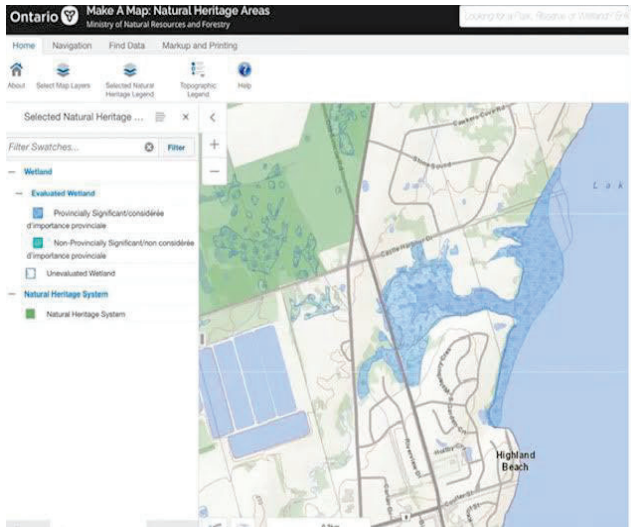
Worth noting that community leaders from the Lake Stewards and MSIFN are against this MZO. Port Perry's opposition petition has reached over 4200 written and electronic signatures.

The MZO Process

In December 2023 after a presentation to Council, they voted unanimously for Avenu to consult with the Minister and the community and report back. This is not an approval.

The Government Minister/Staff should have told Avenu:

- 2.2.4 of the 2020 Provincial Policy Statement says that this property has Significant Provincial Wetlands within a zone not suitable for site alteration:



The Provincial Policy is pretty clear on development and rezoning on significant wetlands:

23 | Provincial Policy Statement, 2020

2.0 Wise Use and Management of Resources

Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

Accordingly:

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E¹, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.

2.1.4 Development and site alteration shall not be permitted in:

- significant wetlands in Ecoregions 5E, 6E and 7E¹; and
- significant coastal wetlands.

2.1.5 Development and site alteration shall not be permitted in:

- significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
- significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- significant wildlife habitat;
- significant areas of natural and scientific interest; and
- coastal wetlands in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

- The Province should have determined that population objectives for 2021-2026 had been met and sewer new capacity was already allocated and Avenu should get in line like the other developers going through municipal process
- The Province should have determined that the site they've chosen doesn't have sewers, gas, hydro or even potable water and therefore doesn't meet basic infrastructure requirements on the Provincial Policy Statement Framework
- They should have told them that there are over 1000 homes in the Port Perry urban pipeline and this proposal doesn't require an MZO for the largest development in Port Perry history

- They should have said we just paid \$6.9 Million dollars on wetland restoration in Durham in 2023 and millions more in Port Perry Bay. Intensifying on wetlands wouldn't be logical or provide the same level of stewardship provided in other parts of Durham Region
- They should have said you can't split the site for the MZO only to put it back together for the site plan.
- They should have asked- if the adjacent land (closest to Simcoe) is not subject to the MZO why isn't there a big white planning board and required consultation on that side? What better way to consult people than a big white board that they were required to put up anyway. MZO to speed up one side... but -not such a hurry- on the other side.

If the Minister did not tell them any of that, why would you trust the Minister to make the appropriate decisions for our community through an MZO?

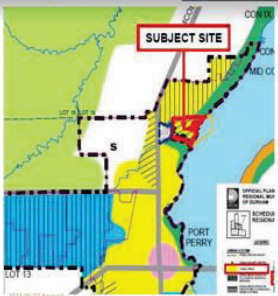
The Community Meetings

Like the majority of residents I've spoken to, I didn't know about this application or proposal prior to June 24th. Avenu was kind enough to share their community presentation with us. I reviewed the slides and noticed the name Paul Sharman. I cross referenced the name and found a four-term sitting City Councillor in Burlington. I cross referenced political donations and found a 2018 contribution from David Medhurst. The donation was not significant and I'm not suggesting anything nefarious but it's not a good look. The Councillor did not hide his profession according to those in attendance but I was frustrated that a sitting councillor was involved in an MZO application on the other side of the GTA. My comparison is asking Wayne Gretzky, to play on your men's league hockey team. A career politician is very good with people. I thought this was unfair and that this community group needed their own all-star off the bench. I got involved after seeing this slide presentation in July.

The next slides I noticed were the ones encroaching all over Provincially Significant Wetlands, Beaver Creek/Cawker's Creek, Hazard Lands and even Lake Scugog. Bridges, Beaches, a dock, a pier and a proposed road. Avenu / Council can't tell the community this is not on the wetlands or hazard lands when their own slides/brief say

Regional Planning | Open with Google Docs | AVENU

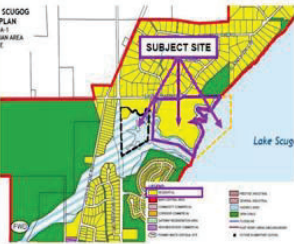
Durham Official Plan



- Subject Site located within Port Perry Urban Area
- Designated as "Living Areas"
- Encourages intensification
- Promotes communities with the widest variety of housing types
- Permits development on private wastewater treatment systems

2024-05-07 Revised

Township Planning Context



Scugog Official Plan

- Within Port Perry Urban Area boundary
- Promotes intensification
- Allows range of housing types, including high density
- Density of up to 50 units per hectare, up to 5 storeys in height

2024-05-07 Revised

otherwise.

Preliminary Concept Plan



2024-05-07 Revised

Site Area (Approx)	
Original	25 ha (62 ac)
Additional	10 ha (25 ac)
Total	35 ha (87 ac)

Units (Approx)	
Singles/Towns	32 units
Apartments	568 units
Total	600 units

Commercial	~1,200 m ²
Parking	660 spaces max

The waste water treatment slides

Those who know me, say that I'm a black and white guy. The developer proposed a closed loop waste water system, made locally, on the slides. Show me best practices and I thought they did that here with Dockside Greens and Battery Park City. It didn't seem like either concept led to

widespread adoption, so I looked closer. The staffed treatment plant sits below grade in Dockside and seems to work ok. Graywater is used to water the grass and plants and flows through town above grade. There is a slight smell in the air there, but otherwise seemed viable. It's much colder here in Port Perry with more power loss situations, but it could work. Dockside Green in B.C. was given approval in 2002 and still is not finished in 2024. Not even close. The waste system is still not at max capacity. However I continued to read, It has emergency back-up valve to city sewers--. That isn't an option here. Battery Park City also had several emergency bypass valves to municipal infrastructure! These were not viable options in Port Perry. How could we trust them with an MZO and the largest project in town history if they got this so wrong.

The sound of silence was deafening while we waited for a comparison that finally came. A Councillor suggested the waste water system would more modern, but similar to Wyndance community and I could start looking into that. A communal septic system for 125 estate homes? How is that a viable comparison to 600 residential units of mixed use with retail and density? Anyone on septic knows it's difficult to get 4 guests not to put something inappropriate down the toilet. How could we expect hundreds of renters and shoppers for that consideration? Those lucky enough to golf Wyndance also indicate that the system is pumped out regularly. "Every other day" was the quote I heard. This was not a viable comparison.

Sustainable Water treatment & Water Reuse

Canadian technology, manufactured in Oakville, ON

ZENON Environmental Acquired by Veolia

WSP natural systems utilities

2020-05-07 Revised

Dockside Green, Victoria, BC, wastewater treatment (since 2007)

At Dockside Green (1.3 Million Sq. Ft. residential and retail), a wastewater collection, treatment and disposal system has been constructed to minimize the environmental impacts of effluent discharge to the environment. It creates a closed loop cycle where the treatment of wastewater on-site reduces operating costs and provides reclaimed water for toilet flushing, landscape irrigation and a water feature.

The reclaimed effluent will meet the Municipal Sewerage Regulation (MSR) criteria for unrestricted public access.

The wastewater treatment system treats all domestic sewage flows generated on site. Two 500k parallel customized process trains each rated for 190 m³/day that can operate at 100% if one unit in maintenance.

An equalization tank will provide flow equalization and attenuation of diurnal fluctuations and hydraulic surges to the plant. A high-pressure pumping system will supply reclaimed water for toilet flushing, rooftops and balcony planter irrigation in all buildings. Sodium hypochlorite is added to this water to maintain a residual disinfectant.

A low-pressure pumping system distributes reclaimed water to the central waterway to augment rainwater flows and to nourish the flora and fauna in the greenway through a drip-irrigation system. This water is not chlorinated, but it is pre-disinfected with ultra-violet light.

2020-05-07 Revised

Battery Park (The "Solaire"), Manhattan, USA (Since 2003. 1st permit issued in USA; NSU Project)

Currently wastewater and rainwater recycling systems within six Battery Park City Buildings consistently achieved greater than 50% water consumption reduction and a greater than 60% reduction in wastewater discharge (compared to similar residential buildings in NYC).

The systems include treatment with submerged membrane technology to remove nitrogen biologically followed by ultraviolet light disinfection, to comply with New York City Department of Buildings' direct water reuse standards.

The first project in NYC to incorporate wastewater reuse was the Solaire Building, which began operation in 2003 and treated reuse water for flushing toilets in the 293-unit apartment building, cooling tower make-up, and green roof irrigation. The Solaire Project was the first urban, residential treated wastewater reuse application permitted in the USA.

The wastewater system also supplies reclaimed water to an adjacent apartment building for use, with further treatment, for subsurface irrigation in adjacent Teardrop Park.

2024-05-07 Revised

The disappearing road

This road is important because it shows what a lack of communication and consultation looks like. It is my understanding that the road proposed by Avenu properties through the hazard lands is not happening any longer. Hazard lands are described on Durham's website as:

"Natural Hazards are lands exhibiting unstable or organic soils, poor drainage, steep slopes, flood, erosion or landslide susceptibility or any other conditions that would create risk to life and property or damage to the environment..."

The Region has apparently approved all traffic going down Castle Harbour. I assume the potable water will also be required to go down Castle Harbour. I assume the sewer (2050?) will also be

going down Castle Harbour. People will be reading this and will justifiably be confused. The road was designed to alleviate traffic and congestion from Castle Harbour. It was proposed to the community in the slides. If that's changed, you should be taking that back to the community for consultation. The lack of community engagement is distressing.

June 24, 2024

For context, it's important to understand that a town Councillor is not a full-time career. It pays just slightly higher than minimum wage based on a 40-hour work week. That is not an excuse, nor does it relieve them of their obligation to us or the developer, but context is important. Six of the seven members of council are acclaimed. I credit this to the previous Mayor and Council. There was very little controversy. They gave us tools like The Lake Action Plan, Lake Revitalization Plan, Environmental Assessments were being conducted. I want to once again mention Kawartha Conservation and town staff have failed to provide us this document. This information is public knowledge in Ajax. MSIFN paid for this study. Partnerships with MSIFN and the Lake Stewards were strong in the previous Council. Surely this new acclaimed Council would have a collective mandate of- Do Not Harm.

Just days before this motion came to town councillors, they received the 450+ page brief from Avenu. I believe that Council and the Mayor are learning about this application as we are. There were several written submissions and seven brave deputations. Spicy interactions between the public and Council and perhaps misinformation coming from both sides. At the end of the evening four members of Council supported a referral to staff, while two members had all the information they needed to make a decision. To those four members who voted for the referral, thank you. This movement would not have been possible without you. It was referred to September 16, 2024 at 6:30pm.

How to Grow

A retired Planner from Toronto has discussed the application and inconsistencies with the Provincial/Regional/Township plan in his submission on July 29th and I wouldn't pretend to know more about that than him. We all know that growing a town by sewer, rather than septic, is a smart move. We know that sewer capacity has doubled recently and that new capacity is being taken up by new allocated developments in the pipeline. These developments went through the normal process, for the most part. If we are above our 2026 population objective and we are nearing sewer limitations again, why are we rushing the largest development in Port Perry history via MZO? Where is the vision for growth, density and infrastructure? Are we going to build the town one MZO/site plan at a time?

The developer may remind you that the Township planning allows hundreds more units of housing in the urban boundary on this site, but that plan also says growth by sewer is preferred. We can not pretend to be land use planners on the spot, advocating for uses of density and

affordability when given the opportunity to add density(through rezoning) on the south side of the urban boundary, Council allowed Embee Estates to build 11 homes that are 2720 sq ft to 2900 sq ft. This site actual had infrastructure as well.

The Underground Parking Garage

Sometime in August our team discovered the underground parking rectangle on the site overview. People from community presentations don't recall that being mentioned. Im assuming it's the 660 parking spaces referred to in the slides above. The water table/Lake Scugog/ Provincially Significant wetlands also appear very close to this location. Im told the soil quality is poor by experts. This area is a watershed for Lake Scugog. You don't have to be an engineer, to understand the cost of this would be very high. Is this even viable? Ontario Place abandoned a similar plan at Thermea Spa. If it's not viable, will the spots on the surface cause run off into the communal septic system/Lake Scugog? Will the town, region or residents be footed with the bill? Important questions that you only get certainty with by turning the MZO application down.

Pages 167, 168, 169 of Avenu's 450+ page brief

We have been advised that pages 167, 168, 169 of this 450+ page brief are what matters. This is the MZO Draft Order for you to consider. This is the Council-supported document. I'm not an expert but:

- I see density on there. Five storeys and a mechanical penthouse
- I see parking on there.
- I see a private septic system on there.
- I don't see lots size provisions, frontages, setbacks etc
- I don't see rental or subsidized housing on there
- I don't see environmentally protected land or parkland provisions on there

What I do see is an MZO Draft Order that asks for a stand alone Zoning that does not reflect the Township or Durham Region Official plans or Township Zoning bylaw 14-14.

Affordability gets its own section. Vaughan Council passed a large housing MZO that promised to build affordable housing. When they didn't build it, the Minister said affordability is **"outside the scope"** of the Ministry. His statement continued:

"The traditional authority of a Minister Zoning Order does not address inclusionary zoning or affordable housing."

Surely the Provincial Policy statement would protect the town during the MZO process? That is not the case either:

Bill 257 -Supporting Broadband and Infrastructure Expansion Act has recently amended the planning act to make explicit **that MZOs are not required and are deemed to never have been required to be consistent with the Ontario Provincial Policy Statement. Therefore, arguments of incompatibility between MZOs and the PPS bear no weight and Bill 257 allows for greater discretion by the Minister.**

Environmental Impact

“Homes are indeed important, but let’s not solve one crisis and create another”
Lisa Burnside CAO Hamilton Conservation Authority

We established that we are over the 2026 population objective on Durham’s Official Plan updated last year. We established that there are over 1000 homes in the Port Perry Urban housing pipeline. We established that there is virtually no infrastructure currently on this site. There is no need to rush an MZO. Now it’s time to look at the impact to the environment.

Staff at Kawartha Conservation Authority are experts on the lake, wetlands, watershed, habitat and erosion. An MZO doesn’t allow them to comment. Wouldn’t you want their commentary on this application? Simply saying no, allows them an opportunity to provide input on the largest development in Port Perry history. Their maps, studies, analysis on the KCA website are warning you. That environmental assessment of Lake Scugog that no one will show me is also probably telling you. I compare this to good advice from people who are no longer with us. They can’t speak to us anymore, but it doesn’t make their advice any less significant.

The next best opinion from an environmental perspective is that of the Lake Stewards. A group of volunteers who also have experts and biologists at their disposal. They are telling you not to approve this MZO.

Wetlands are a habitat. They are the filter for Lake Scugog and they have prevented our basements from flooding in low lying areas. They are what protects us during intense storms. They are part of our past, present and we simply need to integrate them as they are, into our future. This is one of ten significant wetlands on Lake Scugog and precedent set here likely pushes our urban boundary north with just as much density and setback distance on the watershed. When you remove wetlands or create gaps in them, you allow predators an opportunity to move in. Species migrate elsewhere. Birds often fly into new structures of density.

Beaver Creek/Cawkers Creek on the south side has a history that goes back 150 years. Beavers slow the water, provide refuge and protection for animals and a reliable source of food for

those animals. Without them, water would come rushing into Lake Scugog. This is not a zoo, therefore beavers need adequate space between them and the surrounding community.

Over the years people have photographed deer, beaver and fowl on the site. Columnist and nature consultant Geoff Carpentier even did a study on this site in 2015. He identified 21 bird species, evidence traces of beaver and coyote were also observed according to his survey.

Disbursement of other animals is a concern. Coyotes are not well liked, but removing their home means having them move to other locations and food sources. I'm not a biologist, but disturbing the ecosystem is not a good plan.

Stressed Services-An Ontario Story

As we build homes, our existing services get stretched. Here is why we are different though:

- A co-worker of mine is an occasional nurse at Port Perry hospital and stated the wait can be as much as six hours. Wait times in August hit close to four hours at Port Perry's hospital. That's after registration. Bowmanville lacks an Obstetrics unit and that is drawing people to Oshawa or Port Perry because of it. The partial closure in Minden has made matters worse. We need a smart growth plan.
- Those who live here, rarely see Durham Regional Police in town. More residents mean longer response times and redirecting services away from higher priority needs locations like Oshawa. Substantial growth also requires capital/operational investments in a Police station and staff. We need a smart growth plan.
- Our Part Time Fire Department is a key factor here. Volunteer response times are 4-6 minutes slower than full time departments. No other municipality south of Port Perry has a volunteer system anymore. Full time staff train daily and are better prepared for calls as they are already in the station. Stressing and stretching volunteers is not good for the community. Intensifying on the outskirts of urban boundaries increases response times. More mutual aid from other communities will be required as we increase in size/density. We will require capital and staff operating expenses if we continue to grow exponentially. We need a smart growth plan.
- Schools are overcrowded. We have converted half of the school library into a new classroom this year at a local school according to an Educational Assistant. Do we really want to be busing kids out of Port Perry to different communities each day? We need a smart growth plan.

In Conclusion

It was suggested by someone I respect, that we meet with David Medhurst of Avenu Properties. I actually mentioned it a few weeks earlier to the community group and we decided not to. Pages 167, 168, 169 of the Avenu brief are all that matters. Any environmental benefits come with adequate consultation with Kawartha Conservation Authority and the Lake Stewards. Any community benefits are negotiated through section 37 benefits in the normal planning process. They have not provided another community meeting to clarify anything.

I don't live in this neighbourhood. I don't live in an estate home. I have no special political interest here, but I am concerned resident of beautiful Port Perry.

This is not an attack on David Medhurst or Avenu Properties. I have never met him, seen him or even spoke to him. He is proposing something different here and different is ok. He's interested in Port Perry and that's ok too. With proper planning processes, infrastructure and due diligence, there is a world in which I support proposals like this one outside of the MZO application process.

As David is doing his job though, I am asking you too to do your job. The previous Council gave you the foundations tools. Our community group gave you tools. The Lake Stewards, MSIFN, former planners and biologists gave you enviromental studies and scientific information tools. The former planner has given you detailed urban planning insights. Too Much Too Soon or just not needed by Shawn Lackie in The Standard Newspaper should be a clear indication to you that things are not going well. When a journalist is inviting people to your meeting, it is not business as usual.

I am asking you to unanimously turn this MZO application down and be on the right side of Port Perry history.

Thank You.

Michael Coll

Vanessa Reusser

From: Mike Coll [REDACTED]
Sent: September 3, 2024 5:17 PM
To: Wilma Wotten; David LeRoy; Robert Rock; Janna Guido; Terry Coyne; Ian McDougall; Scugog Clerks; Harold Wright
Cc: Scugog Fire Department
Subject: Press Release- Save Port Perry Wetlands

Press Release

For Immediate Release

Date: September 3, 2024

Contact: Michael Coll, Spokesperson

Phone: [REDACTED]

Email: [REDACTED]

SavePortPerryWetlands Group Urges Council/Clerk to Move September 16th Meeting to Larger Venue

Port Perry, ON – On September 16th, the Port Perry Council is scheduled to make a critical decision that could impact the future of our community and its natural heritage. The Council will convene to determine whether to support the application of a Minister's Zoning Order (MZO) that would grant the Province of Ontario jurisdiction over a proposed mega 600-unit housing development on the Port Perry Wetlands.

The SavePortPerryWetlands Group, representing over 4,225 concerned citizens who have signed a petition against this development, is calling on Mayor and Council to move the meeting from the current Town Hall venue, which accommodates only 100 people, to a larger venue that can properly represent the overwhelming public interest in this issue.

"The decision made on September 16th will have far-reaching consequences for our environment, our community, and future generations," said Michael Coll, spokesperson for SavePortPerryWetlands. "It's crucial that everyone who has a stake in this decision has the opportunity to be heard and represented. The current venue is simply inadequate to meet this need."

The proposed development poses a significant threat to the Port Perry Wetlands, an area of environmental importance that provides essential habitat for wildlife and helps maintain the health of Lake Scugog. The MZO application circumvents the usual planning process, raising concerns about transparency and public participation.

"We urge Mayor and Council to demonstrate their commitment to democracy by moving the meeting to a venue that can accommodate the community's voice. This is not just about one meeting; it's about ensuring that the voices of 4,225 citizens are not silenced." Michael Coll.

SavePortPerryWetlands is calling on all residents, environmental advocates, and concerned citizens to join us in this critical moment to protect our wetlands and uphold the integrity of our town's decision-making process.

<https://www.saveportperrywetlands.ca/> for videos, petition and gofundme totals.

recent media

<https://www.thestandardnewspaper.ca/post/letter-no-mzo-for-the-shoreline-of-lake-scugog>

<https://www.thestandardnewspaper.ca/post/too-much-too-soon-or-just-not-needed>

<https://www.durhamradionews.com/archives/187635>

<https://durham.insauga.com/many-concerns-held-about-port-perry-lakeshore-development-mississaugas-of-scugog-island-environmentalists/>

<https://www.thestandardnewspaper.ca/post/scugog-council-to-discuss-mzo-request-for-controversial-port-perry-development-in-september>

<https://durhampost.ca/avenu-properties-proposed-port-perry-project-under-review>

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: September 3, 2024 6:51 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Michael Ochman

Michael Ochman


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Michael Ochman

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 10:49 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Michelle Trembley

Michelle Trembley


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Michelle Trembley

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Mike Macchione - FW: Castle Harbor Development (Scugog)
Date: September 4, 2024 10:18:28 AM

From: Mike M [REDACTED]
Sent: Tuesday, June 18, 2024 8:37 PM
To: [REDACTED]; Wilma Wotten <wwotten@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>; David LeRoy <dleroy@scugog.ca>; Janna Guido <jguido@scugog.ca>; Robert Rock <rrock@scugog.ca>; Harold Wright <hwright@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>
Subject: Castle Harbor Development (Scugog)

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Good evening,

I am writing to express my extreme displeasure with the proposed development for the Castle Harbor area in Port Perry. I'm certain many others will have lengthy and detailed missives explaining all of the details. I aim to just add my voice to theirs.

I want to make it known that I do not live in that neighbourhood, but am a resident of Port Perry. I fully understand the need for development in general and for an increase in the building of homes. This current proposal is far too many homes, built upon an environmentally fragile area, and with no real clear plan to address any concerns or issues from the land owner/developer.

The latest town hall meeting left more questions than answers. There were a ton of vague responses of things that *may* be looked into or *should* be dealt with. The most concerning aspect from citizens here is the rumoured use of an MZO to push this plan forward without any care for the environment or the desires of the majority of residents in this area. There is currently not the infrastructure in this town to support a development like this on the waterfront. The current plan includes filling in the lake (deplorable), thus placing more of a burden on the ecosystem than already exists.

I'm sure the term "affordable" will be bandied about, with no guarantee that any units here would actually be attainable for the people that live or want to live here. This seems like a "get rich as quick as possible" scheme from those buying up land, forcing approvals, and then leaving the area with as much citizen money as possible, not having to live with the traffic, environmental degradation, etc...

Real people live here and would hope those that represent them in all forms of government would be working toward improving the quality of life of their constituents (or at the very least, keeping the status quo instead of degrading it). I URGE you to please stand up for the people of this town and not just those richer or powerful groups who would benefit the most from this proposed project.

Thank you,

Mike Macchione

[REDACTED]
[REDACTED]

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 11:28 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Nadine Manson

Nadine Manson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Nadine Manson

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 7:17 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Nancy Fisher

Nancy Fisher


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Nancy Fisher

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Nancy Page - FW: Nancy Page - thank you, you're doing great, and I hear you
Date: September 4, 2024 10:19:00 AM

From: Nancy Page [REDACTED]
Sent: Tuesday, June 25, 2024 10:51 AM
To: Wilma Wotten <wwotten@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>
Subject: Nancy Page - thank you, you're doing great, and I hear you

Thank you for the opportunity to speak

I am here to voice my opposition to Avenu's request for an MZO

It is my understanding that:

-This Municipal Council is the most important and powerful **protector** of our community and it is this Council, not developers, that determines the developments and the **speed** of developments in our community

-An MZO accelerates the development process from 2-3 years to 3 months in order to support provincial housing and developer goals. These may not align with the goals of this Council.

-It bypasses the Ontario Land Tribunal. It cannot be reviewed or appealed. It is final

-It includes environmental assessments but to a lesser extent than normal

-This mean that by using an MZO, this Council loses control over critical components of this development

-The Mississaugas of Scugog Island, the Lake Stewards and local residents are opposed to an MZO

-Kawartha Conservation has not been provided with the plans for review and comment. I understand that this is a recently removed **requirement** but their input is critical

-Referencing page 126 of AVENU's presentation - their reasons for needing an MZO include - investments are needed, MZO needed so financing can be secured, timing is critical to unlock funding initiatives, MZO needed for financial viability, and without an MZO and subsequent financing they cannot advance any further...

What does this mean?

What timelines?

What initiatives?

What happens if they get this MZO then encounter another hiccup from somewhere else? - What happens then?

Is AVENU telling us they don't have the money to build this?

Who is advancing the money?

Who is in control?

Are they going to flip this and never come through?

And since they don't have the money to build this why are they asking this Council to help THEM out by accelerating things? Where is the transparency, accountability and credibility here

And to Council - why would you even consider hurrying things up to help these guys out if they don't have the money to do this? Whoever ends up doing this - it is NOT going to them

Referencing Pages 43, 180/6 AVENU and section 8 of the Ontario Building Code - sewage system design flows

When I use **their** plans of 26 detached, 36 townhouses and 520 apartment type units at **their** number of 2.2 people per unit and I crunch those numbers through the Ontario Building Code requirements the total daily wastewater that will require treatment is 414 000 L per day (413 800)

On **their** plans - they plan for only 280 000 L per day. That's only 68% design capacity and a full 32% unaccounted for as per Ontario Building Code Requirements (280 408)

These are the numbers - or am I missing here?

These are just some red flags I quickly found on a Sunday afternoon scanning a report that is high in vision and low on details. Imagine what a full review might find. Given all of this, it follows that it is better that this development NOT proceed via an MZO so that this Council can continue to ensure a proper review of all aspects of the development

In addition to my previous questions, and based on the points I just raised, I want to ask this Council 5 questions

1. Is my general understanding correct?
2. Has the planning department issued a planning report, do they support this development, do they support an MZO and if so, why?
3. In regards to environmental assessments, have they been reviewed, approved and signed off by the Ministry of the Environment? If yes, will soil testing be monitored by the MoE? Why was Kawartha Conservation not given the opportunity to review and comment on this development? Given that this is such an environmentally sensitive area I believe we can NOT take any short-cuts on this
4. Do you support this development and if so, why?
5. Do you support an MZO for this development and if so, why?

I respectfully ask that this council votes against AVENU's MZO request, thereby granting us time to move forward prudently. AVENU's motives for an accelerated process are clear and things don't add up. But **we must not be rushed**. Tonight's decisions could make things final. The environmental impact and loss to our community is forever. We must take every step to **protect**. I ask that you deny AVENU's MZO request so that you can continue to act with patience, prudence, collaboration, control and time

If time allows, and if appropriate, I would like to know your feedback to my questions

If not, I thank you for your time and consideration and continued advocacy for your constituents, your fellow residents, and our shared, environmentally sensitive lands

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 10:26 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Natalie Zarins

Natalie Zarins


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Natalie Zarins

Vanessa Reusser

From: Dr. Neil H. McAlister [REDACTED]
Sent: May 16, 2024 8:09 PM
To: [REDACTED] minister.mah@ontario.ca; Terry Coyne; minister.AMOH@ontario.ca; Janna Guido; Valerie Hendry; chair@durham.ca; Kevin Heritage; jamil.javani@parl.gc.ca; info@scugogfirstnation.ca; David LeRoy; Todd.McCarthy; Ian McDougall; Michael.Ramnanan@ontario.ca; Robert Rock; Wilma Wotten; Harold Wright
Subject: Re: Proposed Development Castle Harbour - Avenu Properties

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dr. Neil H. McAlister

Ms. Perna and Mr. Kee eloquently explain the many reasons why residents of the existing neighbourhood are implacably opposed to the proposed overdevelopment on environmentally sensitive land in the Castle Harbour area by Avenu Properties.

The developer's proposal shows contempt for our existing neighbourhood; and utter disregard of the added stress that massive population growth would place on Port Perry's already overstretched municipal services.

The proposal is also contemptuous of the fragile natural environment nearby.

I join in recording my absolute opposition to this project. I join the voices asking our elected representatives not to support any Ministerial order that would ignore many valid concerns to fast track a very bad idea that should be quashed.

Yours truly,
Neil H. McAlister, MD PhD

----- Original Message -----

On 2024-05-16 18:43, Kathy Perna wrote:

To:

Mayor Wilma Wotten
John Henry - Regional Chair
Members of Town Council
Kevin Heritage - Director of Development Services
Valerie Hendry - Manager of Planning
Minister Todd McCarthy MPP
Jamil Javani MP
Hon. Paul Calandra - Minister of Housing Affairs
Hon. Robert Flake - Associate Minister
Michael Ramnanan - Director of Communications

We, Kathy Perna and Gilbert Kee, would like to formally submit our absolute opposition to the proposed development of 600-800 residential units in the Castle Harbour area of Port Perry by Avenu Properties (formerly Lalu Peninsula). We formally ask that you DO NOT proceed with the process of granting Avenu Properties a Minister Zoning Order.

Although we understand the need for housing in Ontario, we do not feel that this particular location or the town of Port Perry has the necessary infrastructure to support a 15% to 20% increase in population. We also strongly oppose building a development of this size on the wetlands and shores of Lake Scugog.

The following points outline our concerns:

- Avenu Properties stated at the last meeting (May 7th) that they have NO previous experience building anything!!! Let alone a subdivision of this size?? We know that Avenu Properties 'acquired' Lalu Peninsula, who they admit had a bad reputation. We are curious to know, has any due diligence been done regarding the ownership, financial stability, and history of this company?
- The proposed development of 600-800 units will add approximately 2000 new residents to a very small area, an area that is partially located on environmentally protected land
 - drilling, excavation, installing septic and geothermal units, how will this affect the water table and water quality in this neighbourhood
- Avenu Properties is proposing, 32 single family/townhouse units and 568 apartment/condo units. They claim the units will be 'affordable' (30% below market) how can they assure this? With the cost of construction, roads and electric services, tons and tons of landfill, adding a new road, bringing municipal water to the site, cost of installing a private sewer and geothermal system for heating (maintaining both), building trails, docks, marina, (longterm maintenance of this), we don't see how this will be an affordable community?
- an additional 1000 vehicles that will be using Simcoe Street (arterial road) - Old Simcoe (secondary road) - Castle Harbour Drive (secondary road) these will be a major stress to the already poor secondary roads and the arterial road adjoining this proposed development
- the pollution and road run off from an additional 1000 vehicles will be substantial and detrimental to our wetlands and lake
- the environmentally sensitive lands around our lake specifically - Port Perry North Wetland, Beaver Meadow Creek and Lake Scugog shoreline, Williams Treaty land must be protected
- a proposed road for direct access from Simcoe Street will go directly through the wetlands south of Castle Harbour Drive, tons of fill will be required, this will destroy the nesting, migratory area and homes to hundreds of birds, turtles, cranes, fish, etc. It will destroy a portion of the Lake Scugog ecosystem
- the Castle Harbour neighbourhood is not within walking distance of public transportation or near any transportation hub. Public transportation is at best very limited in Port Perry overall
- there are no stores, medical services, schools within walking distance

- the Castle Harbour area is serviced by wells and septic - will this development have a detrimental affect our water supply?
- we have been informed that town water will be brought to the area, who pays for this?
- the sewage treatment plant they are proposin is self contained, can they make assurances that this system will not break down and run off into Lake Scugog, who maintains the system and pays for solid waste haulage oing forward?
- there are currently long waitin lists or family doctors in Port Perry, as a result our hospital will see an increase in walk in patients, to an already strained hospital
- our police, ambulance and fire services will need to accommodate an additional 2000 people and 600-800 resident units, are we increasing unding to these services
- there are no plans for additional schools or a hospital expansion with in Port Perry
- the developer is proposing 60 boat docks and a marina, or canoes, paddle boats and electric boats, this is marshland??? Will they be allowed to dredge the lake to allow or this?
- this development does not conform to the existing neighbourhood, the official plans states that development in Urban areas will *support intensification and will integrate with existing residential areas*
- Port Perry Official Plan states - "*the significant natural heritage features, valley systems, significant forest area and wetlands provide habitat for a wide range of fish, wildlife and vegetation. There is sufficient land available for development in the Township without the need to disturb these environmentally sensitive areas*".

We urge you as members of our community, region and province to consider these actors and deny Avenu Properties a Minister Zoning Order for this project.

We look forward to your response.
Respectfully,

Kathy Perna & Gilbert Kee



Vanessa Reusser

From: Dr. Neil McAlister [REDACTED]
Sent: April 26, 2024 7:18 AM
To: Stephanie Tsang
Cc: Wilma Wotten; Terry Coyne; David Medhurst; Jim Meng; Contact; info@scugoglakestewards.com; [REDACTED]; Valerie Hendry; [REDACTED]; mcdougall@scugog.ca; geninfo@kawarthaconservation.com; [REDACTED]
Subject: Re: FW: Intention to attend Castle Harbour meeting

You don't often get email from [REDACTED] [Learn why this is important](#)

Ms. Stephanie Tsang
Avenu Properties Corp.

26 April, 2024

Dear Ms. Tsang,

Thank you for the courtesy of your reply.

Your personal comments to me are very kind, but misdirected. My wife and I were both physicians before retiring several years ago. We have lived in Port Perry for a long time, but my wife always practiced elsewhere. My last professional work in Port Perry was 25 years ago. We have neither knowledge of, nor connection to, present day health care in this town.

Thank you for offering to meet with me as a supposed expert in local health care matters. However, even if I possessed the local knowledge that you had assumed I would decline the offer. I cannot support a land deal that will be irrevocably detrimental to the quality of life in our existing neighbourhood and to our rapidly shrinking natural environment.

In any case, the only clear relevance of health care to a big residential development in this area is the obvious observation that several hundred new residents will place severe, additional strain on an already overstretched medical system in a town where many of us existing residents (like more than two million other Ontarians) cannot find a family doctor.

In this context, vague reference to a commendable subject like seniors' health care might be viewed as a smokescreen, an attempt to distract attention from legitimate concerns about major disruption of an existing residential neighbourhood and the destruction of its adjacent natural habitat.

Concerning the natural habitat, has Avenu Properties obtained a third party environmental assessment? May we see it? Do you plan to rehabilitate the lake or to compensate elsewhere for wetlands that your new development would destroy?

We take strong exception to the spurious claim that previous opportunities for consultation with stakeholders, and public discussions at local government, were well publicized. Port Perry has no local television or radio station. Unsubscribed "flyers" are thrown onto our curbs from time to time, and if found, they are often trashed as litter, soggy and unread. Yesterday I spoke with three of our neighbours here on Island View Court (a five minute walk from Castle Harbour) who heard about this proposed development for the very first time two days ago. One of these people said she spoke to some residents on Castle Harbour, who live across the street from the proposed development, who had not been informed. Neither your company nor any level of government has ever contacted us by post, door to door visit, or email. We knew nothing about any public meetings or discussions at city hall.

Avenu Properties's excuses for secrecy heretofore are of no interest to the residents of our community. To us, this hasty, nearly clandestine process looks like a sham in place of any genuine effort for stakeholder consultation. It

looks more like an under-the-radar attempt to push through fast approval of a large, environmentally destructive development, with minimal public knowledge or input, even from the residents of the immediate neighbourhood whose lives would be severely disrupted.

We hope to meet with Avenu, and with other very concerned citizens, at your meeting in Scugog Public Library at 5:30 on Tuesday evening, April 30. We would have responded to an invitation to this meeting much sooner -- if you had ever sent us one.

Yours truly,

Neil H. McAlister, MD, PhD, FRCPC (emeritus)

[REDACTED]

[REDACTED]

On Thursday, April 25th, 2024 at 1:19 PM, Stephanie Tsang <stephanie.tsang@avenuproperties.com> wrote:

Dear Dr. McAlister and Mrs. McAlister:

Thank you for your letter and raising issues.

I have discussed your letter with our Project Director David Medhurst. We would like to engage with you personally at everyone's convenience. Not only in regard to the various concerns you raise, but also out of respect for your experience and expertise in your field of medical practice. As you probably are aware by now, we are ambitious to integrate a much-improved level of senior healthcare to the community. We plan for PACE and an integrated wellness hub. We genuinely would like to discuss plans and ideas with you. We are engaged with Lakeridge Health leadership, we are working with the Ministry of Seniors and Accessibility. We have no one in the local community to consult who has your level of experience and community knowledge.

When we meet, we can address matters you raised.

In an effort to start off on a better footing, we would like to inform you that the process we have followed has been dictated by a number of external circumstances, which we are not able to alter. For example, we have been working with the Toyota Mobility Foundation, and they required a certain confidentiality process, which has had some restrictive timing elements.

We did hold a fully open-to-the-public meeting before Town Council on Dec 4th, 2023, at which time the whole project concept was unveiled. This was widely reported in public press. FYI - you can see this meeting record online: <https://www.scugog.ca/news/posts/update-on-special-council-meeting-held-monday-december-4-2023-following-the-regularly-scheduled-general-purpose-and-administration-meeting/>

The presentation PDF file: https://www.scugog.ca/media/s0zdg4wo/special-council-resolution-presentation_final_v4a.pdf


Though the first 'public' meeting with Castle Harbour will be on Apr 30th. There will be a first all public meeting on May 7th (at Scugog Public Library).

We have been holding as many stakeholder meetings as possible in the interim. Two members of the Castle Harbour community (Jennifer Noble and Brian) attended the March 19th meeting (held at Two Blokes Cider). Mayor Wotten and Councillor Coyne were present.

We are sensitive to Castle Harbour concerns. We hope we have an opportunity to meet with you directly.

Sincerely,

Stephanie Tsang

 **Stephanie Tsang**
Project Manager
P: +1 416.613.9806
E: stephanie.tsang@avenuproperties.com

From: Dr. Neil McAlister [REDACTED]
Sent: Thursday, April 25, 2024 9:51 AM
To: Stephanie Tsang <stephanie.tsang@avenuproperties.com>; [REDACTED]
[REDACTED]@wwotten@scugog.ca; mcdougall@scugog.ca; geninfo@kawarthaconservation.com;
tcoyne@scugog.ca; vhendry@scugog.ca
Subject: Intention to attend Castle Hartbour meeting

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Caution: This email comes from an external organization. Do NOT reply, click links (embedded links) or open attachment(s) unless you recognize the sender email address. Also, NEVER provide your username and password as a result of an emailed request. When in doubt, contact IT Department.

Ms. Stephanie Tsang

Avenu Properties Corp.

25 April, 2023

Dear Ms. Tsang,

We are horrified and deeply offended that a monumental change to our quiet, residential neighbourhood has been proposed behind our backs, with no advance notice to us whatever.

We were completely unaware of Avenu Properties proposal for a Castle Harbour development until we found a copy of a document left on our front porch yesterday, 24 April. That document suggested that April 23 had been the deadline for us to state our intentions to attend a meeting on April 30. The timing is obviously disingenuous, as we were never notified about this meeting until the day after your supposed deadline -- and not by your company, but by a neighbour whom I gather happened to learn about it indirectly.

We will attend this meeting on April 30 to express our outrage at the secretive process by which this massive proposal has been advanced without notifying most of the residents of our neighbourhood. We will express our implacable opposition to a project that would destroy the peaceful character of

our existing community, and erase an irreplaceable swath of natural marshland habitat for local wildlife.

Yours truly,

Neil H. McAlister

Nazlin K. McAlister

[Redacted]

[Redacted]

[Redacted]

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 5:47 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Nicole McNaught

Nicole McNaught


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Nicole McNaught

From: Janice Hamilton-Dicker [REDACTED]
Sent: June 19, 2024 12:30 AM
To: Wilma Wotten; Ian McDougall; David LeRoy; Janna Guido; Robert Rock; Harold Wright; Terry Coyne; Kevin Heritage; Valerie Hendry; info@scugoglakestewards.com; info@scugogfirstnation.com; Geninfo; NRISC (MNRF)
Cc: jamil.jivani@parkl.gc.ca; Todd.McCarthy@pc.ola.org; doug.fordco@pc.ola.org; pierre.poilievre@parl.gc.ca
Subject: Objection to the Castle Harbour development in Port Perry

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mayor and Council,

I would like to voice my objection to the proposed development on the south side of Castle Harbour Drive by Avenu Properties Corp.

Valerie Hendry, Manager of Planning has informed residents in the Township of Scugog that the Township anticipates a request from Avenu Properties to Council at the June 24, 2024 Council Meeting. She advised that they anticipate the request will be for council to request the Minister of Municipal Affairs and Housing to enact a Ministers Zoning Order (MZO) to implement the proposed development.

We request that Council NOT request the Minister of Municipal Affairs and Housing to enact a Ministers Zoning Order.

Building 600 units of townhouses, apartments and condos and a road on environmentally sensitive land is wrong!

This development would destroy the marshland and the habitat of hundreds of birds, turtles, frogs, fish and an array of plant and wildlife. All eight of Ontario's turtle species have been designated as species at risk under the Endangered Species Act. The development would impact and displace a variety of species. This property is a popular corridor for wildlife. PLEASE PROTECT IT!

Respectfully,

Janice, Selwyn and Ethan Hamilton-Dicker (three of many voters in this area)

[REDACTED]

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 27, 2024 10:37 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Olivia Wokral

Olivia Wokral


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Olivia Wokral

From: Erik Fraser [REDACTED]
Sent: July 29, 2024 10:52 AM
To: Valerie Hendry; [REDACTED]
Subject: Opposition to Waterfront Development

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning Valerie, my wife Christin and I live at 6 Castle Harbour Drive in Port Perry. Please accept this email and provide same to council and any relevant bodies as our strong objection to the proposed high density development on lake Scugog.

Firstly my wife and I are not opposed to all development in this area. We would accept Estate homes on the land as has been discussed previously. We object to a high density development going in as it does not at all match the existing large subdivision. Further, the developers are planning a road on top of the lake. This is absurd. Behind my house on a marshy section of the lake are giant turtles that weigh hundreds of pounds. There are hundreds of bird species and nests large and small. To put a road in over that sensitive wildlife area is a terrible idea. It would be absurd and reckless to fast track any environmental review as is being proposed.

The developers have come to council and stated that they are not Lalu they are a new company Avenu and they simply purchased Lalu. Please have your legal department pull the corporate profile reports for the corporations. You will see from the addresses of the corporations and the directors in place that council has been misled and Avenu is in fact Lalu with the same people working this project as were involved in previous projects that were not a success or well received.

Have other local lands been considered for a high density project? The lands by Canadian tire in Port Perry would be excellent and would not disrupt an established subdivision with executive homes.

We kindly ask that our elected representatives listen to us and act on our behalf to stop this project from moving forward. Thank you.

Erik M. Fraser

[REDACTED]

[REDACTED]

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Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 8:02 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Owen Morgan

Owen Morgan


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Owen Morgan

Vanessa Reusser

From: Paul Mountain [REDACTED]
Sent: June 24, 2024 11:40 AM
To: Wilma Wotten; Terry Coyne; Janna Guido; Valerie Hendry; Ian McDougall; David LeRoy; Robert Rock; Harold Wright; Kevin Heritage; todd.mccarthyco@pc.ola.org; Doug Ford
Subject: Development proposal for lands south of castle harbour dr in Port Perry

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I'm sure you all have received and read several emails from other concerned citizens regarding this proposed development. We just wanted to add ourselves to the list of concerned tax payers regarding this proposal. There are several issues being called out regarding the proposal, not the least being environmental concerns regarding the wetlands that this property is on and abuts.

That being said, my greatest concern is that a development of this size, I believe it's now over 700 units, is much too large for the location it's being proposed for and way too far away from transportation hubs such as the 407/401 or GO transit.

The increased load on the already limited roads, health facilities, and schools in the area would be near to devastating.

We all understand that more housing is needed, and needed quickly, but to approve a development this large in a community so small and remote does not make sense.

In one of the many communications I've read I saw something comparing Port Perry to Oshawa, Whitby, Ajax, and Pickering. That's laughable both in size and geographical location. We are a small town that yes needs to grow, but slowly and sensibly. Not with large , city like, developments as is being proposed.

Paul and Karen Mountain
[REDACTED]

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Paul Doo - FW: Development property south side of Castle Harbour Drive
Date: September 4, 2024 10:48:21 AM

From: Paul Doo [REDACTED]
Sent: Thursday, December 28, 2023 9:39 AM
To: Valerie Hendry <vhendry@scugog.ca>
Cc: Ruth Doo [REDACTED]
Subject: FW: Development property south side of Castle Harbour Drive

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Good morning Valerie

Please include me in any communications on this topic.

I believe there is a meeting on February 9th, please provide details, time, location etc.

Thank you

PAUL
[REDACTED]

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 30, 2024 12:51 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Paul Ratte

Paul Ratte


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Paul Ratte

To: [Redacted]
From: [Redacted]
Date: [Redacted]

From: [Redacted]
Sent: August 20, 2014, 11:50 AM
To: [Redacted]
Subject: [Redacted]

You are being notified of [Redacted] [Redacted] [Redacted]
There has been a lot of talk lately regarding the proposed building of 600 residential units on the wetlands to the west of the Castle Harbour subdivision. Partly it is probably a result of information being put out that this is not the appropriate location for a development such as that. This area is most definitely a wetland area. I have walked my dogs in that location and have personally seen many different types of wildlife including beaver, muskrats, and many different species of birds. I will include a photo taken in that area on April 2, 2014. The wetland is an important habitat for many, many animals and a development in this area should not be allowed. Please do contact the proper authorities and urge them to stand up against the development. Please do not allow this development to proceed.





Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 6:29 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Peter CHMELNITSKY

Peter CHMELNITSKY


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Peter CHMELNITSKY

Wilma Wotten, Mayor - wwotten@scugog.ca, cao@scugog.ca

The Council Members - dleroy@scugog.ca, jguido@scugog.ca, rrock@scugog.ca,
hwright@scugog.ca, tcoyne@scugog.ca

Ian McDougall, Regional Councillor - imcdougall@scugog.ca

Planning and Development Department- planning@scugog.ca

February 12, 2024

Re: Avenu Properties Corp - Proposed Development on Castle Harbour Drive

The undersigned individuals are formally expressing our concerns and disagreement on the proposed development. We have met with a large number of our neighbours and we have agreed to document on behalf of the overall community, the concerns with the proposed development.

While we acknowledge the right of the property owner to develop the property, we firmly believe the development should align with the current approved zoning of 20 individual family homes and not the new proposal that was presented to Council on December 4, 2023. The new proposal to create a high-density housing development in an area that does not conform with the intent and specifically to key areas in the Official Plan which if allowed to proceed would create significant disruption, environmental and financial risk to the community.

- The proposed development is at the outer edge of the Urban area, and it does not have the necessary infrastructure to support 600 units.
- The hybrid solution of municipal water with a privately built and operated sewage plant is not in alignment with the Official Plan and creates undue financial and environmental risk to the community. Waste treatment for a high-density development needs to be under the care and custody of the municipality and not be a privately run enterprise.
- The development did not provide adequate details on how it would accommodate the number of vehicle parking spaces in an area that will be very difficult and costly to service with public transit.
- This high-density development is not located on an arterial road that could accommodate a high level of traffic. Converting Castle Harbour Drive to an arterial road is impractical, would be very costly and would significantly impact the local community financially and in their enjoyment of the neighbourhood.

No public work can be undertaken, or Zoning By-law passed that does not conform to the Official Plan. We firmly believe that this proposal does not conform with the Official Plan.

Significant studies and analysis are required before any decision is made with this proposed development. Since this proposed development significantly varies from the Official Plan, we believe that the proponent and not the taxpayers should be funding the significant amount of studies and analysis required to bring a fully developed proposal to the planning department.

Appendix A provides highlights where we believe that the proposed development is not in conformance with the Official Plan.

From the limited details of the Proposal discussed with Council on December 4, 2023, it is clear that no compliance with the Official Plan was contemplated. Therefore, the suggestion to take advantage of recent Ontario Government legislation to encourage much needed additional housing by faster planning procedures and utilizing the Community infrastructure Housing Accelerator for this project may not be a prudent option for the Township.

The actual project completion record of the Proponent, Avenu Properties Corp and associated companies needs to be established. The physical capacity of this site to accommodate such a large project needs to be confirmed. The potential financial and legal obligations of the Township need to be carefully reviewed before hasty decisions are made.

We would like to thank you in advance for your consideration of the community's concerns with this development proposal and we welcome the opportunity for public participation and anticipate a meeting in the course of the review of the proposal.

Yours Truly,

Peter Grabner, [REDACTED]

Denis Schmiegelow, [REDACTED]

Brian Stephen, [REDACTED]

Janice Hamilton-Dicker, [REDACTED]

Gisele Flieler, [REDACTED]

Simon and Leslie Boucher-Harris, [REDACTED]

Rod Coward, [REDACTED]

Appendix A

Community concerns with the Avenu Properties Corp Proposed Development on Castle Harbour Drive

We have summarized and organized our concerns by mapping them to the Official Plan for Scugog Township.

Section 1 Foundation of the Official Plan - No public work can be undertaken, or Zoning By-law passed that does not conform to the Official Plan.

We are seeking confirmation that the proposal fully conforms with the Official Plan prior to any approvals being granted.

Section 1.4 - Growth in Port Perry will be contingent on the provision of additional wastewater treatment capacity.

The property is at the outer edge of the urban area where it is impractical and overly costly to the taxpayers to bring wastewater treatment to the property. The current plan for the developer to build a privately owned waste treatment plant is counter to the Official Plan and creates both financial and environmental risk to the community. Waste treatment for high density housing needs to be under the care and custody of the municipality and not be a privately run enterprise.

A Scugog Official Plan Amendment was passed by Council in May 2006 and approved by the Region of Durham in June 2006 that would re-design the property to a Partial/Private Residential Service designation meaning the homes could be on their own septic systems and town water. This was approved for 20 homes on individual septic systems and not a 600-unit development. This mixed version of services is only permitted to address failed individual on-site sewage and individual on-site water services for existing developments.

2.1.1 Residential Growth Targets

The proposed development would exceed the total 110 residential units per year target for the area and will cause unsustainable pressure on local infrastructure such as schools, hospitals, and other key services.

The property location goes counter against economical use of existing infrastructure and needs confirmation of available capacity with public and / or private providers.

The proposed development will cause long term financial distress to the Township and region by having to provide roadway, transportation and other services in areas that were never intended for high density housing.

2.4 b) Housing

The development is not sensitive to surrounding developments in terms of height and massing and there is no available infrastructure (water, sewage & schools) to support this level of densification.

2.6 A) and C) Infrastructure

The required infrastructure is not available in time to serve this level of densification. It will be very costly to the taxpayers to establish and maintain an integrated transportation system.

3 GENERAL DEVELOPMENT POLICIES

The proposal does not address in sufficient detail all of the development criteria listed in sections 3.1, 3.7, 3.15, 3.17, 3.18,

4.1.3 C) & N) General Development Policies Section

The proposed high-density development **does not** conform with section 4.1.3. It is not located in proximity to arterial and collector roads, and community facilities including schools and parks. The development would need to be serviced through Castle Harbour Drive; this is a secondary residential road that was never intended to handle the traffic associated with 600 units. The intersection of Castle Harbour Drive and Simcoe Street would need major improvements to safely handle the level of traffic envisioned.

Major changes to transit routes would be required to service this community and would create extensive long-term costs.

The building site is not conducive for on-site parking. With 600 units and limited transit, the site could require 1,200 parking spaces. The low level of the land with a relatively high-water table will make it difficult and potentially not possible to do underground parking. The proposal does show how they would accommodate 1,200 vehicles.

4.1.4 Development Staging

This development should not be allowed to proceed until the region can provide adequate services in water and sewer. A privately built and operated sewage plant creates significant risk to the community and Lake Scugog.

8.5 a) Public Transit

The location of the proposed development is approx. 1.0 km from Simcoe Street and approximately 2.4 km from Reach Street and Simcoe Street, which is the closest existing bus route. Castle Harbour Drive is a secondary residential road, and its current road condition would not be suitable for public transit vehicles.

8.6 Parking

It does not appear like there is adequate parking available from the submission. Underground parking may not be possible with the elevation of the property and high-water level.

8.9.1 Municipal Water and Wastewater Systems

The proposed plan is envisioning a privately built and maintained waste system, this is a Region of Durham responsibility and should not be privately built. 8.9.1 C) development in the urban area will be limited based on the ability and financial capability of the Region of Durham.

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 4:57 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Peter Kasperski

Peter Kasperski


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Peter Kasperski

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Peter Swinton - FW: CR-2024-153
Date: September 4, 2024 10:26:05 AM

From: Peter Swinton [REDACTED]
Sent: Wednesday, July 31, 2024 7:38 PM
To: Terry Coyne <tcoyne@scugog.ca>
Cc: John Brown [REDACTED]
Subject: Re: CR-2024-153

You don't often get email from [REDACTED]. [Learn why this is important](#)

Councillor Coyne,

Thank you for reviewing my submission, and getting back to me with your questions. I see the answers coming from 4 different perspectives:

1. The process you are now in.

On June 24th, Council heard Avenu Property's request to approve resolution CR-2024-153, which used the motion wording crafted by the proponent to ask the Minister to do an MZO approval of a zoning by-law crafted by the proponent. That motion did not carry. The motion that did carry was to refer resolution CR-2024-153 to staff so that they could report on it to PCA Committee. You might want to seek clarification from your Clerk and legal counsel, but as I see it, the item before Council is still resolution CR-2024-153. Staff will advise Committee on the pros and cons of the resolution and the associated by-law, but the item still before Council is to make a decision about whether or not to approve resolution CR-2024-153.

Yes, Council has the option to amend the resolution, but the specifics of the zoning by-law don't form part of the wording of the resolution. The resolution says "*to approve an MZO to implement the Proposed Development on the Subject Lands and associated uses as specified in the Draft MZO*". You can ask the Clerk about whether Council can also amend the proposed development and its proposed MZO implementing by-law on the floor of Council, but I think that would simply open up a far more complex problem than Council, the proponent or the public is looking to undertake at that time on the fly. It's also the kind of question that Council needs the circulation, review and public consultation process normally associated with a rezoning application in order to give proper consideration.

Given the process currently underway, the only way I see Council moving to more of a

consensus solution is to first say no to the question which is before Council, and instead ask the proponent to file a standard rezoning application. The review of that application is the process through which the Township can work to build a consensus.

2. The current ask.

In a normal rezoning, a by-law would be crafted that is a site-specific amendment to the underlying Zoning By-law 14-14. It would be structured in a way that all the underlying provisions of 14-14 would apply, except for the specific changes listed in the amendment. It would also seek to change the zoning currently applied to the lands (R3 & EP) to other zones within By-law 14-14 which are more applicable to the negotiated development. Possible adjustment to specific provisions within those other zones which are desirable, but don't conform to the standard provisions would also be included. Any change to the location and provisions of the EP zone would be reviewed by the Conservation Authority and would need to comply with Township and Regional Official Plan policies.

The draft By-law included in the MZO is a stand-alone Zoning Order for those lands. It is not an amendment to By-law 14-14, where all the other provisions would still apply. The wording specifically limits the references to By-law 14-14 as being:

- the By-law 14-14 definitions of building types, open space and parking area in Sections 4. (2)
- the By-law 14-14 definitions of building types, retirement home, special needs facility, home occupation, a series of non-residential uses, open space and parking area in Sections 5. (2)
- the By-law 14-14 definition of conservation use in Sections 6. (2)

For any place where this draft by-law says that there is no standard, there is nothing to allow the Township to apply any standards from By-law 14-14. For any place where this draft by-law is silent, there is nothing to apply any standards from By-law 14-14. Please remember that the zoning on the land defines the rights which are applied to those lands.

Any attempt to only apply a partial approval, i.e. density, would require changing back to a by-law crafted as a site-specific amendment to the underlying Zoning By-law 14-14. Otherwise, there would be no other standards than the specific one being asked. Even a site-specific amendment to By-law 14-14 would be complicated as Council would need to review all the other applicable standards within By-law 14-14 to make sure they work with the development. Again we are getting to the need for the normal rezoning process

to properly review and cover this range of questions and contingencies.

3. The process with the Minister

The Minister will consider requests for zoning orders that meet at least one of the following intake thresholds:

1. requests that deliver on a provincial priority that is supported by a Minister (for example, long-term care, hospitals, transit-oriented communities, educational facilities, housing priorities, economic development, manufacturing, etc.)
2. requests that are supported by a single-tier or lower-tier municipality (for example, through a municipal council resolution or a letter from a mayor where the municipality has been designated with strong mayor powers)

The proponent is asking that this move forward based on the second option. Proving that the request should be considered by the Minister through the first option is much more difficult as all planning applications must prove that they fulfill the relevant objectives of the Provincial Policy Statement, the Growth Plan, the Greenbelt Plan and other policy documents. What separates one intensification application from any other?

Once the Township asks the Minister to approve an MZO zoning by-law, the Township is showing its support for the MZO By-law and is giving up any right or expectation for further consultation. That would be at the sole discretion of the Minister, who has no requirement to have any regard for any of the underlying policies of the Township, Region or Conservation Authority. The By-law being requested in resolution CR-2024-153 shows development lands coming to the water's edge and no EP zone on the map (only a reference that it be determined later). But how or if that EP zone is determined is at the sole discretion of the Minister. If zoning is put in place by the Minister that allows 600 units and shows little or no environmentally protected lands, there's nothing the Township can do through follow-up planning processes (Subdivision, Site Plan, Condo, etc) to subvert the rights granted by the Minister and secured in the zoning.

4. After an MZO is approved

If an MZO is approved by the Minister, that approval cannot be appealed.

But the Planning Act says that a zoning bylaw approved by an MZO is deemed to be a by-law of the municipality. As such, the owner of the lands could seek a minor variance through the C of A process, or even another rezoning at some point in the future. But a Township initiated rezoning, especially if it was not supported by the owner, would be extremely difficult. Municipally initiated zoning changes are usually done as part of a big study, and if they are to be supported by the owners of the lands

being rezoned, are usually done as part of a revitalization study hoping to rejuvenate deteriorating properties through making them easier to redevelop.

I hope this long answer helps address the complexities of your questions. Please let me know if you have any further questions.

All the best,

Peter

Appendix A

July 29, 2024

Outline

The purpose of this report is to respond to the direction of council to staff as outlined in the following resolution with the policy references to support my cover letter dated July 29, 2024.

Resolution CR-2024-154

That Council refer resolution CR-2024-153 to planning and development staff for study of the proposal and report back to the first PCA meeting in September. (Planning and Community Affairs Committee September 16, 2024, 6:30 pm)

Does the Avenu Proposal Conform to the Scugog Township Official Plan?

The proposed development and Draft MZO Order do not conform to the following sections of the Township Official Plan:

- Section 4.1.3, Residential Density
- Sections 4.82 & 4.83, Hazard Lands Designation Provisions
- Section 7.2.3, Neighbourhood Parks Requirements
- Section 9.14, Density Bonusing

Section 9.5 of the OP requires “any Amendment to the existing By-law shall be in conformity with this Plan”. For the Township to:

- approve a rezoning application to permit the Proposed Draft (MZO) Order without the associated Official Plan Amendment, or
- support a request that the Minister permit the Proposed Draft MZO Order without the associated Official Plan Amendment,

the Township would be in breach of its own OP Policy 9.5.

Does the Avenu Proposal Conform to the Durham Region Official Plan?

As per Bill 23 and the Province’s proposal to amend O. Reg. 525/97, it is reasonable to assume that should the Township choose to request an MZO for the Avenu Development, the Township would be assuming the responsibility to confirm that the proposed MZO order complies with the Regional Official Plan.

Significant justification exists to argue that the proposed Avenu development and Draft MZO order do not comply with the environmental, affordable housing and servicing policies of the Durham Region Official Plan.

Holding Provisions and Section 37

If, in September, Council chooses to request an MZO process by proceeding with CR-2024-153, Council will be giving up its rights to use Holding Provisions and Section 37 to secure improvements, require agreements and control the implementation process.

Holding Provisions could include:

- Water supply improvements;
- Acceptable sanitary facilities;
- Acceptable transit shuttle services to downtown.

Section 37 Provisions/Agreements could include:

- The dedication of additional waterfront open space;
- The construction of the Waterfront Municipal Trail;
- funding in perpetuity to maintain and operate Transit intended to connect the site to downtown;
- funding in perpetuity to maintain and operate the required water supply improvements;
- funding in perpetuity to maintain and operate the required sanitary treatment facilities;
- funding in perpetuity to maintain and operate the advanced water recycling technology required to reduce potable water usage by 30%;
- Public Art;
- Affordable/Attainable Housing (as discussed in relation to the Regional Official Plan)

No Section 37 Bonus Provisions have been incorporated into the Proposed Draft MZO Order. Without the use of Holding Provisions and Section 37 Provisions/Agreements, planning vehicles will either not exist, or be limited in their abilities to secure the benefits being proposed by Avenu Properties Corp.

Details

Does the Avenu Proposal Conform to the Scugog Township Official Plan?

Density – Residential Designation

4.1.3

- a) Max density 50 units per net hectare
- n) i) new medium and high density residential development is located on and has direct access to a Collector or Arterial road as shown on Schedule C-1 (Simcoe St.)
- n) Schedule I identifies Priority Intensification Areas within the Port Perry Urban Area. **(The site is not a Priority Intensification Area)** Within these areas, intensification is encouraged to occur in a manner that is compatible with the existing development, yet at higher densities in order to provide for more efficient use of infrastructure and services and provide for affordable housing within the urban area.

Intensification is also encouraged within the remainder of the built up area shown on Schedule I. However, outside of the Priority Intensification Areas, intensification shall occur in a manner

that preserves and protects the character of existing Established Neighbourhoods in accordance with the criteria established in this section.

- p) A complete range of housing types shall be provided in the *Port Perry Urban Area*. The optimum housing unit mix is:
- 70 percent low density housing (single, semis, duplex);
 - 15 percent medium density housing (multiple unit, townhouse); and,
 - 15 percent high-density housing (apartments).

For the purpose of this Plan, low density shall be defined as 15 to 25 units per hectare, medium density shall be defined as 25 to 40 units per hectare and high density shall be defined as 40 to 50 units per hectare. The density should be based on net area, excluding roadways, parkland and environmentally protected, non-developable areas on a site.

Density Summary

- The site adjacent to Simcoe St is not included in the MZO request, so it can't be considered part of this development site.
- No lot or block areas are provided on the proposed Block Plan.
- Based on the approved 20-unit Draft Plan of Subdivision, the net area for density calculation is 11.475 ha. This could be reduced pending resolution of the Environmental Protection Zone.
- Based on 11.475 net ha, no Simcoe St frontage so no medium & high density residential, and the maximum allowable density, a maximum of between 172 & 287 single, semis, duplex units would be allowed, subject to layout and meeting lot zoning requirements.
- 600 units are not allowed on this site by the Township OP Density policies.

Hazard Lands Designation

4.8.2 Permitted Uses

- a) Passive recreational parks and trails requiring minimal alteration to the natural landscape.
- b) No buildings or structures, with the exception of essential structural works required for flood and/or erosion or sediment control.

4.8.3 General Development Policies

- a) The boundaries of the *Hazard Lands* designation are intended to reflect the limits of flooding of streams and lakes (including Lake Scugog), wetlands, steep slopes, erosion areas, meander belts and unstable/organic soils. Precise boundaries will be established through a survey identifying the appropriate elevation wherever development occurs adjacent to lands designated *Hazard Lands*.
- b) The Township will consult the Conservation Authority where development occurs adjacent to any lands designated *Hazard Lands*.

- c) Where development occurs adjacent to *Hazard Lands*, the development shall be designed and constructed to preserve the natural function and flow characteristics of the adjacent waterway.
- d) Lands designated *Hazard Lands* shall not be accepted as parkland dedication in the development process. However, the Township will encourage the transfer of these lands to a public authority.

Hazard Lands Summary

- Hazard Lands are shown along the shoreline of the Application Lands, and almost all lands within the Adjacent Lands.
- Hazard Land Mapping is reflected in the location of the Environmental Protection EP zone in By-law 14-14 Schedule B Map 1, and was updated by 30 m Setback from Provincially Significant Wetlands lie in Attachment 2 of the GHD Natural Heritage Letter, provided in support of the MZO request.
- Both lines extend under development lands shown in Avenu’s Concept Site Plan and Block Plan, even reducing the net lands shown in the 2004 Draft Plan of Subdivision
- Significant buildings and structures, which don’t conform to the permitted uses, are proposed within the Hazard Lands.

Parks Requirements

7.2.3 Neighbourhood Parks

- b) *Size* – *Neighbourhood Parks* shall be adequately sized to provide a variety of passive and active recreational activities meeting the needs of the surrounding area. These parks shall be provided at a standard of 1.0 hectares per 1000 persons.

Parkland Summary

- The WSP Wastewater Recycling Report, provided in support of the MZO request, assumes a person equivalent of 2.2 people per unit. As such and based on the 600 unit permission requested in the MZO draft order, it is fair to assume a final population for the development of 1,320 people.
- Based on 1.0 hectares per 1000 persons, in keeping with the OP parkland requirement policies, the proposed development should provide 1.32 ha of public parkland, not on Hazard Lands, and as a further reduction in density as parkland is not included as net hectares for the purpose of calculating density.
- No public parkland dedication is proposed in Avenu’s Site Plan or Block Plan.
- Open Space use is allowed in both zones contemplated by the Proposed Draft MZO Order, but no minimum parkland requirements are included and no parkland or open space is shown on the proposed zoning map.

Density Bonusing – Section 37 of the Planning Act

Section 9.14 of the OP permits density bonusing for increasing the maximum density and/or height permitted by this Plan for medium and high-density residential development. Even though the proposal includes the following items referenced to in Policy 9.14:

- Hazard/Environmental Protection lands which could be dedicated as additional open space;
- Community Recreational Facilities
- Transit intended to connect the site to downtown
- Public Art
- Affordable/Attainable Housing (as discussed in relation to the Regional Official Plan)
- Any other identified benefit, such as private sanitary services

No Section 37 Bonus Provisions have been incorporated into the Proposed Draft MZO Order.

Township Official Plan Conclusion

The proposed development and Draft MZO Order **do not conform** to the following sections of the Township Official Plan:

- **Section 4.1.3, Residential Density**
- **Sections 4.82 & 4.83, Hazard Lands Designation Provisions**
- **Section 7.2.3, Neighbourhood Parks Requirements**
- **Section 9.14, Density Bonusing**

Section 9.5 of the OP requires “any Amendment to the existing By-law shall be in conformity with this Plan”. For the Township to:

- approve a rezoning application to permit the Proposed Draft (MZO) Order without the associated Official Plan Amendment, or
- support a request that the Minister permit the Proposed Draft MZO Order without the associated Official Plan Amendment,

the Township would be in breach of its own OP Policy 9.5.

Does the Avenu Proposal Conform to the Durham Region Official Plan?

Environmental Areas

The in-place Durham Region Official Plan, approved in 2020, Map B1c shows some Key Natural Heritage and Hydrologic Features on both the Application Lands and Adjacent Lands.

KEY NATURAL HERITAGE AND HYDROLOGIC FEATURES

- 2.3.14 The general location of *key natural heritage and/or hydrologic features* are shown on Schedule 'B' – Map 'B1'. **The individual features and their associated *vegetation protection zones* are to be identified and shown in more detail in area municipal official plans and zoning by-laws.**

The location and extent of *key natural heritage and/or hydrologic features* may be further confirmed through appropriate studies such as a *watershed plan* or an environmental impact study in accordance with Policy 2.3.43.

Schedule B, Map 1 of the Scugog Zoning By-law 14-14 shows the Environmental Protection (EP) Zone on both the Application Lands and Adjacent Lands in much greater detail. Zoning By-law 14-14 states:

2.4 DETERMINING ZONE BOUNDARIES

2.4.1 General Application

When determining the boundary of any Zone as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- (a) A boundary indicated as following a Highway, Road, Lane, railway Right-of-Way, utility corridor or Watercourse shall be the centreline of such Highway, Road, Lane, railway Right-of-Way, utility corridor or Watercourse;
- (b) A boundary indicated as substantially following Lot Lines shown on a Registered Plan of Subdivision, or the municipal boundaries of the Township shall follow such Lot Lines;
- (c) Where a boundary is indicated as running substantially parallel to a Street Line and the distance from the Street Line is not indicated, the boundary shall be deemed to be parallel to such a Street Line and the distance from the Street Line shall be determined according to the scale shown on the Schedule(s);
- (d) Where a Lot falls into two or more Zones, each portion of the Lot shall be used in accordance with the provisions of this By-law for the applicable Zone; and,
- (e) Where none of the above provisions apply, the Zone boundary shall be scaled from the Schedule(s).

In no case is a Zone boundary dividing a Lot into two or more Zone categories intended to function as a property boundary.

4.17 MULTIPLE ZONES ON ONE LOT

Where a Lot is divided into more than one Zone under the provisions of this By-law, each such portion of the said Lot shall be used in accordance with the Permitted Uses in Zone Provisions of this By-law for the applicable Zones established hereunder, as if it were a separate Lot.

The boundary of an Environmental Protection Zone shall be used as a Lot Line for the purpose of determining required Yards.

The 2020 in-place Durham Region Official Plan states:

2.3.15 *Development* or *site alteration* is *not permitted* in *key natural heritage and/or hydrologic features*, including any associated *vegetation protection zone*, *with the exception of*:

- a) forest, fish and wildlife management;
- b) conservation and flood or erosion control projects demonstrated to be necessary in the public interest and after all alternatives have been considered;
- c) infrastructure, subject to the policies of the Greenbelt Plan and this Plan;
- d) minor recreational uses such as trails, footbridges and picnic facilities, and existing uses;
- e) agriculture, in accordance with Policies 2.3.18 and 14.5.4; or
- f) aggregate extraction, in accordance with Policies 9D.2.9 and 9D.2.10.

Durham Region adopted an updated Official Plan in May 2023. It has yet to be approved by the Minister. Map 2a shows a Regional Natural Heritage System on both the Application and Adjacent Lands, the boundary of which very closely replicates the boundary of the Environmental Protection (EP) Zone on Scugog Zoning By-law 14-14. Map 2c shows a Provincially Significant Wetland with virtually the same boundary. Policies include:

- 7.4.27 Prohibit development and site alteration within provincially significant wetlands and wetlands within provincial natural heritage system areas, in accordance with Policies 7.4.10 to 7.4.18.
- 7.4.28 Prohibit development and site alteration within 120 metres of wetlands, unless an approved environmental impact study and wetland water balance risk evaluation demonstrates that there will be no negative impact on the wetland or its ecological functions. Development and site alteration may be permitted within the vegetation protection zone, in accordance with Policies 7.4.10 to 7.4.18.

Environmental Areas Summary

- Both the in-force and recently approved Durham Official Plans show boundaries for *key natural heritage and/or hydrologic features, Regional Natural Heritage System* and *Provincially Significant Wetland* that mimic the *Environmental Protection Zone* in Scugog Zoning By-law 14-14, and prohibit all but the most minor environmental interventions.
- These lines extend under development lands shown in Avenu’s Concept Site Plan and Block Plan, even reducing the net lands shown in the 2004 Draft Plan of Subdivision
- Significant buildings and structures, which don’t conform to the permitted uses, are proposed within these Lands.
- The proposed development and Draft MZO Order do not conform to the listed environmental policies of both the in force and recently adopted versions of Durham Region’s Official Plan.

Affordable Housing

Section 4 of the in-force Regional Official Plan states:

- 4.2.4 Regional Council shall require at least 25% of all new residential units produced within each area municipality, to be *affordable to low and moderate income households*.

Definition:

Affordable [Housing]: means:

- a) in the case of ownership housing, the least expensive of:
 - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for *low and moderate income households*; or
 - ii) housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the Region; and
- b) in the case of rental housing, the least expensive of:

- i) a unit for which the rent does not exceed 30% of gross annual household income for *low and moderate income households*; or
- ii) a unit for which the rent is at or below the average market rent of a unit in the Region.

Section 3 of the recently adopted Durham Region Official Plan states:

It is the policy of Council to:

- 3.1.1 Develop and implement a housing and homelessness plan that supports the goals of ending homelessness, providing affordable rent for everyone, greater housing choice, and strong and vibrant neighbourhoods through the following actions:
- a) increase the privately funded [affordable rental housing](#) supply;
 - b) increase government-funded [affordable rental housing](#) supply;
 - c) diversify [housing options](#) by type, size and tenure;

Affordable Housing: means:

- a) in the case of ownership housing, the least expensive of:
 - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for [low and moderate income households](#); or
 - ii) housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the Region; and
- b) in the case of [rental housing](#), the least expensive of:
 - i) a unit for which the rent does not exceed 30% of gross annual household income for [low and moderate income households](#); or
 - ii) a unit for which the rent is at or below the average market rent of a unit in the Region.

Low and Moderate Income Households: means:

- a) in the case of ownership housing, households with incomes in the lowest 60% of the income distribution for the Region; or
- b) in the case of [rental housing](#), households with incomes in the lowest 60% of the income distribution for renter households for the Region.

3.1.18 Require an Affordability and Accessibility Analysis as part of a Planning Justification Report for all major residential [development](#) applications, which include 100 units or more, that:

- a) justifies how the [development](#) application will contribute to achieving [affordable housing](#) targets;

- b) identifies opportunities to include a variety of [special needs housing options](#) to accommodate seniors and persons with disabilities; and
- c) identifies how residents would be able to access health care, social services and other amenities in their community.

It is the policy of Council to:

3.1.20 [Require that at least 25% of all new residential units produced throughout the region to be affordable to low and moderate income households.](#)

Affordable Housing Summary

Both the in-force and recently approved Durham Official Plans require 25% of units in the proposed development to be affordable. The proposed development and Draft MZO Order do not:

- Show any affordable housing;
- Commit to how any affordable housing could be secured.

While the submitted Planning Report acknowledges Regional policies related to affordable housing, the report does not:

- Identify affordable units within the proposed development;
- Show the required calculations to determine rents or purchase prices which comply with the affordable housing requirements

The proposed development and Draft MZO Order do not conform to the affordable housing policies of both the in-force and recently adopted Durham Region Official Plans.

Private Services

The Civil Engineering report, prepared by SCS in support of this MZO request stated that:

[“The subject site was previously approved to be serviced via an extension of watermain along Simcoe Street, Castle Harbour Drive and the internal local roadways. The Region had previously agreed to service the subject site with a long dead end watermain due to the small number of homes being proposed.”](#)

The 20 approved lots ranged in size from 0.424 to 0.805 ha (1.05 to 1.99 acres). These large lots were intended to have individual private septic systems. No communal private sanitary services were anticipated at that time. To reflect this, Sch A, Map A3 of the in-force Regional OP labelled the Application Lands as:

“Areas Developable on Municipal Water Systems and Private Waste Disposal Systems”

Policies of the in-force Regional Official Plan state:

WATER AND SEWERAGE SERVICES

5.3.17 Notwithstanding Section 8, limited infilling or minor expansion to existing *development* may take place in Urban Areas with private drilled wells and/or **private sewage disposal systems**, in accordance with the provisions of this Plan, prior to the availability of municipal services, provided that:

- a) a **satisfactory agreement** has been entered into with the Region, including the **requirement for future connection** to the Regional water supply and **sanitary sewer system**;
- b) the proposed use does not **require excessive use of water** and appropriate **provisions have been included in the zoning by-law** to that effect;
- c) the proposed use complies with the standards of the Region and the Ministry of the Environment, Conservation and Parks;
- d) consideration is given to designing the *development* in such a way as to allow for further subdivision of the land upon provision of full Regional services; and
- e) for *development* on partial services, the *development* is **within the reserve sewage and water treatment system capacity**.

5.3.18 In **Urban Areas**, draft approval of a plan of subdivision may be **granted in circumstances where full municipal services are not immediately available**, provided that the draft approval does not **over-commit servicing capacity identified through a servicing master plan** or an approved Environmental Assessment, and the lands are appropriately designated for *development*.

Servicing capacity for *development* will only be **allocated** by the Region, in consultation with the area municipality, at the time a **development agreement is executed with the Region** and the appropriate **financial securities are in place**, in accordance with the Regional Development Control Program.

Policies of the recently adopted Regional Official Plan state:

It is the policy of Council to:

4.1.26 Recognize there are **locations within the Urban Area in which the provision of municipal water and/or sewage services is not technically or financially feasible**, or may be in process but not yet completed, including but not limited to the areas identified on Figure 5 (***Which includes the Application Lands, but not the Adjacent Lands***). In such circumstances, **development on the basis of individual on-site sewage services and individual on-site water services or partial municipal services may be considered, subject to the following:**

- a. **prior** to any **development** on partial or full private services, the **feasibility of providing full municipal services must first be assessed**, including consideration of any additional capacity resulting from municipal water supply or municipal sanitary sewage plant expansions, and/**or other servicing alternatives, such as communal systems**; and
- b. any **development** on the basis of partial municipal services or full private services shall be in accordance with the relevant provisions of Policies 6.5.6 to 6.5.15, and **subject to a regional agreement that the development will be connected by the landowner as soon as Regional services are available.** (***Section 6.5 relates to Rural Settlements - Hamlets. It appears that there are no references to Urban Settlements on Private Services***)

- 4.1.33 Prioritize works that implement development which will not place a financial burden on the Region in the consideration of the expansion of capital works within designated Urban Areas.
- 4.1.34 Not support the provision of any Regional infrastructure and services to a development application that would cause significant or undue financial, environmental or other hardship for the Region.
- 4.1.36 Agree to draft approval of a plan of subdivision in Urban Areas in circumstances where full municipal services are not immediately available, provided that the draft approval does not over-commit servicing capacity identified through a servicing master plan or an approved Environmental Assessment, the lands are appropriately designated for development, and other Regional conditions have been satisfied.
- 4.1.37 Allocate servicing capacity for development addressed in Policy 4.1.36, in consultation with the area municipality, at the time a development agreement is executed with the Region and the appropriate financial securities are in place.

Private Systems

It is the policy of Council to:

- 4.1.40 Permit limited infilling or minor expansion to existing development in Urban Areas to proceed on private drilled wells and/or private sewage disposal systems, in accordance with the provisions of this Plan and notwithstanding the policies in Section 5.1, prior to the availability of municipal services, provided that:
 - a) a satisfactory agreement has been entered into with the Region, including the requirement for future connection to the regional water supply and sanitary sewer system at the landowner's expense;
 - b) the proposed use does not require excessive use of water and appropriate provisions have been included in the zoning by-law to that effect;
 - c) the proposed use complies with the standards of the Region and the Ministry of the Environment, Conservation and Parks;
 - d) consideration is given to designing the development in such a way as to allow for further subdivision of the land upon provision of full regional services; and
 - e) for development on partial water and/or sewage services, the development is within the reserve sewage and water treatment system capacity.
- 4.1.43 Work with area municipalities to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of Rural Settlement Areas and the feasibility of other forms of servicing.

As per The SCS Civil Engineering report, prepared by SCS in support of this MZO request, the proposed development needs to include:

- “Due to the number of units in the proposed development, the Region would require a second water feed to service the subject site. To achieve this, two existing watermain extensions are required. It is proposed to extend the existing watermain on Simcoe Street through the West

Block and the existing watermain on Scugog Line 8 along Castle Harbour Drive. The two watermain extensions will ultimately connect in front of the East Block to form a looped system.” *(The West Block is not part of this MZO request, and as such, there is no ability to secure a second watermain access through this Block.)*

- “In 2018, a Class EA study for a new water supply and storage facility to service the Port Perry Urban Area was completed by the Region to accommodate the projected 2031 population. The recommendations in the Class EA study were included in the Region of Durham 2023 Development Charge Background Study. The proposed water supply and storage expansion identified in the EA study will not be sufficient to service the projected 2051 population or any future projections.”
- “The (Development) project is anticipated to be constructed with advanced water recycling technology from the sanitary treatment plant that can potentially reduce potable water usage by 30%” *(The Draft MZO order puts nothing in place to require this 30% reduction in potable water useage.)*

The Wastewater Treatment Report, prepared by WSP in support of the MZO request, states:

- “The content and opinions contained in the present report are based on the observations and/or information available to WSP at the time of preparation. If a third party makes use of, relies on, or makes decisions in accordance with this report, said third party is solely responsible for such use, reliance or decisions. WSP does not accept responsibility for damages, if any, suffered by any third party as a result of decisions made or actions taken by said third party based on this report. This limitations statement is considered an integral part of this report.” *(Therefore, if the Township relies upon this report to recommend the Minister proceed with the proposed MZO order, all liability for that recommendation is held by the Township)*
- “In ensuring human safety regarding potential contact with reused water, employing a Canadian technology multibarrier approach for risk management is imperative. This approach involves employing physical-chemical wastewater treatment methods. The typical treatment process involves equalization tank, trash trap, and the screening of raw sewage, followed by biological treatment in successive reactor zones to promote nitrogen reduction, often facilitated by submerged membranes. Additionally, phosphorus reduction can be achieved through chemical precipitation. The equalization tank will be sized for a capacity of 300m3 to meet the cumulative 24-hour flow requirement. In addition to footprint required for the UV and Chlorine disinfection and treated water storage, the estimated footprint of the proposed treatment system is approximately 850 square meters.”
- *(No vehicle has been included as part of the proposed MZO order to ensure this type of facility is incorporated into the development. No vehicle has been provided to ensure that the ongoing operation of this facility in perpetuity remains the responsibility of the communal development)*

Private Services Summary

Understanding the approved 2004 development, and reading the combined Regional policies together, it can be understood that:

- The municipal water supply was intended to serve a very small subdivision;
- The approval for private sanitary services was intended for individual septic systems on large lots;
- The policies are structured around private sanitary services with individual septic systems on individual lots. There is only 1 policy that contemplates combined private services in a rural area.
- No provisions have been included in the draft MZO order to require that satisfactory agreement has been entered into with the Region, including the requirement for future connection to the Regional water supply and sanitary sewer system;
- No holding provisions have been included in the draft MZO order to ensure that the proposed use does not require excessive use of water. No appropriate provisions have been included in the draft MZO zoning by-law to that effect;
- No holding provisions have been included in the draft MZO order to ensure that the proposed use complies with the standards of the Region and the Ministry of the Environment, Conservation and Parks;
- No holding provisions have been included in the draft MZO order to ensure that consideration is given to designing the *development* in such a way as to allow for further subdivision of the land upon provision of full Regional services
- No holding provisions have been included in the draft MZO order to ensure that for *development* on partial services, the *development* is within the reserve sewage and water treatment system capacity;
- No holding provisions have been included in the draft MZO order to ensure that the West Block is included in the MZO order, and that a second watermain be provided through that block;
- No study has been done to show what needs to take place to ensure that the proposed water supply and storage expansion identified in the EA study will be enhance to be sufficient to service the projected 2051 population or any future projections. No provisions have been incorporated into the MZO order to ensure that the developer/purchasers cover whatever capital costs are necessary to implement these required enhancements;
- No provisions have been included in the Draft MZO order to require the 30% reduction in potable water useage, which forms the basis for all other assumptions;
- No vehicle has been included as part of the proposed MZO order to ensure that the 850 m² treatment facility is incorporated into the development. No vehicle has been provided to ensure that the ongoing operation of this facility in perpetuity remains the responsibility of the communal development.

As such, it is reasonable to argue that the proposed private sanitary service, and the proposed expansion of supply water service through lands which do not form part of the proposed MZO, order do not meet the intent of the above listed Regional Official Plan policies.

Durham Region Official Plan Compliance Conclusion

From Aird & Berlis:

“Bill 23 created the concept of an “upper-tier municipality without planning responsibilities” and defined it to include the County of Simcoe as well as the Regional Municipalities of Durham, Halton, Niagara, Peel, Waterloo and York. ... Under the in-force legislation, the upper-tier municipalities of Peel, Halton and York will no longer have planning responsibilities as of July 1, 2024. Simcoe County and the regions

of Durham, Niagara and Waterloo will continue to be listed as “upper-tier municipalities without planning responsibilities,” but the in-force date for their loss of planning responsibilities remains to be determined. ... The Province proposes to amend O. Reg. 525/97 to exempt most official plan amendments of the lower-tier municipalities adopted on or after July 1, 2024, from the need for the Minister’s approval. The Province has further indicated that on and after July 1, 2024, site-specific official plan amendments previously exempted by the upper-tier municipality from its need for approval will be reviewed and adopted by the lower-tier municipality without an additional level of approval.”

Subject to legal confirmation, it is reasonable to assume that should the Township choose to request an MZO for the Avenu Development, the Township would be assuming the responsibility to confirm that the proposed MZO order complies with the Regional Official Plan.

It is reasonable to argue that the proposed Avenu development and Draft MZO order do not comply with the (above referenced) environmental, affordable housing and servicing policies of the Durham Region Official Plan.

Holding Provisions and Section 37

If, in September, Council chooses to request an MZO process by proceeding with CR-2024-153, Council will be giving up its rights to use Holding Provisions and Section 37 to secure improvements, require agreements and control the implementation process.

Holding Provisions

- Withholding density until water supply improvements have been either financially secured or constructed;
- Withholding density until acceptable sanitary facilities have been either financially secured or constructed;
- Withholding density until acceptable transit shuttle services have been either financially secured or provided/constructed.

Section 37 Provisions/Agreements

- The dedication of Hazard/Environmental Protection lands as additional waterfront open space;
- The construction of Community Recreational Facilities such as the Waterfront Municipal Trail, as shown on Township OP Schedule B-1
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate Transit intended to connect the site to downtown
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required water supply improvements
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required sanitary treatment facilities
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the advanced water recycling technology required to reduce potable water usage by 30%
- Secure Public Art, as shown in the Avenu Concept Plan

- Secure purchaser notification and agreements to ensure funding in perpetuity to construct, maintain and operate Affordable/Attainable Housing (as discussed in relation to the Regional Official Plan)

No Section 37 Bonus Provisions have been incorporated into the Proposed Draft MZO Order. Without the use of Holding Provisions and Section 37 Provisions/Agreements, planning vehicles will either not exist, or be limited in their abilities to secure the benefits being proposed by Avenu Properties Corp.

Under an MZO Process

An MZO is regulated, in part, through Section 47 of the Planning Act. Zoning order requests are made or refused at the discretion of the minister. The minister may consider requests submitted by parties such as ministries, municipalities, organizations, businesses, or individuals. If there is a conflict between a zoning order and a municipal zoning by-law, the zoning order prevails to the extent of the conflict. The *Planning Act* does not provide for a right to appeal the minister’s decision to make a zoning order, to the Ontario Land Tribunal.

It’s important to remember that by changing to an MZO, the process to determine the density, scope and scale and design of development, transportation requirements, community benefits (if any), regulations over communal infrastructure, location size and policies for the Environmental Protection Zone, falls solely to the approval of the Minister of Municipal Affairs and Housing with no requirement to comply with local or regional Official Plans or other documents. Any consultation with the Township, Region, Conservation Authority, Stewards, etc. will be at the sole discretion of the Minister, and all abilities to appeal through normal planning processes will be removed.

Consultations with legal counsel could be undertaken to determine other options beyond the Planning Act. One option to consider would be an application for a Judicial Review (JR) of the Township’s Decision to ask for an MZO. This would need to be filed within 1 month of Council making this decision, and would be limited to the scope of the decision.

Avenu could still file its own request for an MZO and use the Council Decision to show support.

Under the Current Process

Bill 185 limits 3rd party appeal rights for OPAs and Rezoning to “public bodies” and “specified persons” who attended and made written or oral submissions.

From the Planning Act:

Section 17 (24) Official Plan Approval

Right to appeal

(24) If the plan is exempt from approval, any of the following may, not later than 20 days after the day that the giving of notice under subsection (23) is completed, appeal all or part of the decision of council to adopt all or part of the plan to the Tribunal by filing a notice of appeal with the clerk of the municipality:

1. A specified person who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.

- 1.1 A public body that, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.2 The registered owner of any land to which the plan would apply, if, before the plan was adopted, the owner made oral submissions at a public meeting or written submissions to the council.
2. The Minister.
3. The appropriate approval authority.
4. In the case of a request to amend the plan, the person or public body that made the request. 2006, c. 23, s. 9 (4); 2017, c. 23, Sched. 5, s. 80; 2024, c. 16, Sched. 12, s. 3 (1).

Etc.

Section 17 (36) Official Plan Amendment Approval

Appeal to Tribunal

(36) Any of the following may, not later than 20 days after the day that the giving of notice under subsection (35) is completed, appeal all or part of the decision of the approval authority to the Tribunal by filing a notice of appeal with the approval authority:

1. A specified person who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.1 A public body that, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.2 The registered owner of any land to which the plan would apply, if, before the plan was adopted, the owner made oral submissions at a public meeting or written submissions to the council.
2. The Minister.
3. In the case of a request to amend the plan, the person or public body that made the request. 2006, c. 23, s. 9 (6); 2017, c. 23, Sched. 5, s. 80; 2024, c. 16, Sched. 12, s. 3 (3).

Etc.

Section 34 (19) Rezoning

Appeal to Tribunal

(19) Not later than 20 days after the day that the giving of notice as required by subsection (18) is completed, any of the following may appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal:

1. The applicant.
2. A specified person who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- 2.1 A public body that, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- 2.2 The registered owner of any land to which the by-law would apply, if, before the by-law was passed, the owner made oral submissions at a public meeting or written submissions to the council.
3. The Minister. 2006, c. 23, s. 15 (10); 2017, c. 23, Sched. 3, s. 10 (4); 2019, c. 9, Sched. 12, s. 6 (4); 2021, c. 4, Sched. 6, s. 80 (1); 2024, c. 16, Sched. 12, s. 5 (7).

Etc.

“public body” means a municipality, a local board, a hospital as defined in section 1 of the *Public Hospitals Act*, a ministry, department, board, commission, agency or official of a provincial or federal government or a First Nation; (“organisme public”)

“local board” means any school board, public utility commission, transportation commission, public library board, board of park management, board of health, police service board, planning board or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or of two or more municipalities or portions thereof; (“conseil local”)

“specified person” means,

- (a) a corporation operating an electric utility in the local municipality or planning area to which the relevant planning matter would apply,
- (b) Ontario Power Generation Inc.,
- (c) Hydro One Inc.,
- (d) a company operating a natural gas utility in the local municipality or planning area to which the relevant planning matter would apply,
- (e) a company operating an oil or natural gas pipeline in the local municipality or planning area to which the relevant planning matter would apply,
- (f) a person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the *Technical Standards and Safety Act, 2000*, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the relevant planning matter would apply,
- (g) a company operating a railway line any part of which is located within 300 metres of any part of the area to which the relevant planning matter would apply,
- (h) a company operating as a telecommunication infrastructure provider in the area to which the relevant planning matter would apply; (“personne précisée”)
- (i) NAV Canada,
- (j) the owner or operator of an airport as defined in subsection 3 (1) of the *Aeronautics Act (Canada)* if a zoning regulation under section 5.4 of that Act has been made with respect to lands adjacent to or in the vicinity of the airport and if any part of those lands is within the area to which the relevant planning matter would apply,
- (k) a licensee or permittee in respect of a site, as those terms are defined in subsection 1 (1) of the *Aggregate Resources Act*, if any part of the site is within 300 metres of any part of the area to which the relevant planning matter would apply,
- (l) the holder of an environmental compliance approval to engage in an activity mentioned in subsection 9 (1) of the *Environmental Protection Act* if any of the lands on which the activity is undertaken are within an area of employment and are within 300 metres of any part of the area to which the relevant planning matter would apply, but only if the holder of the approval intends to appeal the relevant decision or conditions, as the case may be, on the basis of inconsistency with land use compatibility policies in any policy statements issued under section 3 of this Act,
- (m) a person who has registered an activity on the Environmental Activity and Sector Registry that would, but for being prescribed for the purposes of subsection 20.21 (1) of the *Environmental Protection Act*, require an environmental compliance approval in accordance with subsection 9 (1) of that Act if any of the lands on which the activity is undertaken are within an area of employment and are within 300 metres of any part of the area to which the relevant planning matter would apply, but only if the person intends to appeal the relevant decision or conditions, as the case may be, on the basis of inconsistency with land use compatibility policies in any policy statements issued under section 3 of this Act, or
- (n) the owner of any land described in clause (k), (l) or (m);

From: [Peter Swinton](#)
To: [Wilma Wotten](#)
Cc: [Scugog Planning](#); [Ralph Walton](#); [Ashley MacDougall](#); [Kevin Heritage](#); [Valerie Hendry](#); [Ian McDougall](#); [David LeRoy](#); [Janna Guido](#); [Robert Rock](#); [Harold Wright](#); [Terry Coyne](#)
Subject: Re: Council Resolution CR-2024-154, Avenu Properties MZO Request
Date: August 9, 2024 12:40:01 PM

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Good afternoon Mayor Wotten,

Thank you for confirming that my email, letter and appendix will be included in the agenda for the September 16, 2024 PCA Committee meeting. Can either you or someone from the Clerk's department confirm whether the full contents of this PCA agenda item will also be included in the agenda when it goes to Council on September 23, 2024?

Can you also please confirm whether the "central repository for all comments and questions" is a public resource available to the developer and any other members of the public, or is it an internal resource only available to staff and members of Council? I have found no links to this repository on the Township website "Current Planning Applications", "Planning Applications" or "My Scugog, Our Community" pages. If there's a link to <https://my.scugog.ca/avenudevelopment> on the general website, I can't find it either. This "avenudevelopment" page does not have a link to this repository, nor does it have a direct link to any of the public or agency comments submitted to the June 24th Council meeting, only documents produced by the development team or the Township.

I would also like to let you know that I have filled in the forms to request to speak to both PCA Committee on September 16th and Council on September 23rd. I have advised the Clerk's office that it is not my intent to repeat the same submission, but only to make myself available at Council should any questions from Committee carry over, or if members of Council have further questions after contemplating this precedent-setting decision for a week.

As I said in my initial submission, staff and/or members of Council are welcome to contact me if they have any questions, or wish to discuss the issue further.

Regards,

Peter Swinton
[REDACTED]

On Fri, Aug 9, 2024 at 7:58 AM Wilma Wotten <wwotten@scugog.ca> wrote:

Good Morning, Mr. Swinton:

Thank you for reaching out regarding the proposal from Avenu Properties. I have copied your email to planning@scugog.ca. We have created this as a central repository for all comments and questions.

These questions and comments will be considered as part of staff's review of this development request and will be included in the September staff report. Council has

requested staff to present their report to Scugog Council by September 16, 2024. A copy of the Avenu proposal as well as a brief overview on the project and public documents are available at <https://my.scugog.ca/avenudevelopment>

I appreciate you taking the time to detail all your concerns.

To address the PCA and/or Council meeting please contact clerks@scugog.ca to complete our delegation form.

Respectfully,

Wilma Wotten

From: Peter Swinton [REDACTED]
Sent: Monday, July 29, 2024 11:47 AM
To: Ralph Walton <rwalton@scugog.ca>; Ashley MacDougall <amacdougall@scugog.ca>; Kevin Heritage <kheritage@scugog.ca>; Valerie Hendry <vhendry@scugog.ca>; Wilma Wotten <wwotten@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>; David LeRoy <dleroy@scugog.ca>; Janna Guido <jguido@scugog.ca>; Robert Rock <rrock@scugog.ca>; Harold Wright <hwright@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>
Subject: Council Resolution CR-2024-154, Avenu Properties MZO Request

Dear Members of Scugog Township Council and Staff,

I am requesting that the attached letter and support appendix be included in the agendas for what I understand to be the upcoming meetings to address CR-2024-154. I assume those meetings would be the following, but please correct me if I am wrong:

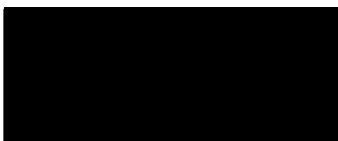
- Planning and Community Affairs Committee, September 16, 2024, 6:30 pm
- Council, September 23, 2024, 6:30 pm

I am also requesting that I be allowed to address both the PCA Committee and Council when they consider this item.

My letter and support appendix are being submitted prior to July 30, 2024 so that Planning Staff can consider and respond to their content when reporting back to Committee and Council. Staff and/or members of Council are welcome to contact me if they have any questions, or wish to discuss the issue further.

Regards,

Peter Swinton



July 29, 2024

To: Members of the Township of Scugog Planning and Community Affairs Committee
Members of the Township of Scugog Council
Kevin Heritage, Director of Development Services
Valerie Hendry, Manager of Planning
Ralph Walton, Director of Corporate Services/Clerk
Ashley MacDougall, Acting Deputy Clerk

From Peter Swinton

Re: Council Meeting of June 24, 2024
Items 9.3 through 10.2.14 inclusive
Avenu Properties Minister's Zoning Order (MZO) Request for the lands fronting Castle Harbour Drive

Resolution CR-2024-154

That Council refer resolution CR-2024-153 to planning and development staff for study of the proposal and report back to the first PCA meeting in September. (*Planning and Community Affairs Committee September 16, 2024, 6:30 pm*)

I am a retired land-use and urban design planner who has spent half my career working for the cities of Scarborough, then Toronto, and half my career in private sector consulting. I have been qualified to give expert opinion evidence before the OMB/OLT in both land-use planning and urban design matters. I have been a resident of Scugog Township on a property with Lake Scugog frontage since 2015.

I was first made aware of the June 24, 2024 agenda item on June 21st, when I was advised by a friend who is a member of the Scugog Lake Stewards. I did a quick review of the report and forwarded my initial thoughts to my friend. I did not attend the June 24th Council meeting. Subsequent to the motion to refer the matter to staff, I did a further review and passed those further thoughts on to my friend.

While I have had discussions about the matter with people both involved with the Scugog Lake Stewards and not, I have not been asked by any party to provide professional services related to this matter.

This letter is intended as a general discussion. Attached as Appendix A, please find a more detailed discussion with policy references intended to support this letter, and to provide the detailed information Councillors and Planning staff need to understand and investigate the points I'm putting forward.

Can Council even make the Decision to request an MZO?

Scugog Township Official Plan

Scugog Township Official Plan Section 9.5 requires that "*any Amendment to the existing By-law shall be in conformity with this Plan*". As such, in order for the Township to request the Minister of Municipal Affairs and Housing (Minister) to approve an MZO to implement the Proposed Development, the Township would need to satisfy itself that the proposal and Draft MZO order does comply with the Official Plan. It is my opinion that it does not.

Density

While the Township Official Plan allows a maximum density of 50 units per net hectare, the Official Plan goes on to:

- Identify Priority Intensification Areas – (the site is not a Priority Intensification Area)
- State that intensification on other lands shall preserve and protect the character of existing established neighbourhoods
- Require new medium and high density residential to be located on and have direct access to an arterial road – (the block fronting Simcoe Rd is not part of the MZO request, so no development or access is being requested or can be secured on these lands fronting an arterial road)
- Low density (the remaining allowable density) is defined as singles, semis and duplexes up to 15 to 25 units per hectare, based on net area, which excludes roadways, parkland and environmentally protected non-developable areas on a site.

No block areas have been shown on the Block Plan provided by Fausto Cortese to support the MZO request, so it is not possible to assess the net developable area of the 582 unit proposal. The 2004 20-lot draft plan of subdivision shows a net developable area of 11.475 ha, not including roads, the storm water management pond and environmentally protected areas. Applying the Official Plan definitions of low density to this net area results in a maximum of 172 to 287 units, which would be further reduced when the net area of additional roads and parkland needed to serve the increased number of smaller units/lots is removed.

The proposed density of 600 units is at least double to triple the density allowed by the Township's Official Plan. As such, it is my opinion that the proposed development and Draft MZO Order are nowhere close to complying with the Township's Official Plan density policies.

Hazard Lands

The Township's Official Plan designates the waterfront along the east and south side of the lands within the proposed MZO area as Hazard Lands. Permitted uses include passive recreational parks and trails, allowing only essential structural works required for flood and/or erosion or sediment control. The boundaries of Hazard Lands are intended to reflect the limits of flooding of streams and lakes (including Lake Scugog) and wetlands, as well as steep slopes, erosion areas, meander belts and unstable/organic soils. Precise boundaries are to be established through a survey identifying the appropriate elevation wherever development occurs adjacent to Hazard Lands, in consultation with the Conservation Authority.

This assessment has not been undertaken in association with the proposed development. The Regional Official Plan states that the location of *key natural heritage* and/or *hydrologic features* are identified and shown in more detail in area municipal official plans and zoning by-laws. Mapping of the Environmental Protection zone in Scugog Zoning By-law 14-14, mapping of Provincially Significant Wetlands in the Durham Region May 2023 updated Official Plan, and the mapping of the 30 m setback from Provincially Significant Wetlands shown in the GHD Natural Heritage Letter, provided in support of the MZO request all show a relatively consistent location of the line between development lands and a safe setback for wetlands/hazard lands. This line intrudes into the proposed development blocks within Fausto Cortese Block Plan, and as such, it is my opinion that the proposed development does not conform to the Hazard

Land policies of the Township's Official Plan, nor the Environmental Areas policies of the 2020 Durham Region Official Plan, nor the Wetlands policies of the 2023 Durham Region Official Plan.

Parkland

The Township's Official Plan states that neighbourhood parks shall be provided at a standard of 1.0 hectares per 1000 persons. The WSP Wastewater Recycling Report, provided in support of the MZO request, assumes a person equivalent of 2.2 people per unit. As such and based on the 600 unit permission requested in the MZO draft order, it is fair to assume a final population for the development of 1,320 people. This would require a 1.32 ha park on lands that are not Hazard Lands. As no public park dedication is shown in the proposed Site Plan or Block Plan, no minimum parkland requirements are included in the proposed Draft MZO Order, and no specific parkland or open space is shown on the proposed zoning map, no mechanism has been put in place to require the amount of parkland specified by the Official Plan. As such the proposed Draft MZO Order can be reasonably deemed to not comply with the parkland provisions of the Township Official Plan.

Durham Region Official Plan

Bill 23 created the concept of an "*upper-tier municipality without planning responsibilities*" and defined it to include the County of Simcoe as well as the Regional Municipalities of Durham and others. Under the in-force legislation, the upper-tier municipalities of Peel, Halton and York will no longer have planning responsibilities as of July 1, 2024. Durham Region and others will continue to be listed as "*upper-tier municipalities without planning responsibilities*", but the in-force date for their loss of planning responsibilities remains to be determined. The Province has indicated that on and after July 1, 2024, site-specific official plan amendments previously exempted by the upper-tier municipality from its need for approval will be reviewed and adopted by the lower-tier municipality without an additional level of approval.

Subject to legal confirmation, it is reasonable to assume that should the Township choose to request an MZO for the Avenu Development, the Township would be assuming the responsibility to confirm that the proposed MZO order also complies with the Regional Official Plan and that no Regional Official Plan Amendment is required.

Can Council request an MZO – Conclusion

While Section 47 of the Planning Act grants the right for the Minister to grant an MZO creating an unappealable rezoning of lands, nothing has changed regarding a lower tier municipality's need that its actions must comply with its own Official Plan. This responsibility may even be growing with legislative changes currently taking place reducing the planning role of upper tier municipalities, and placing that additional burden on lower tier municipalities.

As no planning application has been filed with the Township, Ontario Land Tribunal (OLT) appeal rules do not currently apply. But as Council is being asked to request the Minister to approve an MZO with a specific draft zoning by-law to implement the Proposed Development, that decision and admission of acceptance of the development and zoning bylaw could be subject to legal processes outside of the OLT.

As an example, any involved party or parties could seek a Judicial Review of the Township's decision to ask the Minister for an MZO. The Judicial Panel would then review the decision against the processes

under which a municipality normally undertakes to study and come to a conclusion on a rezoning application, including circulation, consultation and Official Plan compliance.

It is my opinion that the proposed development and draft MZO order do not comply with significant provisions of the Township and Regional Official Plans, and that as such, the Township does not have the right to request the Minister to approve an MZO for a non-complying rezoning.

What is the Township Giving Up by Requesting an MZO?

Zoning orders are made at the discretion of the Minister. Who the Minister chooses to consult and the level to which the Minister chooses to accept that input is also at the discretion of the Minister. As mentioned above, the Minister's Zoning Order is not appealable by anyone.

A detailed Draft Zoning Order along with a detailed Council Draft MZO resolution were included in the final June 24, 2024 Council agenda. Should the Township approve resolution CR-2024-153 and request the Minister to approve the MZO order, it would be reasonable for the Minister to assume that the Township is satisfied with the entire document package in the agenda, and no further consultation with the Township is required.

Environmental Protection

The current zoning shows a significant Environmental Protection (EP) Zone on the lands, which is tied to Environmental Protection provisions in Zoning By-law 14-14. The proposed zoning map shows no EP Zone but Environmental Protection provisions are included in the draft Zoning By-law which apply to no lands shown on the zoning map. The zoning map only includes a note saying

“Environmental Protection Zone boundary (with none shown) to be confirmed through updated Environmental Impact Study”

- No provision has been put in place to require further input from or consultation with the Township, Region or Conservation Authority;
- No provision has been put in place to ensure that any replacement Environmental Protection zone is even put in place, or if it is, that its provisions and location comply with Zoning By-law 14-14 and the policies of the Township and Regional Official Plans;
- Without underlying zoning in place securing the location or existence of the EP zone, the Planning Act limits what can be later implemented through only Draft Plan of Subdivision and Site Plan Control approval.

Affordable Housing

Both the old and new Regional Official Plans require that at least 25% of all new residential units be affordable to low and moderate income households. The proposed development and Draft MZO Order do not show any affordable housing. Nor do they commit to how any affordable housing could be secured. While the submitted Planning Report acknowledges Regional policies related to affordable housing, the report does not identify affordable units within the proposed development. Nor does it show the required calculations to determine rents or purchase prices which comply with the affordable housing requirements. With no planning vehicles in place to secure affordable housing, the proposed

development and Draft MZO Order can be reasonably deemed to not conform to the affordable housing policies of both the in-force and recently adopted Durham Region Official Plans.

The normal planning vehicle used to secure affordable housing is through an agreement authorized under Section 37 of the Planning Act. The Township has Official Plan policies to allow this to happen, but it must happen as part of a rezoning process.

As no affordable housing provisions or Section 37 agreement requirements are proposed within the Draft MZO By-law, if the Township asks for an MZO as outlined in resolution CR-2024-153, the Township is giving up on its ability to secure the affordable housing required by the Region.

Other Section 37 Benefits

The following types of benefits are allowed within the Township's Official Plan, and are typically secured through Section 37:

- The dedication of additional waterfront open space on hazard lands, as contemplated by the previous 20-unit draft plan of subdivision and Township OP policy 4.8.3 d);
- The construction of and dedication to the Township of the Waterfront Municipal Trail;
- Provision of and funding in perpetuity to maintain and operate the shuttle bus Transit intended to connect the site to downtown as referenced in the Planning Report and Public Consultation documents;
- Public Art

While extra land dedications are typically shown in Draft Plan of Subdivisions, the authority to require them is usually secured through Section 37 agreements processed as part of the associated rezoning. As no Section 37 requests have been included in the MZO as outlined in resolution CR-2024-153, the Minister would understand that to mean that no Section 37 benefits are being requested by the Township.

Public and Private Utilities

Public Supply Water

The Civil Engineering report, prepared by SCS in support of this MZO request stated that:

"The subject site was previously approved to be serviced via an extension of watermain along Simcoe Street, Castle Harbour Drive and the internal local roadways. The Region had previously agreed to service the subject site with a long dead end watermain due to the small number of homes being proposed."

"Due to the number of units in the proposed development, the Region would require a second water feed to service the subject site. To achieve this, two existing watermain extensions are required. It is proposed to extend the existing watermain on Simcoe Street through the West Block and the existing watermain on Scugog Line 8 along Castle Harbour Drive."

“The (Development) project is anticipated to be constructed with advanced water recycling technology from the sanitary treatment plant that can potentially reduce potable water usage by 30%”

“In 2018, a Class EA study for a new water supply and storage facility to service the Port Perry Urban Area was completed by the Region to accommodate the projected 2031 population. The proposed water supply and storage expansion identified in the EA study will not be sufficient to service the projected 2051 population or any future projections.”

The West Block fronting Simcoe Rd is not part of the MZO request, so no water supply line is being requested, or can be secured on these lands. Similarly, no provisions have been included in the MZO, as outlined in resolution CR-2024-153, to require the proposed advanced water recycling technology to ensure the 30% reduction required to make the proposal work.

Holding provisions are a zoning tool that is used when the zoning is otherwise supportable, but certain facilities are required to allow the zoning provisions to occur. Draft Plan of Subdivision conditions can usually deal when typical servicing connections with appropriate capacity available at the property frontage, but when additional facilities are required, these are usually outlined through Holding provisions and Section 37 requirements. No holding or Section 37 provisions have been put in place to ensure that a proper water supply system is constructed to support the development.

The following Holding provisions would normally be secured through a typical rezoning process dealing with these kind of issues:

- Withholding density until all lands required to service the development are incorporated in the application before the Township/OLT;
- Withholding density until necessary water supply improvements have been either financially secured or constructed;
- Withholding density until necessary advanced water recycling technology to ensure the 30% potable water reduction have been either financially secured or constructed;
- Withhold density until provisions have been put in place or financially secured to ensure compliance with the Township and Region Official Plan policies related to long term water supply capacity.

As the supply water improvements only serve this development site and have ongoing active operational cost requirements, it would also be appropriate that the following Section 37 requirements be implemented in association with the rezoning:

- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required water supply improvements;
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required water recycling technology from the sanitary treatment facilities necessary to achieve a 30% reduction in potable water usage.

As none of these holding or Section 37 provisions have been included in the draft MZO order, it would not be unexpected that even if the developer did initially construct these facilities, that purchasers, businesses and residents of the development would resist extra charges for facilities which are normally

operated by the municipalities and covered by taxes. The Township and Region should reasonably expect the residents and business owners to lobby Councils to assume these facilities, downloading their development-specific costs onto the broader tax base.

Private Sanitary Services

The 20 lots approved in 2004 ranged in size from 0.424 to 0.805 ha (1.05 to 1.99 acres). These large lots were intended to have individual private septic systems. No communal private sanitary services were anticipated at that time. To reflect this, the in-force Regional OP labelled the Application Lands as:

“Areas Developable on Municipal Water Systems and Private Waste Disposal Systems” (plural)

The Regional Official Plan also considered granting draft plan of subdivision approval in advance of immediately available services providing capacity was available. Servicing capacity will only be granted at the time a *development* agreement is executed.

The updated Regional Official Plan recognised the site area as being a *“location(s) within the Urban Area in which the provision of municipal water and/or sewage services is not technically or financially feasible”* and allowed development on the basis of ***individual on-site sewage services***. (Emphasis mine) Prior to development on private services, the feasibility of full municipal services must be assessed. The only portion of the updated Regional Official Plan that speaks to “communal systems” relates to rural settlements, not urban like this site, and requires an agreement to connect to regional services when they become available.

The policies in place clearly anticipate the individual private septic systems proposed as part of the 20-unit subdivision. No studies were provided with the new development to assess connecting to municipal services, and no agreements are proposed to secure future connections. Nothing is proposed to ensure no future financial or environmental burden to the Region. As such, it is my opinion that the proposed communal sanitary services were not contemplated by the Regional Official Plans, and the safeguards required by the Region have not been secured. As such, it is my opinion that the proposed communal sanitary service does not comply with the Regional Official Plans.

Again, this is an area where Holding provisions and Section 37 can be used to secure compliance with the Official Plan. Section 37 can be used to:

- Require the studies to justify the proposed communal private services
- Require the agreements necessary to secure financing for and commitment to future municipal connections
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required communal sanitary treatment facilities.

Holding provisions can be used to:

- Withholding density until acceptable sanitary facilities have been either financially secured or constructed
- Withhold density until the ability to accommodate the physical requirements for the communal sanitary service facility has been proven, and its impact on net density lands can be determined.

None of this will be possible if the Township supports the Minister's approval of an MZO that does not include these provisions. Once the Minister has been advised that the Township supports the approval of the MZO, as outlined in resolution CR-2024-153, the opportunity to request any further provisions is only at the Minister's discretion.

What is the Township Giving Up – Conclusion

It must be understood that Planning is a top down process:

1. The Ministry is at the top, and develops and updates broad policy documents such as the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe, which all upper and lower tier governments and private sector operators must comply with.
2. The next step down are upper tier municipalities such as regions, with their Official Plans which they, lower tier governments and private sector operators must comply with.
3. The next step down are lower tier municipalities such as Scugog Township, with their Official Plans, zoning by-law and planning approval processes. Those must be complied with by the lower tier municipality and private sector operators, or go through a Planning Act process to adjust those requirements.

MZOs have existed in the Planning Act for a while, and it is a tool that was generally used to allow for quick action in an emergency situation. Since the change in Provincial government in 2018, MZOs have been used more frequently.

Because an MZO is an order from the Minister, it is a ruling from the top of this process. When issuing an MZO, the Minister is not required to comply with the provincial policy documents nor the upper and lower tier Official Plans, except for the PPS as it applies to the Greenbelt Area. As such, the Minister is not required to have any regard for:

- The Township's density, environmental and parkland policies
- The Region's environmental, affordable housing and servicing policies.

By requesting that the Minister approve resolution CR-2024-153, the Township Council is saying that it supports the development with no ability for the Township or Region to:

- Secure the environmental protection which currently applies to the site
- Reduce the density based on need for any environmental protection
- Achieve any affordable housing
- Secure its required parkland
- Secure any additional parkland, trails, shuttle bus service or public art
- Secure the construction and ongoing operation of the municipal water supply to the site
- Secure the construction and ongoing operation of the communal sanitary services for the site

An MZO applies a zoning by-law to the lands, and it must be understood that zoning applies the rights and obligations that are tied to that land. Today, that land has the right to develop a 20 lot subdivision on the lands currently zoned R3 (approximately 60% of the MZO site, as shown in By-law 14-14). The MZO would provide the right to develop 600 units on 100% of the MZO lands, and a wide range of commercial office and medical uses with the only restriction being that these uses are limited to the

ground floor. Typical restrictions such as built area or unit count on an individual lot, minimum lot area, minimum lot frontage and some setbacks are not applied.

I have heard that some members of Council believe that applying an MZO does not limit the Township's rights through other Planning approval processes. It needs to be understood that zoning applies the rights to the lands, and other processes such as Draft Plan of Subdivision and Site Plan Control approval are used to manage how those rights are implemented or distributed on the lands, within the scope of the zoning.

- Draft Plan of Subdivision or Site Plan Control cannot be used to implement an Environmental Protection Zone, or to compel the dedication of lands which are not otherwise required.
- A draft Plan of Subdivision can show the size location and access for parkland that the developer wishes to provide, but it cannot compel the provision of that parkland unless it is required by the zoning by-law.
- No planning process other than the implementation of a zoning holding provision can compel a land owner to include a parcel of land in an application. If those lands are required to service or provide access to the development site, they must either be included voluntarily, or be compelled through a holding provision tied to the services or access intended on those lands.
- No planning process other than the requirements for a Section 37 agreement implemented through the zoning process can compel the provision of the benefits offered by the developer and discussed above.
- Draft Plan of Subdivision conditions need to be met by the developer before a subdivision can be registered, and are generally not intended to be used to secure the ongoing operation of communal services by some form of residential or owners group. Section 37 agreements, registered to the lands form a much better basis to secure these long term obligations.

Conclusion

In a normal planning process, especially where density is based on net lands after excluding roadways, parkland and environmentally protected non-developable areas on a site, all the considerations discussed above are assessed together by the Township, community and commenting agencies to determine how a site should be developed and the appropriate zoning rights and obligations which should apply to the lands.

Instead Avenu Properties is asking the Township to divorce itself from the planning process and to support an independent and un-appealable approval of zoning which would secure the rights for a development with an arbitrarily high number of units, which does not comply with the Township and Regional Official Plans, and which includes no opportunity to secure significant developer future obligations. With other planning applications such as Draft Plan of Subdivision and Site Plan Control, the Township can move around some roads and planting and play with the architectural treatments, so long as it's done within and does not undercut the underlying right to build 600 residential units and a somewhat unlimited amount of a wide range of commercial secured in the zoning.

A decision by the Township to ask the Minister to approve resolution CR-2024-153 is effectively a decision by the Township to abdicate its planning responsibilities, and to burden future taxpayers with the obligations normally required of a developer.

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 12:12 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Peter Wokral

Peter Wokral


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. It is unimaginable to support a proposed development so incompatible with the policies and objectives of Scugog's Official Plan as it applies to the Lake Scugog Shoreline Designation 5. 2. 1 e) as well as Section 2. 2 c) and i) "Natural Heritage and Resource Management". There are far suitable lands in Scugog for intensification and new development that would not threaten the integrity of the Lake Scugog and already fragile ecosystems. Scugog does not need another "Mistake by the Lake" We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced. I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say "no" to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Peter Wokral

From: JENNIFER FLETCHER [REDACTED]
Sent: August 18, 2024 12:41 PM
To: Scugog Planning
Subject: Proposed development on wetlands beside Castle Harbour, Port Perry.

You don't often get email from [REDACTED] [Learn why this is important](#)

August 18, 2024

Dear Scugog Planning,

I'm writing with deep concern regarding the Avenu Properties proposal to build 600 units on the wetlands located on Castle Harbour Drive in Port Perry and part of your Ward 5.

I have looked at the proposal and their slides from one of meetings they had with the residents of Castle Harbour. While many of the aspects of the plan seem, on the surface, innovative and exciting, the dismal track record of the company and the "innovations" proposed, the sheer volume of proposed units, and the inevitable destruction of the natural habitat in that area, are alarming on many levels. I oppose this plan for Scugog and I am writing to ask that you take into consideration the detrimental impacts of this plan on the Lake and our community - and as the Ward 5 representative, oppose it as well.

First, let's start with the company that is behind this proposal. Has council taken a good look at past projects undertaken by them and past dealings? Have they started and abandoned projects in the past? Have they changed their company name? Have the owners been convicted of fraud? These are important questions to ask and should certainly raise huge red flags for council. If the project is abandoned part way through and the company disbands and changes its name again; if the technology doesn't work (what happens when the waste system fails as it has done with the system it is based on in B.C.); if the area naturally floods; if infrastructure experiences erosion on a large scale - who will be responsible? Who will pay for repair? Who will pay for the clean up of sewage into the lake?

Further to the concerns regarding the developer, there are huge concerns regarding the impact an additional 600 units would place on the infrastructure and community of Port Perry. How will the significantly increased traffic be managed on Simcoe Road? Already it is difficult to turn onto Simcoe from Castle Harbour Road or Stone Sound Road. Already it is difficult to find parking in downtown Port Perry. How will vital services like our hospital capacity, family doctors, elder care, community supports, and our schools be able to handle the increase in population from 600 units? My husband has been trying to get a

male doctor in town for years and has been unsuccessful. I know from my own experience in Ajax, that a sudden increase in student population can put tremendous stress on schools. For many years there has been a shortage of portables – Provincewide, and so schools like mine, have had to convert storage rooms, the library, and teacher workrooms into classes. At our school, we were even scheduled to lose our Science lab pods in order to make room to create regular classrooms. Luckily, we did receive some portables this year -but only a small portion of what is needed, but at least it meant our labs were not destroyed. How will schools and our health system be able to support an additional 600 units and all the people who live there?

Lastly, and this is my most urgent concern, the wetlands located here are vital to the health of Lake Scugog and home already to countless species. The Kawartha Lake Stewards, who know Lake Scugog well and understand the ecosystems and impact of urban development, are opposed to this plan. What is further alarming is that if the proposal gets pushed through as a MZO – it will have very little to no environmental assessment, and neither Kawartha Lake Stewards nor Kawartha Conservation Authority would be allowed to provide any input regarding the project. This is an area that was in my lifetime, zoned as “Hazardous land” due to the potential natural flooding. A few years ago, this developer under the previous name of Lalu, managed to get council to change this designation so that he could build a proposed 20 units with community trails. This is a mind-blowing difference - 20 units to 600 units! If you take a walk or cross country ski through this area – which I have done often over the past 30 years – you will see for yourself the multitude of bird species – including Trumpeter swans (which have recently made a come back in Scugog, as well as Sandhill Cranes), mammals (beaver, muskrats, deer, chipmunks, squirrels, rabbits, fox), reptiles, amphibians, insects (including Monarch Butterflies – which are a species at risk) and many native plants, including Milkweed which is essential for the Monarchs. This is an environmentally sensitive area and an important filter for our lake. If the company loads this area with fill – as they will need to because it is “Hazardous and a wetland, they will destroy the nesting, feeding, and breeding areas or all these creatures. It won’t matter how many trails” you put in after the fact, because the habitat and wildlife you are there to see will have been built over, killed or pushed away. Currently the occurrence of Blue-Green Algae in Lake Scugog is on the rise, what will happen when you take away this important filter and add more urban pressure so close to the lake? The construction of 600 units on the lake, will negatively impact all of us who enjoy Lake Scugog and who appreciate its ability to support so many amazing species.

I’m not opposed to the creation of additional housing in Scugog, however, it needs to be planned properly by a competent company and NOT built on our important wetlands.

Thank you for your consideration,

Jennifer Fletcher



Jennifer Fletcher (she/her)
Principal, J. Clarke Richardson Collegiate



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Vanessa Reusser

From: Rebecca Kolarich [REDACTED]
Sent: July 24, 2024 1:34 PM
To: Valerie Hendry
Subject: Question about Avenu development

Follow Up Flag: Follow up
Flag Status: Completed

Hi Valerie

I was looking through the MZO briefing for the proposed Avenu development on Castle Harbour road

Question - what was the wetland buffer for the previous development plan? This is what I found in the MZO briefing

"For purposes of the conceptual site plan for the new development, the prior approved PSW boundaries were used. The prior plan of subdivision used a 30-meter setback as approved by Kawartha Conservation Authority and GHD environmental"

However if the previous development was approved before 2022 - original OWES policy would have had to been in play meaning that the boundary would have had to be at least 120 m

do you have any documents/minutes from the council meeting where the original development was approved?

Thanks
Rebecca

--

Rebecca Kolarich

Program Manager, Water

Pronouns: she/her



Tel: 416.323.9521 | environmentaldefence.ca
TW: [@envirodefence](https://twitter.com/envirodefence) | FB: [EnvironmentalDefenceCanada](https://www.facebook.com/EnvironmentalDefenceCanada) | IG: [@envirodefence](https://www.instagram.com/envirodefence)
33 Cecil Street, 1st Floor, Toronto, Ontario, M5T 1N1

Traditional territories of the Mississaugas of the Credit, the Anishinaabeg, the Haudenosaunee, and the Wendat. Please see full acknowledgement [here](#).

**Defending clean water, a safe climate and healthy communities.
Our work would not be possible without you. Please [donate](#) today.**

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 10:32 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Rebecca Wormell

Follow Up Flag: Follow up
Flag Status: Completed

Rebecca Wormell


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Rebecca Wormell

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 22, 2024 6:06 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Rekha Hira

Rekha Hira



Rekha Hira

From: Janice Hamilton-Dicker [REDACTED]
Sent: July 30, 2024 4:07 PM
To: Wilma Wotten; Ian McDougall; David LeRoy; Janna Guido; Robert Rock; Harold Wright; Terry Coyne; Kevin Heritage; Valerie Hendry; Scugog Planning
Subject: Request that Council not support the MZO for Avenu Properties

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Valerie Hendry

Dear Mayor, Council and Planning staff:

We would like to request that the Mayor and Council not support the Minister's Zoning Order (MZO) request from Avenu Properties in order for them to fast track the development of 600 units, townhouses and apartment buildings on the south side of Castle Harbour Drive.

The proposed development is on environmentally sensitive wetlands that must be protected. The development of these units and the proposal to construct a road over marshland will cause permanent damage to Lake Scugog and destroy the lake's ecological balance.

Even our Scugog Lake Stewards and the Mississauga's of Scugog Island are not in support of this development.

The Township of Scugog's existing infrastructure will not handle an additional 2,000 plus people. To increase or upgrade the existing infrastructure, the taxpayer will be taxed heavily for the schooling, medical, transportation, police, fire and other services.

This MZO will transfer full authority to the Province for all zoning and eliminate the Township's authority over critical assessments and studies, which will bypass the normal planning process.

The developer has held a few information events, but this project should not go any further until Township run public consultations have taken place which would include comments from all agencies! The residents of our Township concerns must be addressed. Planning staff must take the time to evaluate properly this concept plan. This is a decision that must not be rushed even though the developer wants it to be.

Thank you.
Janice and Selwyn Hamilton-Dicker

[REDACTED]

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 3:01 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Robert Scott

Robert Scott


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Robert Scott

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 5:22 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Ryan Hetherington

Ryan Hetherington


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Ryan Hetherington

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 29, 2024 9:17 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Ryan Puskas

Ryan Puskas


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Ryan Puskas

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Ryan Walker - FW: NO to Avenu Properties Proposed Development (EQUUS/Port Perry)
Date: September 4, 2024 10:29:33 AM

From: Ryan Walker [REDACTED]
Sent: Monday, June 24, 2024 2:32 PM
To: Terry Coyne <tcoyne@scugog.ca>; minister.mah@ontario.ca; Wilma Wotten <wwotten@scugog.ca>; Scugog Clerks <clerks@scugog.ca>
Subject: NO to Avenu Properties Proposed Development (EQUUS/Port Perry)

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Hi

I'm Ryan Walker a resident on Castle Harbour Drive in Port Perry. I am writing to share my distrust in the planning process to this point and share my opposition to the proposed development by Avenu Properties. I implore the Council to oppose the application of an MZO for this development and to oppose the high density housing plan in this location, on the water...literally on a wetland and in the lake. The planning process cannot be skipped or fast tracked in order to give a developer what they want, even if the province needs more affordable housing.

Infrastructure: Health, Education, Transportation: I have been living in Port Perry for 2 years and my family has been on a waitlist for a doctor the entire time. The access to the walk-in clinic has been removed and we only have access to a nurse practitioner on Tuesdays from 8-3pm. I have been successful ONLY ONCE in getting an appointment for my kids because the demand is too high and appointments are booked within minutes of the clinic opening so we have to go to other walk-in clinics in different cities. What is the tax-payer cost going to be to provide the necessary infrastructure upgrades that will obviously be required to support the growth from this development?

Population growth is too fast for Port Perry to Support: The document states that the population in 2021 was 11,880 with a forecasted growth of 1,060 residents over the next 10 years (2031). This development alone exceeds the town's growth expectations of the next 10 years, and hence is a risky undertaking.

There has been no Township public consultation: There have been no Township public consultation meetings to-date, only Developer consultations – with one-sided minutes of meetings that don't reflect the true "temperature" of the meeting and extent of concerns. The resident tax-payers of Port Perry are entitled to the proper public consultation, details and time to assess before such a high-risk, critical decision such as this MZO, and before this ridiculously high density, environmentally sensitive and out of character pilot development is approved.

We need to slow down and be diligent to consider its efficaciousness: The tax

paying residents and Council need proper details to be provided with ample time to assess. A 400 page report arriving 3 business days before the Council Meeting today gives residents only a day or two to request speaking time at the Council Meeting. This is not adequate information to issue an MZO. The document includes vision only. It is a concept and does not deal in details or plans. It is a one-sided document extolling the virtues of the vision with no real details to properly assess. The MZO process is required to cut the normal 2-3 year Township planning cycle to 3 months. This creates a high risk pilot project. Proper Planning Department process, reviews, assessments are necessary.

Why would the Council want to give up their decision-making power to the Ontario government? The Township is being asked to consider an MZO, meaning approval for all zoning requirements will be done by the Province. While I understand the Province is desperate to achieve its 1.5M homes target, fast tracking this process will have detrimental effects for decades to come (just like lock downs and special orders and decisions made during the Coronavirus, we are still dealing with many health and economic fall outs). This is not something to rush.

Avenu Properties is not an authority on developing:

Although Avenu has hired some experienced consulting firms, the feasibility documents have little substance. They simply conclude that on the surface it is feasible, subject to further detailed planning, that is not good enough to issue a MZO. These firms were hired by the Developer, of course they will conclude that it is feasible because they are being paid by Avenu and they all want the contract to do the more detailed planning work.

Why are you trying to build 600-800 homes on a wetland and partially on a lake?

There are other places in Scugog or Port Perry that are safer and more environmentally stable that would support high density housing. Leave the wetlands and lake alone. Moving ahead with this project will put the area at risk as well as the surrounding homes with wells on all sides of the lake.

New environmental impact assessments are required: the proposed project has changed many times over the years, a new assessment is required. No amount of force from the Province should change that.

Avenu Properties is potentially a questionable company: Avenu Properties Corp has acquired Lalu Peninsula, this company owns the subject property. The recently acquired company has a questionable background. Avenu is a property investment and management firm, not a developer. They have no prior experience with the proposed undertaking or anything similar. This is a pilot project, according to the document, they are proposing a revolutionary approach that has rarely been attempted. Again, why are you trying this on a wetland and lake in one of the most sensitive areas in Scugog?

Sewage Treatment: the proposed new sewage treatment plant is a terrible idea to have on a wetland and on/on the lake. What happens if it malfunctions and leaks into the lake? Again, why are we trying to build something like this on a wetland and in/on a lake?

Questionable Stakeholder Consultation: Avenu Properties placed many logos and business names in their slide deck on May 7, 2024 to make it appear that these stakeholders have been consulted but they were not truthful in sharing what the stakeholders' recommendations were. Stewards of Lake Scugog does not believe trucking in that much soil will be a valuable endeavour for the area, it will threaten the health of the soil and lake ecosystem as well as wells thousands of families well/ drinking water.

This area is one of the most environmentally sensitive areas in Scugog: These wetlands, adjacent to a wildlife-friendly waterfront, are not suited for the proposed development, which is incompatible with the surrounding estate and single-family homes. When questioned at the meeting about choosing this environmentally sensitive area, the developer responded, "because we acquired and now own the land".

Backfilling will have implications that have not been deciphered: The document does not address the plans for backfill in a low lying wetland area. There will be an impact of thousands of truck loads of new fill from other sites, varying from the content of the current, sensitive site and could dramatically change the health of the lake, the ecosystem of plants and animals and the wells of many homes on well water.

Transportation with 1000+ extra vehicles is not reasonable: The Transportation feasibility was based on a 1-day AM and PM study in February, middle of winter. The assumptions were hard to decipher, a forecast of 53 inbound vehicles and 174 outbound vehicles during the AM peak hour, and 151 inbound and 97 outbound during the PM peak hour. I'm not sure how that was derived given that there will likely be 1,000+ new vehicles. Does it take into account a new traffic light to get on to Simcoe Road? It is already difficult to get onto Simcoe at various times of day. Have they considered the implications for other neighbourhoods such as Canterbury Commons that will have a difficult time accessing Simcoe southbound with this substantial increase in traffic volumes. Their assumption is that 82% of the traffic from the development is southbound in nature. Two entrances, one off Castle Harbour, that is not an arterial road and is not currently supportive of this traffic load. The second mentioned is a new road connecting to Simcoe. However, this appears to need to cross the restricted wetlands to build...again why are we disturbing a wetland?

If Residents' concerns are ignored and MZO is approved: what assurances do we have that the Port Perry community will be protected by transferring authority to the

Province? What measures can we take to halt the Provincial process if necessary, and what conditions should be imposed on the MZO approval? How can we ensure that our Township Planning Department retains final authority on critical development considerations?

In closing... more time is required to assess the impacts on local residents rather than being brushed off as unimportant: traffic, noise and air quality, community services, visual impact, social impact, infrastructure, environmental impact, public consultation.

My family moved here because Port Perry has unique mix of a rural-feeling and the culture and character that might exist in a larger city but without the messy traffic and high density landscape. The Avenu document states the development will allow Port Perry to get itself into the high-density growth game with mixed mass housing and not single family homes. This is exactly the opposite of why my family moved here. We chose Castle Harbour Drive because it feels like we live in the country but we have access to a quaint town that still has a small-town feel. I don't want to live in Pickering, Ajax, Whitby and Oshawa- too busy and too dense. My wife and I worked very hard for decades to be able to afford an almost 2 acre lot in a lovely single-family home area. We value our land and the space it provides my children to play in.

If this MZO is approved by Council and if Council allows the wetland to be lost to an absurd high density housing plan on the water, I will not vote for anyone currently in office. I want someone in office who will protect the wetland and lake as well as the small town feel of Port Perry. At the very least, the residents deserve diligence from those in office who claim to serve the interests of residents.

Take time, complete proper due diligence and don't be swayed by the Developer. Their document does not have the answers, in fact it only raises more questions. Let's make sure that we have the proper answers and that we put in place a process that provides sufficient Township control to ensure that Port Perry tax-payers get what they really need.

Thanks,

Ryan Walker



Vanessa Reusser

From: Sam Hlozan [REDACTED]
Sent: August 19, 2024 12:00 PM
To: Vanessa Reusser
Subject: No development in castle harbour

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Totally against this
Traffic on simcoe is a shit show already Stop the madness Sent from my iPhone

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 3:42 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Sarah English

Sarah English


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Sarah English

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 10:00 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Sarah Powell

Sarah Powell


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Sarah Powell

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 10:29 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Amanda Cavanzo

Amanda Cavanzo


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Amanda Cavanzo

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 3:19 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Amanda Houghton

Amanda Houghton


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Amanda Houghton

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 26, 2024 9:40 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Andrew Spohn

Andrew Spohn


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Andrew Spohn

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 15, 2024 6:58 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of ANNE HARMSWORTH

ANNE HARMSWORTH



ANNE HARMSWORTH

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 3:28 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Bonnie Winter

Bonnie Winter


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.
Bonnie Winter

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 19, 2024 10:31 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Brenda Murphy

Brenda Murphy



Brenda Murphy

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 5:04 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Brendon Stevenson

Brendon Stevenson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Brendon Stevenson

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 19, 2024 12:36 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Brent Meeking

Follow Up Flag: Follow up
Flag Status: Completed

Brent Meeking

I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Brent Meeking

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 1:25 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Brian Clark

Brian Clark


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.
Brian Clark

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 12:53 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Carly Davenport

Carly Davenport


I am writing as founder of Bird Friendly Uxbridge and Nature Canada Volunteer of the Year recipient to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

While I don't reside in Scugog, these wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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Thank you.

Carly Davenport

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 1:04 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Carolyn Mancey

Carolyn Mancey


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Carolyn Mancey

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 26, 2024 9:40 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Cathy Spohn

Cathy Spohn



Cathy Spohn

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 17, 2024 9:11 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Caydence Ralph

Caydence Ralph


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Caydence Ralph

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 3:59 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Chris Sturges

Chris Sturges

I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Chris Sturges

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 3:36 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Craig Bamford

Craig Bamford


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Craig Bamford

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 9:15 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Cynthia Johnston

Cynthia Johnston


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Cynthia Johnston

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 7:10 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Davd Hall

Davd Hall


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Davd Hall

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 19, 2024 10:31 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of David Murphy

David Murphy

I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
David Murphy

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 9:08 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Dennis Schilling

Dennis Schilling


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Dennis Schilling

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 9:14 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Dianne MacMillan

Dianne MacMillan


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Dianne MacMillan

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 22, 2024 6:05 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Dinesh Hira

Dinesh Hira

I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Dinesh Hira

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 17, 2024 9:18 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Donald Ian McLeod

Donald Ian McLeod


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Donald Ian McLeod

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 8:43 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Eric Lewis

Eric Lewis

I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Eric Lewis

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 25, 2024 8:37 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of GARRY MACPHERSON

GARRY MACPHERSON

I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
GARRY MACPHERSON

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 1:02 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Gladys Stephens

Gladys Stephens


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Gladys Stephens

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 9:56 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Graeme Powell

Graeme Powell


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Graeme Powell

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 22, 2024 3:32 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Hailey King

Hailey King

I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Hailey King

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 8:23 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Hayden McKinnon

Hayden McKinnon


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Hayden McKinnon

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 9:48 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Heather Floyd

Heather Floyd

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Thank you.
Heather Floyd

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 10:14 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Heather May

Heather May


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Heather May

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 1:46 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Jacob Tessier

Jacob Tessier


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Jacob Tessier

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 17, 2024 10:39 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of James Beatty

James Beatty



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
James Beatty

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 26, 2024 7:46 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of James Merritt

James Merritt


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
James Merritt

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 25, 2024 1:00 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Jamie Sawyer

Jamie Sawyer


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Jamie Sawyer

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 25, 2024 10:14 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Janet Howsam

Janet Howsam


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Janet Howsam

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 12:31 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of jasmine stein

jasmine stein


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
jasmine stein

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 17, 2024 8:51 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Jennifer Ralph

Follow Up Flag: Follow up
Flag Status: Completed

Jennifer Ralph

I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Jennifer Ralph

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 7:05 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Jessica Dusome

Jessica Dusome


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Jessica Dusome

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 6:43 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Jill Collins Minshull

Jill Collins Minshull


The wetlands are no place for residential units to be situated. There are plenty of better suited places in our community where actual affordable housing can be built. It was a mistake years ago to even allow the approval of 20 estate homes at this location. I don't agree that the two options are only 600 homes or 20 homes. We need to learn from our past mistakes and acknowledge that no development should be on this property. Lake Scugog shoreline is a finite distance. Figure out how to be a creative problem solver and disallow further development on wetlands. The proposed development is going to be an environmental disaster much like the contaminated airport lands in Greenbank and the fake helicopter pad on Lakeridge Road when the fill was contaminated. You are elected to represent the people and to take a stand against bad decision making. Clearly it's a mistake to develop the wetlands. The local Indigenous community and Lake Stewards also stand against this development. I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Jill Collins Minshull

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 7:26 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Jim Donovan

Jim Donovan


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Jim Donovan

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 8:42 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Jim Wakeford

Jim Wakeford


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Jim Wakeford

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 24, 2024 10:45 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of John Seymour

John Seymour


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
John Seymour

Vanessa Reusser

From: Save Port Perry Wetlands Team Member [REDACTED]
Sent: August 16, 2024 4:31 PM
To: Wilma Wotten; Ian McDougall; David LeRoy; Janna Guido; Harold Wright; Terry Coyne; Robert Rock; John Henry; Kevin Heritage; Valerie Hendry; Hon. Todd McCarthy MPP; Jamil Jivani MP; Doug Ford
Subject: Opposition to Proposed Development by Avenu Properties Port Perry

You don't often get email from [REDACTED] [learn why this is important](#)

We are writing to express our strong opposition to Avenu Properties proposal to construct 600 residential units in an environmentally sensitive wetland area on the shore of Lake Scugog in Port Perry, Ontario. This development will include a road through environmentally significant wetlands designated by the Ministry of Natural Resources and Forestry, and construction will necessitate extensive land fill and dredging in areas of Lake Scugog wetlands. In the Foundations of the Scugog Official Plan it states in Section 1 that engaging all individuals in the planning and development of the community will be critical to achieving the goals for the plan. The residents of the community have not had meaningful engagement with the township, we have only been “informed” but have not been “consulted”, “involved” or asked to “collaborate” on this project. As taxpayers and residents of Port Perry and the Province of Ontario this is unacceptable and we are asking for all levels of government to properly represent our interests and not simply that of the developer. To build on environmentally sensitive lands, such as these, a proponent needs to complete and make available all of the necessary studies and scientific based assessments, to include, but not limited to:

- **Environmental Impact Assessment (EIA):** Evaluates potential environmental effects of the proposed development.
- **Ecological Site Assessment:** Identifies and evaluates ecological features, habitats, and species.
- **Hydrogeological Study:** Assesses groundwater conditions and impacts.
- **Water Quality Assessment:** Measures the potential effects on water bodies.
- **Wetland Delineation and Evaluation:** Identifies and assesses wetlands affected by the project.
- **Stormwater Management Plan:** Outlines how stormwater will be managed to minimize impact.
- **Wildlife Studies:** Assesses the impact on local wildlife and their habitats.
- **Species at Risk Assessment:** Identifies and mitigates impacts on threatened or endangered species.
- **Cultural Heritage Assessment:** Evaluates potential impacts on historical or archaeological sites.

We've been given no evidence from credible sources that these studies have been completed and that Avenu Properties are willing to complete these studies. Rather they are looking for a Minister Zoning Order to avoid these critical and typically necessary studies and fast-track an unwanted and ill-considered, for-profit development. We understand and agree with the need for responsible and sustainable housing in Ontario, but when not fully considered or implemented properly, the town citizens are the ones who are left dealing with the negative impacts. Below are some of the impacts that we are seriously concerned about:

Environmental Impact:

- **Destruction of Wetlands:** The road construction and dredging will devastate the marshlands, leading to the loss of wetland species and habitats.
- **Degradation of Lake Health:** Increased runoff and impervious surfaces will further degrade Lake Scugog, increasing pollution levels.
- **Loss of Biodiversity:** Wetland species and their habitats will be significantly affected, leading to a decline in biodiversity crucial for a balanced ecosystem.

Community Impact:

- **Strain on Emergency Services:** Local emergency services, including police, ambulance, and fire services, will face additional strain, compromising the health and safety of all Scugog residents.

- **Impact on Medical Services:** The development will exacerbate existing challenges in our healthcare system, resulting in longer wait times for family doctors, crowded emergency rooms, and overworked medical staff, putting our health at greater risk.

From what we've seen to date, Avenu Properties is not a credible developer and much of their presentation material are bell-and-whistle "amenities" to try and win over Mayor, Council and select members of the community, so that they can profit from a parcel of land that has been and will continue to be unique, irreplaceable and critical from an environmental standpoint.

We are not alone in our concerns, and have begun a petition which already has over 1,800 signatures gathered organically and we will continue to mobilize support for **Save Port Perry Wetlands** through a focused grassroots campaign.

We urge you to support and respect the concerns and questions of Port Perry residents who live, work and support this community. We urge you to deny the MZO request from the developer. Your decision will have long lasting ramifications for Port Perry and its current and future-generation of residents.

Save Port Perry Wetlands Group

www.saveportperrywetlands.ca

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 14, 2024 9:58 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Shirley Brangers

Shirley Brangers



Shirley Brangers

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 9:40 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Shirley Gilson

Shirley Gilson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Shirley Gilson

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 23, 2024 8:35 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Stephen Zebrowski

Stephen Zebrowski


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Stephen Zebrowski

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 16, 2024 8:39 AM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Susan Lacey

Susan Lacey


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Susan Lacey

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Susan Duncan - FW: New proposed housing in Castle Harbour Estates
Date: September 4, 2024 10:51:17 AM

-----Original Message-----

From: Susan Duncan [REDACTED]
Sent: Thursday, January 4, 2024 4:37 PM
To: Mail Box <Mail@scugog.ca>
Subject: New proposed housing in Castle Harbour Estates

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I cannot believe the town would even think about considering this proposal. I will be appalled if it goes through. Many Houses will go up for sale as this will ruin the neighbourhood I am hoping to see many petitions to stop this.

Concerned citizen

Sent from my iPad

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 28, 2024 1:36 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Susan Powell

Susan Powell


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Susan Powell

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 7:10 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Tammy Hall

Tammy Hall


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Tammy Hall

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 10:29 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Tammy Hall

Tammy Hall


Please take the time to do the necessary studies and maintain control of what happens in our township. If this development goes forward and the sewage system fails, what happens to our lakefront property values??
Tammy Hall

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 19, 2024 5:28 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Tanis Tibbs

Tanis Tibbs


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Tanis Tibbs

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 20, 2024 11:36 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Taylor McClure

Taylor McClure


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

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A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Taylor McClure

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Terry Cockerill - FW: AVENU Housing Project Proposal
Date: September 4, 2024 10:51:57 AM

From: Terry Cockerill [REDACTED]
Sent: Sunday, March 10, 2024 7:57 PM
To: Terry Coyne <tcoyne@scugog.ca>
Subject: AVENU Housing Project Proposal

Dear Councillor Coyne

Hello Terry,

As residents of Canterbury Common, my wife and I attended the presentation and Q&A session at The Centre this past Thursday, 7 March. First, we wish to thank you and your Council colleagues for addressing our community and hearing our questions. From our perspective, it was not our expectation that you be able to answer all the questions, but that you acknowledge the questions and concerns and advise residents as to how and when those concerns will be addressed during the approval process. This evening, my wife and I listened to the complete 92-minute presentation that was made to Council on 4 December 2023.

We moved to Canterbury Common in 2016. I grew up on a farm in Mariposa Township near Lake Scugog, and I am a retired military officer with 26 years service. We are increasingly appreciative and so grateful for all this town and community have to offer for retirees like us.

As was stated during Coffee Hour, Council priorities include housing and infrastructure development while maintaining the health and sustainability of Lake Scugog, its shorelines and tributaries. We have serious concerns as to how the AVENU development could adequately satisfy these priorities without compromising the lake and surrounding habitat.

For now, we would like to ask you (and Council) the following questions regarding the AVENU project proposal:

1. Has an environmental study been conducted with 2050 climate action objectives in mind? If not, who is the stakeholder to conduct this study and when will it be completed and made public?
2. Has a geological and seismic study been conducted on the proposed development land? In not, who is the stakeholder to conduct this study and when will it be completed

and made public?

There was no mention of these critical studies during the meeting last Thursday, but many of the questions raised would be addressed by these studies.

Thank you.

Sincerely,

Terry and Bernadette Cockerill

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 30, 2024 4:12 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Terry Farrell

Terry Farrell


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Terry Farrell

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Tracy Pastic - FW: Castle Harbour Development Project
Date: September 4, 2024 10:52:30 AM

From: scientist_tracy scientist_tracy [REDACTED]
Date: Wednesday, May 8, 2024 at 9:36 AM
To: Wilma Wotten <wwotten@scugog.ca>, Ian McDougall <imcdougall@scugog.ca>, David LeRoy <dleroy@scugog.ca>, Janna Guido <jguido@scugog.ca>, Robert Rock <rrock@scugog.ca>, Harold Wright <hwright@scugog.ca>
Subject: Castle Harbour Development Project

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Mayor Wotten and Councillors of Scugog Township,

This letter is regarding my "take away" from the meeting at the library last night (May 7th) at the library regarding the proposed development on the Castle Harbour area property by Avenu development. I understand that it was just an information meeting and no proposals have been brought before council yet, but I think as a council, thorough investigation and thought must be done before this goes much further.

It was a shame that more councillors were not present at the meeting (I understand that Mayor Wotten was on vacation; its so hard to predict the best time to get away), as it was quite a show. The absence of the majority of council and our regional council was quietly questioned. It was a full house with many of the residents of Scugog present; so this is a hot issue with varying opinions. It was interesting to see the demographics in the room. I noticed a lot of seniors who in my opinion, may have been there to learn the senior housing aspect of the project, or were concerned residents of the Castle Harbour or surrounding area. Or maybe they were there like myself - just to see what this development was all about. I left with more questions and doubt, than answers; I think the majority of us did.

What I learned was that this project is hoping to bring 600 new units to that area with approx 650 parking spaces; all within the Official Plan of Scugog Township, satisfying the ratios of hectares of land vs housing vs infrastructure. A 1,200 sq m commercial area would be added, a possible eco-friendly marina/docking system, re-claimed watershed land as well as a possible road that is partially existing, through a natural sensitive area. The

breakdown of units would be 32 single/towns with 568 apartments; it was unclear whether these units would be owned or leased. Since there is no capacity for regional sewage until the year 2050, the developer must install a private waste system. This development was being presented as a self contained "town" with its own natural area, walkways, convenience stores, a ergonomic shuttle (that is still in early development) to get people downtown, a marina without gasoline etc... . It sounded like a separate community that will separate our town, almost a "Disney World" without the rides.

Many good questions were raised by Scugog residents at this meeting, but it was clear that there still needs to be a lot of research and development for this project to go forward. The general response from the developers involved in the project seemed to be well rehearsed and generally thanking the public for the inquiry and "we will take note of that and look into it". To me it was a lot of "Putting the cart before the horse" mentality with this project. The schematics of the development from the outside seem impressive, but I think when one delves into the different aspects of it all, more problems will exist than solutions.

- Road use was a big concern/traffic congestion at the intersection of Castle Harbour Drive and Simcoe Street as well as the alternative entrance into the development through sensitive land.
- Questions about parking spaces - 600 units and just under 700 spaces for cars? The developer insisted that this area would be a multi-generational, with that said, where will the extra cars end up being parked/
- Strain on healthcare. Many people in Scugog are on a 2 year waiting list for a family doctor. Our hospital is already working at capacity. With a minimum of 1800 new people added to the township, how does that fit into the official plan of Scugog?
- Education. Our 4 local schools are already at capacity (including Prince Albert), and the DDSB will only build schools once there are established subdivisions and need-usually 5-7 years after build. This was not considered.
- The waste system sounds impressive and very ecologically sound. But, if it breaks down, will there be engineers on hand that can repair it in a timely fashion? - especially with changing technology. The question was also brought up about the eventual attachment of the community to regional waste systems in 2050 - what would happen to the existing system and the use of it

for thermal energy. The response from the developer was not favorable as it was said that they are currently fighting Durham Region on this point.

- Much was discussed about re-claiming the land that was previously flooded that the developer owns. It was unclear what they intend to use it for. The developers made it clear that the Lake Stewards approached them as they were looking for a place to dump the dredge results from the Scugog waterfront area. They mentioned that they had hired environmental engineers for the project - but is this dumping onto another sensitive site a good idea environmentally?
- The pricing of the project was unclear. The moderator stated that since the home prices in our Township are some of the highest in the region, the word "affordable housing" would be relative. What does that mean?
- The developer admitted to not have any experience building anything, just development and project management. All construction would be independently hired out. I question the process, validity of builders, eco responsibility etc...
- Sustainability was a key word-was this because Durham Region has no plan to service the area until 2050? So the developers are using this tagline because they have no choice?
- There were also questions of who are the investors in this project and the developer said that they were trying to be transparent, they did not divulge that information and were very clear on many occasions that they had purchased the land from a previous developer that had their own previous baggage-nothing to do with them.

Many more questions than answers in my opinion. It seems to me that this project is a tad bit ambitious for the area and we as a Township may not be ready for it. I know by the temperature of the room, the residents were not very receptive to the project or what was presented. This project could dramatically change everything here-either for the better or worse.

I hope that the residents of Scugog voice their opinions to you, our council, as you hold the power that plans the future of our Township. Please look at all issues of the project and to make an informed decision, It is a big responsibility that I know that you do not take lightly; and please go to all of

the future information meetings if you are able. This is such an important issue affecting our community.

Respectfully yours,
Tracy Pastic
(Scugog Resident of 38 years)

Vanessa Reusser

From: Tracy Shestowsky [REDACTED]
Sent: June 25, 2024 7:09 AM
To: David LeRoy; Harold Wright; Janna Guido; Kevin Heritage; mcdougall@scugog.ca; Robert Rock; Terry Coyne; Valerie Hendry; Wilma Wotten
Subject: Avenu Properties Development: Requesting No MZO

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Hello. My name is Tracy Shestowsky and I live with my family at [REDACTED]. I am compelled to write and make my position known that I am vehemently opposed to the 600 units planned for our community. I am not against growth and development in general, as I understand there are often great benefits to be realized when neighbourhoods, communities and townships grow. However, this particular proposed plan does not make any sense from everything that I have read, especially given the proper assessments and reviews have been forgone. I know you have received many letters and emails that clearly outline the numerous concerns and issues we have as a neighbourhood/community so I just want to go on record that I echo each and every concern of my fellow neighbours & members of the community. To be specific, the significant negative impact to our roads, healthcare, schooling and the environment have been overlooked in my opinion. We are also extremely worried about the incredibly high taxes we already pay and I can say with 100% certainty, that we would not be able to withstand the anticipated increases a project like this would generate...likely causing our home of 12 years to become unaffordable for us. In my opinion, the developer has not been able to prove they are capable or credible-with this, I urge and plead that the request for an MZO not be granted.

Sincerely,
Tracy Shestowsky

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 21, 2024 8:54 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Tristan Long

Tristan Long


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Tristan Long

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 25, 2024 9:06 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Vicki Gray

Vicki Gray


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Vicki Gray

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 22, 2024 2:52 PM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of Vicki Sanderson

Vicki Sanderson


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Vicki Sanderson

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 25, 2024 8:38 AM
To: Valerie Hendry
Subject: Save Port Perry Wetlands - sent on behalf of VIKKI MACPHERSON

VIKKI MACPHERSON



VIKKI MACPHERSON

Vanessa Reusser

From: Valerie Hendry
Sent: January 22, 2024 10:58 AM
To: 'Wendy Donovan'
Cc: Janice Hamilton-Dicker; brian stephen; Wilma Wotten; Terry Coyne; Lee Bull
Subject: RE: My issues with new development in Castle Harbour

Good morning Wendy and Jim Donovan,

Thank you for your comments. We will consider them as we continue to process the proposal.

Please note that the proponent has not yet provided the Township with further details of their proposal that we have requested before consulting with the Public and commenting agencies. As such, the dates for public notice and an open house included in Council's resolution December 5, 2023 have been put on hold.

We will provide you with notice of a future public open house when the information is received so that you can provide further input into the proposal.

Take care

Valerie

Valerie Hendry, MCIP, RPP
Manager, Planning

Township of Scugog, 181 Perry St. P.O. Box 780, Port Perry, ON L9L 1A7
P:905.985.7346 ext 100, Fax: 905.985.9914
Website: www.scugog.ca
vhendry@scugog.ca

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-----Original Message-----

From: Wendy Donovan [REDACTED]
Sent: Saturday, January 20, 2024 11:46 AM
To: Valerie Hendry <vhendry@scugog.ca>
Cc: Janice Hamilton-Dicker [REDACTED]; brian stephen [REDACTED]; Wilma Wotten <wwotten@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>
Subject: My issues with new development in Castle Harbour

Hi Valerie,

We were asked to send you our list of issues and concerns with this new development going to be built in my neighbourhood. Attached is mine and my husband, Jim's list.

First of all, allowing 500 to 600 townhouses to be built does not go with what this neighbourhood is all about now. This neighbourhood is about quiet, large lots with no cookie cutter houses. This will bring down the value of our homes and neighbourhood.

Second is the land fill required and it will be a lot. Look at what happened to Greenbank. How will the township and the developers make sure the large quantity of fill required will not be contaminated? When Lori Fox was the township's spokesperson for this development years ago, she out right lied to all of us at the township meeting saying every truck, before entering the site, a sample of soil will be taken off the back of the truck and tested right then and there on the road. This is impossible. You cannot test soil this way. I phoned many laboratories that actually do soil testing and it is a very complex procedure. First of all, there are hundreds of things to test for. The lab does not decide what to test, the individual who brings the soil in has to tell them exactly what they want tested. All the different contaminants require different types of bottles, obtained from the lab. The cost is very expensive for each test. The results take about two weeks for each contaminate tested. So how are the developers and township going to do all this soil testing? I have a strong feeling the soil will not be tested. Everyone will turn a blind eye to it.

We are all on wells in here. Most are shallow wells. If our wells become contaminated and it is a very strong possibility they will if the fill is contaminated, I feel it is only right that the developers pay out of their pockets to have town water installed in this neighbourhood and every house be put on it. Not just the few houses in front of this development. Last time, the township said, if our wells become contaminated or dry up, it is up to each individual to pay for town water. Absolutely No! This is not fair. We do not want this, the developers and township wants this. You both should be paying for our houses to be put on town water. None of us want this development. It is also very expensive to each house. The developers want this so bad, they can pay for each house. People are struggling now with just the every day expenses. Why should we all pay for something we don't want in the first place. Many will get sick and potentially die from drinking contaminated water. This is absolutely a lawsuit waiting to happen. The township needs to consider this before allowing the developers off the hook for town water to every house in this neighbourhood.

Lastly is the septic system. This one is mind boggling that up to six hundred townhouses will all be on septics? How is this even possible? It isn't. Look how much land our individual houses need to filter the water and waste from one individual house with only approximately two to four living in a house. We all have huge lots because our septic beds require a lot of land. The fact that Lake Scugog is right next to this development is very concerning also. The excess fecal waste and there will be a lot of it will go into Lake Scugog and contaminate the water and everything living in the water and around it. Also, human fecal matter is not the same as geese. So please, no comparison from the developers or township. What about all the phosphates leaking or basically dumping into the lake? All fish and wildlife will die. When this happens and the developers are no where be found, is the township going to pay to fix this problem? These homes, if built, need to be put on sewers not a septic system.

I really hope the township takes these concerns very seriously because these are very serious concerns. Twenty homes was one thing but 500 to 600 townhouses? This is absolutely ridiculous on this small piece of swamp land next to Lake Scugog.

Sincerely,
Wendy and Jim Donovan

From: [Vanessa Reusser](#)
To: [Vanessa Reusser](#)
Subject: Wendy Donovan - FW: Official copy of the zoning By-Law for the parcel of land in Castle Harbour
Date: September 4, 2024 10:55:30 AM

From: Wendy Donovan [REDACTED]
Sent: Monday, May 6, 2024 8:49 AM
To: Wilma Wotten <wwotten@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>; Valerie Hendry <vhendry@scugog.ca>; Township Diane Knutson <dknutson@scugog.ca>; Kevin Heritage <kheritage@scugog.ca>
Cc: Janice Hamilton-Dicker [REDACTED]
Subject: Official copy of the zoning By-Law for the parcel of land in Castle Harbour

Hello,

I'm not sure who in the township is responsible for obtaining and having the official zoning By-law for the parcel of land Avenue owns. I attended the meeting last week and Wilma kept stating the owners of this land can build an apartment building on this piece of land because they own it! Very unprofessional in my opinion. I thought you sounded like a salesperson for Avenue not a mayor representing her town's people. A neighbour of mine stated to Wilma, he worked in development for over 40 years and there are certain rules and regulations for every piece of land and he stated, no, an apartment would not be allowed to be built just because "they own the land".

This land went from 20 homes to now 600 homes with well over a thousand to two thousand people living on it. There would need to be assessments done regarding the roads, impact on a small towns resources, environmental studies because it is right beside a lake on the Trent Severn waterway, before Avenue can just come up with this idea. I have attached what I have so far from the township but it only is dated to 2017, where is the latest copy of the re-zoning of this land to allow this many homes? A mayor does not have the power to let them build whatever they want. There would need to be official approval in place first stating the quantity and types of homes that can be built. Do you all realize this is mostly swamp land they want to built on.

Myself and all the neighbours in here want to know how many homes (units) can actually be built on this land. If it is now 600, when was it changed? Plus who changed it and what date? I feel the township owes us this much. Or, is the township again turning a blind eye to this and letting Avenue build whatever type and how many homes they want. The council now in charge does turn a blind eye. I won't forget what you need to myself and my husband with all the dump trucks of fill being brought in behind us. You both turned a blind eye to that one. Just a note to the mayor and Terry Coyne, you are supposed to be representing us, the people of Port Perry not Avenue. Terry Coyne has done zero for us in this neighbourhood regarding representation. Maybe this development could be built beside your beef cattle farm Wilma, let's see how you like it then. To build this beside lake Scugog is a disaster just waiting to happen.

Avenue also contradicted themselves during the meeting. They said they own another 25 feet of property which is currently under water but plan on building on it and using it. When a neighbour asked them the question of how much fill they plan on bringing in, the man running the meeting stated they didn't feel they would need to bring in any fill? How stupid do you think we are. We have a right to know how much fill will be brought in, where the source of this fill is from and paperwork stating it is not contaminated. I feel "Geeenbank Airport" is embedded in every Port Perry resident after that fiasco. This parcel of land is beside a lake. This is not the right place to do an experimental self run sewage system. Even if it fails a little, what happens? Are two thousand people now told not to flush a toilet, no showers or laundry done until "someone" can figure out how to get the experimental sewage treatment system working properly again. Has anyone in the township even considered this. Systems break all the time. What do two thousand people do now? Dump sewage into lake Scugog, contaminate all of our existing drinking wells in this neighbourhood. Township really needs to try an experimental project like this on a piece of land further from town and the lake to see first if this "fantasy" project they came up with will succeed. This piece of land comes with a lot of high risks involved if it fails and it will fail. See attached the zoning only up to 2017. I would like to see the recent re zoning of the land. Is there even one? I question that. Please keep in mind who our mayor and councillor represent. You don't represent Avenue. This project should be built on a different piece of land in a further location. Too many experimental ideas with their project. No actual facts. Disaster waiting to happen.

Sincerely,
Wendy Donovan

Planning application history of the Castle Harbour Development site:

- Applications for a Scugog Official Plan & Zoning By-law Amendments and Plan of Subdivision were submitted to both the Township and the Region in April of 2004 by a former property owner, Port Perry Harbour. The purpose of the amendments was to permit the development of a residential subdivision on partial services.
- The Scugog Official Plan Amendment was passed by Council in May, 2006 and subsequently approved by the Region of Durham in June 2006. The amendment re-designated the property to a Partial/Private Residential Service designation.
- The Subdivision application was granted Draft Plan Approval by the Region of Durham in March, 2007. There were over 20 conditions included in this approval, one of which is that the Developer had to amend the Zoning By-law to permit the residential subdivision.
- The rezoning application was approved by Council in 2012. At this time, the property was owned by CDM Realty. The Zoning By-law became effective on the date of passing.
- CDM submitted detailed engineering designs and reports in support of the subdivision application in 2012. These plans were reviewed and approved by the Township in consultation with the Region of Durham and Kawartha Conservation Authority in March, 2015.
- The property was purchased by Lalu Peninsula Inc. in April, 2017. In order for them to proceed to clear the conditions of approval for the plan of subdivision and in recognition of the lapse in time since the reports were first prepared, Lalu provided the Region of Durham and the Township with updated reports for review and approval.

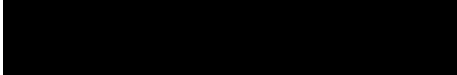
With regards to architectural control, Lalu will be required to submit their architectural plans to the Township so that they can be reviewed by the Township's appointed control architect.

Vanessa Reusser

From: Save Port Perry Wetlands <noreply@TheMarcoCorporation.com>
Sent: August 11, 2024 3:33 PM
To: Scugog Planning
Subject: Save Port Perry Wetlands - sent on behalf of Wendy Donovan

You don't often get email from noreply@themarkocorporation.com. [Learn why this is important](#)

Wendy Donovan



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Wendy Donovan

Vanessa Reusser

From: Wendy Donovan [REDACTED]
Sent: August 6, 2024 11:36 AM
To: Kevin Heritage; Valerie Hendry; Scugog Clerks
Cc: Janice Hamilton-Dicker
Subject: Avenu Development

Follow Up Flag: Follow up
Flag Status: Completed

Begin forwarded message:

From: Wendy Donovan [REDACTED]
Date: August 6, 2024 at 9:44:16 AM EDT
To: Wilma Wotten - Mayor <wwotten@scugog.ca>, Terry Coyne - Ward 5 Councillor <tcoyne@scugog.ca>, McDougall - Township <imcdougall@scugog.ca>, Guido - Township <jguido@scugog.ca>, Rock - Township <rrock@scugog.ca>, Wright - Township <hwright@scugog.ca>, Leroy - Township <dleroy@scugog.ca>
Cc: Janice Hamilton-Dicker [REDACTED]
Subject: Avenue Development

Hello,

I live in Castle Harbour and I am writing to you to please let this development go through the proper channels and approvals. It should be treated like any other development in Scugog and should not be allowed a fast track MZO. Any developer who wants an MZO is not being truthful and has something to hide.

I was at the meeting when the gentleman from the Lakes Stewards implored council to not grant the MZO yet two councillors voted yes! He spoke from experience with the Canterbury Commons development and how much of a mess that made of Lake Scugog. The Mississauga Natives have written to the township asking council to not approve this MZO. Residents have asked the township to not grant the MZO. Let this development go through all the proper procedures and approvals.

We voted this council in to work for the people of Scugog not Avenu. If this development is all "good" then let it go through the proper channels and different approvals needed. This is a huge development that has never been done in Scugog so to let it fast track is wrong. This is an experiment development which could and will probably go very wrong. Plus it is right beside the lake on wetlands. We want Lake Scugog protected, not built on.

I guarantee if built, three families with three vehicles will live in one unit. Where will they all park? This will be much more water used than Avenu is preaching. Plus much more wastewater that needs to be cleaned on an experimental sewage system right beside a lake and residential drinking wells. Avenu keeps saying it will be the Canterbury Commons residents buying these units. Unfortunately when those residents feel they can't live in Canterbury Commons anymore most will be going into retirement or nursing homes. No one believes this statement from Avenu. All Avenu does is feed people with ear candy. Telling wonderful things about something they have never ever built before! That's the scary thing also. It's never been done before.

We all feel this is just a huge money laundering operation on the Avenu owner's perspective. They have a terrible reputation for money laundering. Scugog township will be assisting in this unlawful act.

Please do not grant this MZO in September. This development which has never been done before definitely needs to be approved on all levels. To fast track this is a suicidal action on Scugog councils behalf. I think and believe this will be a nightmare development you will all regret. It will be a disaster.

Sincerely,
Wendy and Jim Donovan

From: [Wendy Donovan](#)
To: [Valerie Hendry](#)
Subject: Would like my name added to the list
Date: January 11, 2024 8:48:42 PM

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi Valerie,

I live in Castle Harbour and would like myself and my husband's names added to the list that you are keeping regarding this new development that is supposed to be built.

Our names are Wendy and Jim Donovan. We live at [REDACTED]

I will send you a list of my concerns next week.

Sincerely,
Wendy and Jim Donovan

Vanessa Reusser

From: Wilma Wotten
Sent: August 9, 2024 7:45 AM
To: Wendy Donovan; Terry Coyne; David LeRoy; Harold Wright; Ian McDougall; Janna Guido; Robert Rock; Kevin Heritage; Valerie Hendry; Scugog Clerks
Cc: Janice Hamilton-Dicker
Subject: RE: See attached articles from the Mississaugas of Scugog

Hello Ms. Donovan: Thank you for reaching out regarding the proposal from Avenu Properties. I have forwarded your email to planning@scugog.ca.

All questions and comments will be considered as part of staff's review of this development request and will be included in the September staff report. Council has requested staff to present their report to Scugog Council by September 16, 2024. A copy of the Avenu proposal as well as a brief overview on the project and public documents are available at <https://my.scugog.ca/avenudevelopment>

Wilma Wotten

From: Wendy Donovan [REDACTED]
Sent: Thursday, August 8, 2024 12:07 PM
To: Wilma Wotten <wwotten@scugog.ca>; Terry Coyne <tcoyne@scugog.ca>; David LeRoy <dleroy@scugog.ca>; Harold Wright <hwright@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>; Janna Guido <jguido@scugog.ca>; Robert Rock <rrock@scugog.ca>; Kevin Heritage <kheritage@scugog.ca>; Valerie Hendry <vhendry@scugog.ca>; Scugog Clerks <clerks@scugog.ca>
Cc: Janice Hamilton-Dicker <jands@hotmail.ca>
Subject: See attached articles from the Mississaugas of Scugog

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Please do not fast track this MZO in September. An Ontario Tech professor is calling lake Scugog a stressed ecosystem. Again, Lake Scugog needs to be protected, not once again built on. Learn from the past mistakes such as Vos grocery store and Canterbury Commons. Twenty homes is one thing, but what Avenu is proposing is wrong and ridiculous plus all very experimental which can and probably will go very wrong! Avenu does not care about Scugog township or our lake. The residents here do care.



Mississaugas of Scugog Island First Nation

Jul 17 · 🌐

'Many concerns' held about Port Perry lakeshore development: Mississaugas of Scugog Island, environmentalists.' [insauga](#) Durham... See more



CHANGE
CITY >

'Many concerns' held about Port Perry lakeshore development: Mississaugas of Scugog Island, environmentalists

Durham | Oshawa | Community | Latest News

By Liam McConnell

Published July 10, 2024 at 1:20 pm



for the shores of Lake Simcoe and have asked... [insauga.com/utwip4fem](#)



Mississaugas of Scugog Island First Nation

1h · 🌐

ICYMI (in case you missed it):

'Many concerns' held about Port Perry lakeshore development: [Mississaugas of Scugog Island First Nation](#)

Ontario Tech University Professor of Environmental Biology Andrea Kirkwood called Lake Scugog "a stressed ecosystem."

"Over the last few decades, urban development has disproportionately impacted water quality in the lake relative to agriculture, which is the dominant land-use in the watershed," she continued, mentioning studies that indicate higher levels of phosphorus and chloride."

[Ontario Tech University Ontario Nature Paul Caland](#)
[Township of Scugog Anishinabek Nation Chiefs of](#)
[Ontario Downie Wenjack Fund Wilma Wotten, Mayo](#)
[Township of Scugog Robert Rock](#)

[Scugog Lake Stewards Kawartha Conservation](#) #on
#nature #consultation #portperry #scugog #lakelife
#lakescugog

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Kathy Sweet
Date: September 4, 2024 5:52:03 PM

Kathy Sweet



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.


I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Kathy Sweet

From: [Save Port Perry Wetlands](#)
To: [Valerie Hendry](#)
Subject: Save Port Perry Wetlands - sent on behalf of Rebecca Zebrowski
Date: September 4, 2024 5:40:58 PM

Rebecca Zebrowski


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Rebecca Zebrowski

Attachment 8:
Letters from Mississaugas of Scugog Island First Nations, dated March 27, 2024
and August 30, 2024



22521 ISLAND ROAD · PORT PERRY, ON · L9L 1B6 · TEL: 905-985-3337 · FAX: 905-985-8828

March 27, 2024

The Township of Scugog
181 Perry Street
PO Box 780
Port Perry, ON L9L 1A7
March 19, 2024

Dear Mayor and Council,

We are writing to you on behalf of the Mississaugas of Scugog Island First Nation (MSIFN) with a request to ensure that the proposed development in Lake Scugog will receive a thorough environmental assessment with meaningful consultation by the Township of Scugog with MSIFN.

From time immemorial, we have lived on the shores of Lake Scugog, north of what is now Port Perry. MSIFN has been working to establish a constructive dialogue towards the protection of our Constitutionally recognized Aboriginal and Treaty rights.

We continue to be concerned about the provincial government's ongoing removal of protections for the land, including the "streamlining" of environmental assessment processes for certain infrastructure projects recently introduced in Bill 162, the *Get it Done Act, 2024* and the *More Homes for Everyone Act, 2022* which created a minister's order authority known as the "Community Infrastructure and Housing Accelerator" (CIHA) tool. This authority gives the Minister of Municipal Affairs and Housing the power to make orders to respond to requests from Municipalities such as the Township of Scugog for expedited zoning.

We have heightened concern about the proposal of Avenu Properties Corp. to develop property on the shores of Lake Scugog. We are of the understanding that the Township of Scugog is in favour of this project and, at the request of Avenu Properties, is considering seeking a CIHA order from the Minister. While we understand the Township's desire to see more residential

development in the community, this should not happen without extensive and meaningful consultation with MSIFN. A Community Infrastructure and Housing Accelerator order will significantly impact the exercise of our Constitutionally protected Aboriginal and Treaty Rights.

MSIFN and Ontario municipalities used to rely on technical reviews of projects like this from Conservation Authorities working under the Conservation Authorities Act. However, the province has removed Conservation Authorities from the planning and assessment process for these municipal development projects. This is the first major project both the Township and MSIFN are being asked to consider without the resources and technical expertise of Kawartha Conservation. We are concerned about the level of due diligence the Township has conducted to date with Avenu Properties, especially given the inability of Kawartha Conservation to review and comment on the proposal. Also concerning is the notice from Avenu Properties' (March 15, 2024) that it is refusing to fund MSIFN's costs for a third-party technical review of its technical work and reports.

In our view Avenu Properties has no track record in Ontario – in fact, they do not appear to have built anything. Additionally, we know that this project is located on a floodplain, environmentally sensitive waterfront land, may have long-term impacts on the surrounding provincially significant wetland, may impact protected species at risk, and may significantly impact MSIFN's harvesting rights which are protected by treaty.

Avenu Properties has asked Scugog Council to request the use of Ontario's CIHA tool to speed the project forward. Due to our deep concerns over the abilities of the developer, the environmental sensitivity of the land and waters, and the impacts on our rights and interests, we request your assurance that this project will undergo a full and detailed environmental assessment, with meaningful consultation by the Township of Scugog with MSIFN, before any further action is taken to speed up this development.

Thank you for taking the time to consider this matter and we look forward to receiving your response.

Sincerely,



Chief Kelly LaRocca



Councillor Jeff Forbes



Councillor Sylvia Coleman

Cc: The Honourable Doug Ford, Premier of Ontario

The Honourable Paul Calandra, Minister of Municipal Affairs and Housing
The Honourable Andrea Khanjin, Minister of the Environment, Conservation & Parks



22521 ISLAND ROAD · PORT PERRY, ON · L9L 1B6 · TEL: 905-985-3337 · FAX: 905-985-8828 · www.scugogfirstnation.com

August 30th, 2024

Valerie Hendry, MCIP, RPP
Manager of Planning Township of Scugog
181 Perry Street, PO Box 780
Port Perry, ON L9L 1A7
Email: vhendry@scugog.ca

Re: Submission to the Township of Scugog Council: Opposition to the Proposed Ministerial Zoning Order (MZO) for Development Along the Western Edge of Lake Scugog

Aaniin,

When the Township of Scugog Council returns from its summer break, one of the first orders of business will be to consider supporting a Ministerial Zoning Order (MZO) for a large-scale development along the western edge of Lake Scugog. This proposal seeks to rezone land to permit 600 multi-residential units, commercial spaces, a long-term care facility, a lakefront marina and dock facility, and infrastructure that would disrupt and devastate the Lake Scugog watershed that is fundamental to the treaty rights confirmed by Ontario and Canada in the 2018 Williams Treaties First Nations Settlement Agreement. We strongly oppose this proposal, as it threatens the overall health of the lake, Provincially Significant Wetlands, and their watershed – an important Indigenous Cultural Landscape for the Mississaugas of Scugog Island (MSIFN) - poses severe environmental risks, and undermines our treaty rights.

We are in receipt of the Township's letter of June 30, 2024 addressed to Chief LaRocca to engage with MSIFN on the proposed MZO, which provided MSIFN with a copy of the submission materials for MSIFN's review. We understand that Township staff have also been asked to review the proposal and a report will be presented to the Scugog Planning and Community Affairs Committee on September 16, 2024 to consider passing a resolution and request the Minister of Municipal Affairs and Housing to enact the MZO to implement the proposed development. We expect to be further consulted by the Township on the report to the Scugog Planning and Community Affairs Committee as soon as that report is available and to

be able to provide additional comments on the planning report before the Township makes any decision on the proposal to support an MZO for these lands.

MZOs are provincial orders that allow developers to bypass significant planning approvals, including environmental assessments and public consultations. This fast-tracking mechanism is deeply concerning, as it prioritizes development over environmental protection and community input. MSIFN's recent experience with an MZO in Durham Region did not inspire confidence in this process. That MZO sought to shortcut planning approvals to benefit developers, eliciting public outrage over a plan to build one of the largest warehouses in North America on a Provincially Significant Wetland (PSW). The outcome demonstrated that MZOs can lead to reckless and harmful development decisions without proper oversight. Now, another developer, Avenu Properties, is proposing to use an MZO to fast-track a housing development on a significant wetland located along the shores of Lake Scugog, on our traditional and treaty lands. This proposal follows a troubling pattern of using MZOs to bypass environmental safeguards, further eroding our trust in the planning process.

Per the Provincial government's guidance, *zoning orders shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982*. MSIFN asserts rights associated with the waters and lands surrounding Lake Scugog, especially given our community's reliance on the health of these waters for fishing, harvesting, and other cultural activities. Impacts on these waters have generational consequences for our members' ability to practice their rights and responsibilities associated with Lake Scugog.

In Table 1 below, we provide detailed commentary and requests for further information as part of this letter. Key issues that substantiate our opposition include the following:

Consequences of Ignoring Indigenous Rights and Environmental Protections

Allowing this development to proceed without proper consultation and environmental review will have far-reaching consequences. These consequences include, but are not limited to:

- **Loss of Trust:** The failure to engage with MSIFN in a meaningful way erodes trust between our community and the Township. Reconciliation requires more than words; it demands actions that respect Indigenous rights and acknowledge the importance of our traditional lands.
- **Environmental Degradation:** The destruction of wetlands, increased noise pollution, inadequate sewage management, and the resulting impacts on Lake Scugog will not only harm the local environment but will also undermine efforts to address broader environmental challenges, such as climate change and biodiversity loss. Lake Scugog has already become a eutrophic (i.e., nutrient-loaded) lake through the cumulative impacts of human activities following colonization. MSIFN members rely on the health of Lake Scugog for the practice of our rights, and we are deeply concerned about the

additional negative impacts that this proposal will have on the Lake, including further nutrient loading that could cause toxic algal blooms and kill fish.

- Legal Challenges: Ignoring the Duty to Consult and failing to consider the environmental impacts of this development could lead to legal challenges, further delaying the project and creating additional costs for all parties involved.
- Archeological Concerns: Ignoring the Duty to Consult risks the destruction of sites of archeological significance to MSIFN and the Anishinabek people of this area. In the spirit of reconciliation and with respect to the Constitutional Duty to Consult, we expect the Township of Scugog to meaningfully engage on the archaeological studies given that the proponent and its consultant have provided no evidence of a desire to engage with MSIFN or other rights-holding First Nations on archaeological studies.

Communal Sewage System Risks and Wastewater Discharge

The proponent proposes an unplanned and uncoordinated private communal sewage system. This presents risks to the Municipality of Scugog Township and its ratepayers, the Mississaugas of Scugog Island First Nation, and the Lake Scugog Watershed. The malfunctioning of sewage services is a public health and environmental threat that requires immediate action. The Ontario Ministry of the Environment, Conservation and Parks (MECP) advises that municipalities should have oversight of communal sewage systems. While the Durham Region Official Plan allows for private utility wastewater sewage systems, there is no agreement in place with the Regional Municipality of Durham or the Municipality of Scugog Township for long-term oversight, maintenance, and upkeep of the proposed communal sewage system.

The MZO package provided by the proponent is silent on any approach to communal sewage system agreements with responsible municipal authorities. As such, there is no credible way for the Minister to approve the desired site density without serious risks to public health, the environment, and municipal ratepayers who would be forced to cover the costs of any communal sewage system failures. Is the Township of Scugog prepared to step in to cover the costs of a future malfunctioning sewage system with impacts on public health and the environment?

Impacts on Provincially Significant Wetlands and Species at Risk

Wetlands are among the most critical and threatened ecosystems in southern Ontario, yet well over 72% have already been lost due to development and other human activities. The proposed lands contain a Provincially Significant Wetland and associated wetland pockets that are threatened by this proposal. The wetlands surrounding Lake Scugog provide essential ecosystem services that, if impacted, will have lasting consequences for the entire ecosystem and the people who rely on it, including MSIFN members. These services include:

- Flood Mitigation: Wetlands act as natural sponges, absorbing excess rainwater and reducing the risk of flooding in nearby areas. Removing or altering these wetlands for

development will increase the likelihood of flooding, especially as extreme weather events become more frequent due to climate change.

- Water Filtration: Wetlands naturally filter water, trapping pollutants and sediments that would otherwise flow into the lake. Developing these lands will not only destroy this filtration system but also introduce new pollutants from paved surfaces, vehicles, and construction activities, directly impacting the water quality of Lake Scugog.
- Carbon Sequestration: Wetlands serve as carbon sinks, helping to mitigate the effects of climate change by storing carbon dioxide. Destroying wetlands contributes to greenhouse gas emissions, further exacerbating climate impacts.
- Biodiversity: Wetlands are vital habitats for a wide range of species, including many that are threatened or endangered. The PSW and associated lands proposed for development contain Species at Risk (SAR) habitat, including for SAR turtles (e.g., Blanding's turtle, snapping turtle, Midland painted turtle). The proposed development would severely disrupt their habitat and threaten their populations.

There is local precedent through the Stoney Lake OMB decision (see Table 1 - Species at Risk Habitat) for the denial of development adjacent to PSWs with SAR habitat impacts. The proponent has not adequately examined the potential impacts of their proposal on the PSW and SAR habitat, meaning that sufficient evidence does not exist to support an MZO at this stage. By supporting the MZO request, the Township would be acting contrary to local precedent and knowledge surrounding the impacts of development on PSWs and SAR.

Upholding the Duty to Consult and the Honour of the Crown

The legal obligation to consult with Indigenous communities, as outlined in *Section 35 of the Constitution Act, 1982*, is clear. Governments, and by extension developers, must engage with potentially affected Indigenous communities to prevent or mitigate any impacts that a proposed project may have on Aboriginal or treaty rights. The Ministry of Municipal Affairs and Housing (MMAH) has reiterated this in a presentation given to lower-tier municipalities across Ontario earlier this year. MMAH has shared the contents of this presentation with MSIFN, making it clear that proper consultation is required for this matter. Moreover, Ontario released the 2024 Provincial Planning Statement on August 20, 2024. This document sets the rules for land use planning in Ontario and directs "Planning Authorities" (i.e., the Township and Durham Region) to engage early with Indigenous communities, recognizing the unique relationship we have with land and the importance of consultation on planning matters that affect section 35 Aboriginal and treaty rights.

On this specific proposal, we are deeply disappointed by the lack of meaningful consultation and engagement from both Avenu Properties Inc. and the Township of Scugog. Key documents were shared with us only days before an important Town Council meeting, leaving us insufficient time to adequately prepare or respond. Moreover, Avenu Properties has refused to fund MSIFN's costs for reviewing its proposal and associated documentation and refused to fund MSIFN's costs for a third-party review of the technical and engineering elements of its proposal, further limiting our ability to assess the full extent of the potential impacts. This approach is not only disrespectful but will also result in direct negative impacts on MSIFN's

rights and practices, is contrary to the principles of reconciliation, and is contrary to the direction set forth in the 2024 PPS.

Supporting an MZO for a developer who is proposing to impact a critically important wetland sends a clear message that treaty rights and environmental protections are secondary to development interests. It also raises serious questions about the Township's commitment to upholding the Honour of the Crown.

A Call for Meaningful Consultation and Sustainable Development

We are not opposed to development in principle. However, any development must be approached with respect for the land, the environment, and Indigenous rights. The current proposal fails to meet these criteria. We urge the Township of Scugog to pause this development and engage in meaningful discussions with MSIFN.

The developer and the municipality must sit down with us to address our concerns, explore alternatives, and ensure that any development is conducted in a way that respects both the environment and our treaty rights. This is not only a matter of legal obligation but also of moral responsibility. If the Township chooses to support this MZO they will be acting in contravention of available evidence and MSIFN's constitutionally protected rights.

Sincerely,



Chief Kelly LaRocca, MSIFN

cc:

Mayor Wilma Wotten - wwotten@scugog.ca
Regional Councillor, Ian McDougall - imcdougall@scugog.ca
Ward 1 Councillor, David Le Roy - dleroy@scugog.ca
Ward 2 Councillor, Janna Guido - jguido@scugog.ca
Ward 3 Councillor, Robert Rock - rrock@scugog.ca
Ward 4 Councillor, Harold Wright - hwright@scugog.ca
Kevin Heritage, Director of Development Services - kheritage@scugog.ca
Don Gordon, Interim CAO - dgordon@scugog.ca
Lori Bowers, Director of Community Services and Communications - lbowers@scugog.ca
Paul Lowes, SGL Planning - plowes@sglplanning.ca
MSIFN Councillor Sylvia Coleman - sylvia.coleman@msifn.ca
MSIFN Councillor Jeff Forbes - jeff.forbes@msifn.ca
Cathy Richards, Executive Assistant to Chief and Council - cathy.richards@msifn.ca
MSIFN Consultation - consultation@scugogfirstnation.ca

Table 1. Detailed commentary - Mississaugas of Scugog Island First Nation - Submission to the Township of Scugog Council: Opposition to the Proposed Ministerial Zoning Order (MZO) for Development Along the Western Edge of Lake Scugog

Reference	Issue	Request
<p>First Nation Consultation and Accommodation</p>	<p>The proponent’s MZO package provides no evidence that all Williams Treaties First Nations treaty rights holders have been consulted by the Township of Scugog and/or Durham Region and/or Ontario (Planning Authorities) concerning the project and its impacts, including impacts on the Lake Scugog Watershed and downstream to the Scugog River, Sturgeon Lake, and beyond.</p> <p>The recently released Provincial Planning Statement (2024) contains direction on early engagement and the recognition of Aboriginal and treaty rights that the mentioned Planning Authorities are not in compliance with, including the following:</p> <p><i>6.1.2. The Provincial Planning Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982.</i></p> <p><i>6.2.2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.</i></p>	<p>Please provide evidence of early engagement by responsible municipal and Crown authorities with respect to consultation and accommodation with all potentially impacted First Nation treaty rights-holders, including the Mississaugas of Scugog Island First Nation, Alderville First Nation, Beausoleil First Nation, the Chippewas of Georgina Island First Nation, Curve Lake First Nation, Hiawatha First Nation, and Rama First Nation.</p> <p>Please provide evidence of early engagement, consultation, and accommodation with respect to the specific aspects of the communal sewage system management and risks, wastewater discharge, Species at Risk (SAR), and sensitive environmental issues with respect to the proposal and MZO application.</p>
<p>Cultural Heritage</p>	<p>As mentioned above, Planning Authorities are required to</p>	<p>As discussed above, please provide</p>

Reference	Issue	Request
Landscapes and Archaeology	<p>engage early and consult with Indigenous communities. This includes engagement on Cultural Heritage issues, with guidance provided by the following:</p> <p><i>4.6.5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.</i></p> <p>Cultural Heritage Landscapes include “aboriginal landscapes¹”, or more appropriately, Indigenous Cultural Landscapes. MSIFN lives in relationship with the lands and waters of Lake Scugog and its watershed, yet MSIFN has not been engaged or consulted on the potential for Indigenous Cultural Landscapes to be impacted by this proposal.</p> <p>MSIFN considers the Lake Scugog watershed to be an Indigenous Cultural Landscape. In consideration of the multi-generational importance of this Indigenous Cultural Landscape to MSIFN, MSIFN has pledged \$1.5 million to the Lake Scugog Enhancement Project (LSEP). The Project purpose is to improve the recreational function of Port Perry Bay, create a healthy wetland habitat and improve water quality.</p>	<p>evidence of early engagement, consultation, and accommodation with respect to the identification, protection, and management of archeological resources and cultural heritage landscapes.</p> <p>Given that MSIFN has not been consulted on this item, please do not proceed with the support of an MZO before meaningful consultation and accommodation occurs, especially given the potential for impacts to Aboriginal and treaty rights.</p>

¹ <https://www.heritagetrust.on.ca/pages/tools/tools-for-conservation/cultural-heritage-landscapes-an-introduction>

Reference	Issue	Request
	<p>The overall objectives of the LSEP project are to address the following issues that dovetail with this Indigenous Cultural Landscape:</p> <ul style="list-style-type: none"> ● Reduced depth of water; ● Accumulation of sediment and organic matter; ● Non-native aquatic vegetation; ● Water quality in the bay; ● Shoreline habitats and fisheries; and ● Aesthetics and tourism-based activities. <p>The LSEP Project offers the following opportunities:</p> <ul style="list-style-type: none"> ● To increase the navigable depth; ● To increase boating access and other recreational uses such as paddling and angling; ● To enhance stormwater treatment; ● To reduce invasive macrophyte biomass; ● To increase tourism; and ● To increase fisheries productivity in Lake Scugog. 	
<p>Archaeology - Stage 1 to 3 Archaeological Assessments</p>	<p>The proponent reports that Archaeological Assessments Ltd. conducted Stage 1 to 3 archaeological resource assessments of the Subject Site. The proponent further reports that background research determined there had been no previous assessments carried out on the Subject Site, and given its location adjacent to the creek and Lake Scugog suggested it had a high potential for containing archaeological remains.</p>	<p>Please provide a description of the Indigenous engagement and a copy of any documentation arising from the Indigenous engagement process with respect to the Archaeological Assessments Ltd. Stage 1 to 3 archaeological resource assessments, including identifying the Indigenous communities engaged, dates, comments</p>

Reference	Issue	Request
	<p>The proponent reports that The Stage 2 field assessment identified five archaeological sites corresponding with indeterminate pre-contact native campsites. Stage 3 test excavations were carried out in October 2003. The proponent states that results of the Stage 3 assessment indicated that none of the five sites are significant archaeological resources, nor do any of the identified sites require any additional archaeological investigations and are no longer a planning concern.</p> <p>The Archaeological Assessments Ltd. provides no evidence of consultation with Indigenous rights-holders.</p> <p>Ontario's Standards and Guidelines for Engaging Aboriginal Communities in Archaeology https://www.ontario.ca/document/engaging-aboriginal-communities-archaeology-draft-technical-bulletin-consultant/1) state:</p> <ul style="list-style-type: none"> ● <i>“If your archaeological project is in Ontario, you must engage Aboriginal communities at the following stages: <ul style="list-style-type: none"> - <i>in Stage 3, when you are assessing the cultural heritage value or interest of an Aboriginal archaeological site that is known to have or appears to have sacred or spiritual importance, or is associated with traditional land uses or geographic features of cultural heritage interest, or is the subject of Aboriginal oral histories.</i> </i> 	<p>received, and the professional archaeologist's disposition of those comments.</p>

Reference	Issue	Request
	<p style="text-align: center;"><i>(Standards and Guidelines for Consultant Archaeologists, Section 3.4)</i></p> <ul style="list-style-type: none"> ● <i>“When you have engaged Aboriginal communities as part of an archaeological project, you must provide a description of the engagement and a copy of any documentation arising from the process to the Ministry. Submit this information as part of the supplementary documentation included in the Project Report Package. (Section 7.6.2)”</i> <p>Ontario’s Standards and Guidelines for Engaging Aboriginal Communities in Archaeology also state:</p> <p><i>“Engaging Aboriginal communities at the following additional stages constitutes wise practice, which you are encouraged to follow. You should engage Aboriginal communities:</i></p> <ul style="list-style-type: none"> ● <i>In Stage 1, when conducting the Background Study, in order to identify information sources in local Aboriginal communities (for example, for information on traditional use areas, sacred sites, and other sites) when available and relevant to the property). (Standards and Guidelines for Consultant Archaeologists Section 1.1)</i> ● <i>In Stage 1, when evaluating archaeological potential and making recommendations to exempt areas meeting the criteria for low archaeological potential from further assessment, in order to ensure there are no unaddressed Aboriginal cultural heritage interests. (Section 1.4)</i> 	

Reference	Issue	Request
	<ul style="list-style-type: none"> ● <i>In Stage 2, when assessing a property and determining archaeological sites that require Stage 3 fieldwork, in order to determine interest (general and site-specific) in the Aboriginal archaeological sites and ensure that there are no unaddressed Aboriginal archaeological interests connected with the land surveyed or sites identified. (Section 2.2)</i> ● <i>In Stage 3, when making recommendations regarding the excavation or preservation of Aboriginal archaeological sites of cultural heritage value or interest (other than those identified in the standards), in order to review the recommendations with the relevant, interested Aboriginal communities. (Section 3.5)”</i> 	
Private Communal Sewage System	<p>The developer has proposed an un-planned and uncoordinated private communal sewage system, which comes with immense risks to the Township of Scugog and its ratepayers, the Mississaugas of Scugog Island First Nation, and the Lake Scugog Watershed.</p> <p>The malfunctioning of sewage services is a public health and environmental threat that requires immediate action. The Ontario Ministry of the Environment, Conservation and Parks (MECP) advises that municipalities should have oversight of communal sewage systems. While the Durham Region Official Plan allows for private utility wastewater sewage systems, there is no agreement in place with the Regional Municipality of Durham or the Municipality of Scugog Township for long-term oversight, maintenance and upkeep of the proposed</p>	<p>Please provide the Municipality of Scugog Township’s and/or Durham Region’s agreements to provide long-term oversight, maintenance, and upkeep of the proposed communal sewage system.</p> <p>Both the Township of Scugog and Durham Region should comment on MECP’s guide for land use planning authorities on how to decide when a municipality should take responsibility for on-site communal drinking water and sewage systems: D-5-2 Application of Municipal Responsibility for Communal Water and Sewage Services - https://www.ontario.ca/page/d-</p>

Reference	Issue	Request
	<p>communal sewage system. The MZO package provided by the proponent is silent on any approach to communal sewage system agreements with responsible municipal authorities, and as such there is no credible way for the Minister to approve the desired site density without serious risks to public health, the environment and municipal ratepayers who would be forced to cover the costs of any communal sewage system failures.</p> <p>The proponent states that <i>“Wastewater services will be provided through a private communal sewage system and will not require any additional servicing capacity from the municipal wastewater system.”</i> The proponent also states that the <i>“Proposed Development requires a private communal sewage treatment facility, requiring MECP approval and a responsibility agreement with the Region.”</i></p> <p>The proponent does not explain how a responsible municipal authority such as Durham Region or the Township of Scugog will assure a high level of protection of the environment and public health, nor how responsible municipal authorities and their ratepayers will be responsible for the costs of such protections, or the costs of system failure.</p> <p>The proponent points to a single example of Durham Region entering into a long-term maintenance and upkeep agreement in 2007 for a private wastewater treatment system for what MSIFN understands is the “Estates of Wyndance”, a “exclusive” gated single family home community of 125 units</p>	<p>5-2-application-municipal-responsibility-communal-water-and-sewage-services#section-0 - with respect to the:</p> <ol style="list-style-type: none"> 1) Desire on the part of each municipal government to provide oversight, maintenance, and upkeep of the proposed communal sewage system through agreements with the proponent. 2) Requirements for entering into such agreements with the proponent, including consultation with impacted First Nations. 3) Details on the contractual arrangements required between the responsible municipal authority and the proponent with respect to the responsible public authority providing regular operational monitoring and maintenance of communal services and identifying maintenance needs before malfunctions can take place. 4) Details on the contractual arrangements required between the responsible municipal authority and the proponent with respect to assuring a high level of protection

Reference	Issue	Request
	<p>on an 18 hole golf course, with typical lot sizes of 50' x 200'. With 125 units, the Estates of Wyndance is about 80% smaller by unit number than the proponent's proposal for 600 units.</p> <p>The proponent does not explain how an MZO for approximately 600 units of new density can be supported, without MECP approval for the significant and complex communal wastewater system.</p> <p>The PPS requires that the planning for infrastructure be coordinated with land use planning and growth management in order to ensure that infrastructure is financially viable over its life cycle and is available to meet current and projected needs.</p>	<p>of the environment and public health.</p> <p>5) Details on the technical management oversight and maintenance program that the responsible municipal authority will assume to assure a high level of protection of the environment and public health.</p> <p>MECP should comment on how an MZO for approximately 600 units of new density can be supported without an agreement in place with a responsible municipal authority such as Durham Region or the Township of Scugog to ensure a high level of protection of the environment and public health, and agreement mechanisms for the responsible municipal authority to be responsible for the costs of such protections, or the costs of system failure.</p> <p>Please comment on how the Township has attended to the PPS requirement that the planning for the proposed wastewater infrastructure is being coordinated with land use planning and growth management in order to ensure that the infrastructure is financially viable over its</p>

Reference	Issue	Request
		life cycle and is available to meet current and projected needs.
Cumulative Impacts on Lake Scugog and MSIFN Rights	<p>The mentioned lack of oversight of the communal wastewater system is of utmost concern to MSIFN. We are also concerned about the potential for this proposal to introduce nutrients to Lake Scugog through stormwater runoff through the creation of roads, parking lots, and other impervious surfaces will increase stormwater runoff, carrying pollutants like oil, heavy metals, excess nutrients, and chemicals into Lake Scugog. This runoff will degrade water quality, harm aquatic life, and contribute to the ongoing decline of the lake's health.</p> <p>MSIFN members rely on the health of Lake Scugog for the practice of our constitutionally protected rights, including fishing. MSIFN's pledge of \$1.5 million for the Lake Scugog Enhancement Project is evidence of the value we place on the Lake and its functions. Our constitutionally protected practices are threatened by the proposal as, for example, additional nutrient loading can exacerbate the growth of invasive species and toxic algae (cyanobacteria) blooms², which can lead to the death of fish. These impacts on the already impacted Lake Scugog could have generational impacts on the ability of our members to practice rights in one of the few areas that remain available to us, exacerbating the overall cumulative impacts of development on our rights and practices.</p>	<p>Please provide rigorous evidence that this proposal will not exacerbate cumulative negative impacts on Lake Scugog, including nutrient loading.</p> <p>As a Planning Authority, the Township must not support this MZO given the negative impacts of this proposal on the exercise of Aboriginal and treaty rights.</p>

² https://www.kawarthaconservation.com/en/resources/Lake-Management-Plans/LSEMP_May2010_FINAL.pdf

Reference	Issue	Request
	<p>Legal precedent for the consideration of cumulative impacts in project approvals exists through <i>Yahey v. British Columbia</i> (2019), where the BC Supreme Court determined that the development permitted by the Province led to an infringement of Blueberry River First Nation’s Treaty Rights. This decision is relevant to the previously mentioned Planning Authorities, including the Township, who are directed to consider impacts on Aboriginal and treaty rights by the 2024 PPS.</p>	
<p>Provincially Significant Wetland</p>	<p>The proposed lands are adjacent to the Port Perry North Provincially Significant Wetland, while there are additional wetland pockets throughout the site. The evaluation report for this PSW (April 2014, available from the OMNRF) states that adjacent uplands are used by wetland species including nesting waterfowl, turtles, and amphibians. This report recommends that forest cover should be increased in and around the PSW, the currently proposed development is not consistent with this direction.</p> <p>Avenu’s conceptual drawing appears to ignore the PSW almost completely, with no regard for impacts on this important feature. The concept shows forested areas overlapping and adjacent to the PSW being converted to “<i>new waterfront sand beach</i>”, while a north-west pocket of the PSW appears to overlap with a proposed four-storey building.</p>	<p>Please provide an evidence-based assessment of the proposed development’s impacts on the PSW and associated upland habitats. This must include mapping of the proposal alongside the PSW boundaries, buffers, and the assessment of potential SAR habitat (see following comment).</p> <p>The overall development density must not be approved as proposed given potential overlaps with the PSW and SAR habitat. Density must be re-examined in light of actual developable area following an assessment of impacts.</p>
<p>Species at Risk Habitat</p>	<p>Avenu has not adequately considered the risk of this development on Species at Risk (SAR). Given the presence of a Provincially Significant Wetland, there is a particular risk to</p>	<p>Given the impacts of this proposal on PSWs and associated SAR, the Township must recognize that the MZO request is</p>

Reference	Issue	Request
	<p>wetland species, including turtles, that may use the subject lands for various life stages (e.g., nesting). Per the Natural Heritage Information Centre and assessments of other proposals on Lake Scugog, SAR turtles potentially present in the area include the following. Note that provincial risk status is denoted beside “ESA” (<i>Endangered Species Act</i>), federal risk status beside “SARA” (<i>Species at Risk Act</i>) or “COSEWIC”.</p> <ul style="list-style-type: none"> ● Blanding’s turtle (ESA: Threatened, COSEWIC: Endangered) ● Midland painted turtle (SARA: Special Concern) ● Snapping turtle (ESA/SARA: Special Concern) <p>Potential impacts of the proposal on these species are numerous, including the destruction and disturbance of nesting habitat. Per the provincial Blanding’s turtle recovery strategy, these turtles nest in relatively open areas in the general vicinity of a wetland³, such as the open areas that Avenu is proposing for development.</p> <p>Developing these areas is contrary to legislation, and local precedent in the area: in 2017 the former Ontario Municipal Board (OMB, now Ontario Land Tribunal) decided to not allow housing development on Stoney Lake⁴ in the Kawarthas due to the location of the development in and around Provincially Significant Wetlands. This site contained habitat for many species, including the Blanding’s turtle. The decision also</p>	<p>premature. By supporting the MZO without prior consideration of impacts on these species, the Township of Scugog would be facilitating potential destruction and degradation of SAR habitat. By choosing to not support the MZO, the Township will be consistent with the Stoney Lake OMB decision and will be acting in respect of MSIFN’s rights and practices.</p>

³ <https://files.ontario.ca/mecp-rs-blandings-turtle-2019-12-05.pdf>

⁴ <https://anishinabeknews.ca/2017/10/11/ontario-municipal-board-decision-saves-blandings-turtle-habitat-on-stoney-lake/>

Reference	Issue	Request
	respected the rights of Williams Treaties First Nations, including MSIFN, Alderville, and Curve Lake.	

Attachment 9:

Table 1 provided in MSIFNs letter dated 30 August 2024, with Township comments

Table 1. Detailed commentary - Mississaugas of Scugog Island First Nation - Submission to the Township of Scugog Council: Opposition to the Proposed Ministerial Zoning Order (MZO) for Development Along the Western Edge of Lake Scugog

Reference	Issue	Request	Township Staff Response
<p>First Nation Consultation and Accommodation</p>	<p>The proponent’s MZO package provides no evidence that all Williams Treaties First Nations treaty rights holders have been consulted by the Township of Scugog and/or Durham Region and/or Ontario (Planning Authorities) concerning the project and its impacts, including impacts on the Lake Scugog Watershed and downstream to the Scugog River, Sturgeon Lake, and beyond.</p> <p>The recently released Provincial Planning Statement (2024) contains direction on early engagement and the recognition of Aboriginal and treaty rights that the mentioned Planning Authorities are not in compliance with, including the following:</p> <p><i>6.1.2. The Provincial Planning Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982.</i></p> <p><i>6.2.2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to</i></p>	<p>Please provide evidence of early engagement by responsible municipal and Crown authorities with respect to consultation and accommodation with all potentially impacted First Nation treaty rights-holders, including the Mississaugas of Scugog Island First Nation, Alderville First Nation, Beausoleil First Nation, the Chippewas of Georgina Island First Nation, Curve Lake First Nation, Hiawatha First Nation, and Rama First Nation.</p> <p>Please provide evidence of early engagement, consultation, and accommodation with respect to the specific aspects of the communal sewage system management and risks, wastewater discharge, Species at Risk (SAR), and sensitive environmental issues with respect to the proposal and MZO application.</p>	<p>The process chosen by the developer has resulted in no formal planning application being received for the subject lands as a result of a MZO request process. While the Duty to Consult rests with the Province, Township staff recommends that the Township undertake meaningful consultation with MSIFN and other Indigenous communities prior to any decision of Township Council, consistent with Section 6 of the PPS.</p> <p>Under the Province’s recent Zoning Order Framework (ZOF), the expectation of the</p>

Reference	Issue	Request	Township Staff Response
	<p><i>facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.</i></p>		<p>Minister is that the developer describes engagement with Indigenous Communities. It is not clear from the Developer's MZO Brief if other Indigenous Communities have been consulted. How the Minister determines if the Duty to Consult has been met is not referenced in the ZOF, particularly with the concerns raised in this letter and the Township staff report.</p> <p>Township staff share similar concerns with the level of engagement, private communal servicing, and natural heritage impacts. The September 16, 2024 Staff Report resolutions include reference to addressing the concerns</p>

Reference	Issue	Request	Township Staff Response
			of MSIFN.
Cultural Heritage Landscapes and Archaeology	<p>As mentioned above, Planning Authorities are required to engage early and consult with Indigenous communities. This includes engagement on Cultural Heritage issues, with guidance provided by the following:</p> <p><i>4.6.5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.</i></p> <p>Cultural Heritage Landscapes include “aboriginal landscapes¹”, or more appropriately, Indigenous Cultural Landscapes. MSIFN lives in relationship with the lands and waters of Lake Scugog and its watershed, yet MSIFN has not been engaged or consulted on the potential for Indigenous Cultural Landscapes to be impacted by this proposal.</p> <p>MSIFN considers the Lake Scugog watershed to be an Indigenous Cultural Landscape. In consideration of the multi- generational importance of this Indigenous Cultural Landscape</p>	<p>As discussed above, please provide evidence of early engagement, consultation, and accommodation with respect to the identification, protection, and management of archeological resources and cultural heritage landscapes.</p> <p>Given that MSIFN has not been consulted on this item, please do not proceed with the support of an MZO before meaningful consultation and accommodation occurs, especially given the potential for impacts to Aboriginal and treaty rights.</p>	<p>Refer to response above.</p> <p>Town staff are not supportive of the MZO request and are recommending that Council defer Township support until issues and MSFIN concerns have been addressed.</p> <p>A Cultural Heritage Landscape Assessment has been added to the list of documentation required for a complete application in Table 2 of the staff report.</p> <p>Both the Township and MSIFN can request that the scope of the Environmental Impact Study (EIS) include</p>

¹ <https://www.heritagetrust.on.ca/pages/tools/tools-for-conservation/cultural-heritage-landscapes-an-introduction>

Reference	Issue	Request	Township Staff Response
	<p>to MSIFN, MSIFN has pledged \$1.5 million to the Lake Scugog Enhancement Project (LSEP). The Project purpose is to improve the recreational function of Port Perry Bay, create a healthy wetland habitat and improve water quality.</p> <p>The overall objectives of the LSEP project are to address the following issues that dovetail with this Indigenous Cultural Landscape:</p> <ul style="list-style-type: none"> ● Reduced depth of water; ● Accumulation of sediment and organic matter; ● Non-native aquatic vegetation; ● Water quality in the bay; ● Shoreline habitats and fisheries; and ● Aesthetics and tourism-based activities. <p>The LSEP Project offers the following opportunities:</p> <ul style="list-style-type: none"> ● To increase the navigable depth; ● To increase boating access and other recreational uses such as paddling and angling; ● To enhance stormwater treatment; 		<p>reference to the LSEP and consider and support the objectives and opportunities of the LSEP. Table 2 of the staff report has been updated to note that the updated EIS needs to address matters identified in this letter.</p>

Reference	Issue	Request	Township Staff Response
	<ul style="list-style-type: none"> ● To reduce invasive macrophyte biomass; ● To increase tourism; and ● To increase fisheries productivity in Lake Scugog. 		
<p>Archaeology - Stage 1 to 3 Archaeological Assessments</p>	<p>The proponent reports that Archaeological Assessments Ltd. conducted Stage 1 to 3 archaeological resource assessments of the Subject Site. The proponent further reports that background research determined there had been no previous assessments carried out on the Subject Site, and given its location adjacent to the creek and Lake Scugog suggested it had a high potential for containing archaeological remains.</p> <p>The proponent reports that The Stage 2 field assessment identified five archaeological sites corresponding with indeterminate pre-contact native campsites. Stage 3 test excavations were carried out in October 2003. The proponent states that results of the Stage 3 assessment indicated that none of the five sites are significant archaeological resources, nor do any of the identified sites require any additional archaeological investigations and are no longer a planning concern.</p> <p>The Archaeological Assessments Ltd. provides no evidence of consultation with Indigenous rights-</p>	<p>Please provide a description of the Indigenous engagement and a copy of any documentation arising from the Indigenous engagement process with respect to the Archaeological Assessments Ltd. Stage 1 to 3 archaeological resource assessments, including identifying the Indigenous communities engaged, dates, comments received, and the professional archaeologist's disposition of those comments.</p>	<p>The additional information request regarding Indigenous engagement as part of the Archeological Assessments has been added to Table 2 of the staff report to ensure a complete submission.</p>

Reference	Issue	Request	Township Staff Response
	<p>holders.</p> <p>Ontario's Standards and Guidelines for Engaging Aboriginal Communities in Archaeology (https://www.ontario.ca/document/engaging-aboriginal-communities-archaeology-draft-technical-bulletin-consultant/1) state:</p> <ul style="list-style-type: none"> • <i>“If your archaeological project is in Ontario, you must engage Aboriginal communities at the following stages:</i> <p><i>- in Stage 3, when you are assessing the cultural heritage value or interest of an Aboriginal archaeological site that is known to have or appears to have sacred or spiritual importance, or is associated with traditional land uses or geographic features of cultural heritage interest, or is the subject of Aboriginal oral histories. (Standards and Guidelines for Consultant Archaeologists, Section 3.4)”</i></p> <ul style="list-style-type: none"> • <i>“When you have engaged Aboriginal communities as part of an archaeological project, you must provide a description of the engagement and a copy of any documentation arising from the process to the Ministry. Submit this information as part of the supplementary documentation included in the Project Report Package.</i> 		

Reference	Issue	Request	Township Staff Response
	<p align="center"><i>(Section 7.6.2)</i></p> <p>Ontario's Standards and Guidelines for Engaging Aboriginal Communities in Archaeology also state:</p> <p><i>“Engaging Aboriginal communities at the following additional stages constitutes wise practice, which you are encouraged to follow. You should engage Aboriginal communities:</i></p> <ul style="list-style-type: none"> • <i>In Stage 1, when conducting the Background Study, in order to identify information sources in local Aboriginal communities (for example, for information on traditional use areas, sacred sites, and other sites) when available and relevant to the property). (Standards and Guidelines for Consultant Archaeologists Section 1.1)</i> • <i>In Stage 1, when evaluating archaeological potential and making recommendations to exempt areas meeting the criteria for low archaeological potential from further assessment, in order to ensure there are no unaddressed Aboriginal cultural heritage interests. (Section 1.4)</i> • <i>In Stage 2, when assessing a property and determining archaeological sites that require Stage 3 fieldwork, in order to determine interest (general and site-</i> 		

Reference	Issue	Request	Township Staff Response
	<p><i>specific) in the Aboriginal archaeological sites and ensure that there are no unaddressed Aboriginal archaeological interests connected with the land surveyed or sites identified. (Section 2.2)</i></p> <ul style="list-style-type: none"> <i>In Stage 3, when making recommendations regarding the excavation or preservation of Aboriginal archaeological sites of cultural heritage value or interest (other than those identified in the standards), in order to review the recommendations with the relevant, interested Aboriginal communities. (Section 3.5)”</i> 		
Private Communal Sewage System	<p>The developer has proposed an un-planned and uncoordinated private communal sewage system, which comes with immense risks to the Township of Scugog and its ratepayers, the Mississaugas of Scugog Island First Nation, and the Lake Scugog Watershed.</p> <p>The malfunctioning of sewage services is a public health and environmental threat that requires immediate action. The Ontario Ministry of the Environment, Conservation and Parks (MECP) advises that municipalities should have oversight of communal sewage systems. While the Durham Region Official Plan allows for private utility</p>	<p>Please provide the Municipality of Scugog Township’s and/or Durham Region’s agreements to provide long-term oversight, maintenance, and upkeep of the proposed communal sewage system.</p> <p>Both the Township of Scugog and Durham Region should comment on MECP’s guide for land use planning authorities on how to decide when a municipality should take responsibility for on-site communal drinking water and sewage systems:</p>	<p>Township staff do not support a private communal system without a Responsibility Agreement with the Region of Durham. Since servicing remains a Regional responsibility, the Township will defer to the Region’s decision regarding a Responsibility</p>

Reference	Issue	Request	Township Staff Response
	<p>wastewater sewage systems, there is no agreement in place with the Regional Municipality of Durham or the Municipality of Scugog Township for long- term oversight, maintenance and upkeep of the proposed communal sewage system. The MZO package provided by the proponent is silent on any approach to communal sewage system agreements with responsible municipal authorities, and as such there is no credible way for the Minister to approve the desired site density without serious risks to public health, the environment and municipal ratepayers who would be forced to cover the costs of any communal sewage system failures.</p> <p>The proponent states that <i>“Wastewater services will be provided through a private communal sewage system and will not require any additional servicing capacity from the municipal wastewater system.”</i> The proponent also states that the <i>“Proposed Development requires a private communal sewage treatment facility, requiring MECP approval and a responsibility agreement with the Region.”</i></p> <p>The proponent does not explain how a responsible municipal authority such as Durham Region or the Township of Scugog will assure a high level of protection of the environment and public health,</p>	<p>D-5- 2 Application of Municipal Responsibility for Communal Water and Sewage Services - https://www.ontario.ca/page/d-5-2-application-municipal-responsibility-communal-water-and-sewage-services#section-0 - with respect to the:</p> <ol style="list-style-type: none"> 1) Desire on the part of each municipal government to provide oversight, maintenance, and upkeep of the proposed communal sewage system through agreements with the proponent. 2) Requirements for entering into such agreements with the proponent, including consultation with impacted First Nations. 3) Details on the contractual arrangements required between the responsible municipal authority and the proponent with respect to the responsible public authority providing regular operational monitoring and maintenance of communal 	<p>Agreement and their consideration of Provincial guidelines.</p> <p>Township staff share similar concerns about long-term feasibility and reliance on a single precedent in the Region (in a different context) to justify the required Responsibility Agreement.</p> <p>In the absence of more detailed serving information and details of any Responsibility Agreement, Township staff is unable to confirm if the development is consistent with Section 2 of the Planning Act, Section 4 of the PPS, and the Provincial D-Series guidelines. Township staff is not recommending endorsement of the</p>

Reference	Issue	Request	Township Staff Response
	<p>nor how responsible municipal authorities and their ratepayers will be responsible for the costs of such protections, or the costs of system failure.</p> <p>The proponent points to a single example of Durham Region entering into a long-term maintenance and upkeep agreement in 2007 for a private wastewater treatment system for what MSIFN understands is the “Estates of Wyndance”, a “exclusive” gated single family home community of 125 units on an 18 hole golf course, with typical lot sizes of 50’ x 200’. With 125 units, the Estates of Wyndance is about 80% smaller by unit number than the proponent’s proposal for 600 units.</p> <p>The proponent does not explain how an MZO for approximately 600 units of new density can be supported, without MECP approval for the significant and complex communal wastewater system.</p> <p>The PPS requires that the planning for infrastructure be coordinated with land use planning and growth management in order to ensure that infrastructure is financially viable over its life cycle and is available to meet current and projected needs.</p>	<p>services and identifying maintenance needs before malfunctions can take place.</p> <p>4) Details on the contractual arrangements required between the responsible municipal authority and the proponent with respect to assuring a high level of protection of the environment and public health.</p> <p>5) Details on the technical management oversight and maintenance program that the responsible municipal authority will assume to assure a high level of protection of the environment and public health.</p> <p>MECP should comment on how an MZO for approximately 600 units of new density can be supported without an agreement in place with a responsible municipal authority such as Durham Region or the Township of Scugog to ensure a high level of protection of the environment and public health, and agreement mechanisms for the responsible</p>	<p>MZO until servicing matters are addressed.</p>

Reference	Issue	Request	Township Staff Response
		<p>municipal authority to be responsible for the costs of such protections, or the costs of system failure.</p> <p>Please comment on how the Township has attended to the PPS requirement that the planning for the proposed wastewater infrastructure is being coordinated with land use planning and growth management in order to ensure that the infrastructure is financially viable over its life cycle and is available to meet current and projected needs.</p>	
<p>Cumulative Impacts on Lake Scugog and MSIFN Rights</p>	<p>The mentioned lack of oversight of the communal wastewater system is of utmost concern to MSIFN. We are also concerned about the potential for this proposal to introduce nutrients to Lake Scugog through stormwater runoff through the creation of roads, parking lots, and other impervious surfaces will increase stormwater runoff, carrying pollutants like oil, heavy metals, excess nutrients, and chemicals into Lake Scugog.</p> <p>This runoff will degrade water quality, harm aquatic life, and contribute to the ongoing decline of the lake's health.</p>	<p>Please provide rigorous evidence that this proposal will not exacerbate cumulative negative impacts on Lake Scugog, including nutrient loading.</p> <p>As a Planning Authority, the Township must not support this MZO given the negative impacts of this proposal on the exercise of Aboriginal and treaty rights.</p>	<p>Cumulative impacts should be considered by the updated EIS. The Township, KRCA, and MSIFN can provide input in the EIS terms of reference. Table 2 of the staff report has been updated to note that the updated EIS needs to address matters identified in this letter.</p>

Reference	Issue	Request	Township Staff Response
	<p>MSIFN members rely on the health of Lake Scugog for the practice of our constitutionally protected rights, including fishing. MSIFN’s pledge of \$1.5 million for the Lake Scugog Enhancement Project is evidence of the value we place on the Lake and its functions. Our constitutionally protected practices are threatened by the proposal as, for example, additional nutrient loading can exacerbate the growth of invasive species and toxic algae (cyanobacteria) blooms², which can lead to the death of fish. These impacts on the already impacted Lake Scugog could have generational impacts on the ability of our members to practice rights in one of the few areas that remain available to us, exacerbating the overall cumulative impacts of development on our rights and practices.</p> <p>Legal precedent for the consideration of cumulative impacts in project approvals exists through <i>Yahey v. British Columbia</i> (2019), where the BC Supreme Court determined that the development permitted by the Province led to an infringement of Blueberry River First Nation’s Treaty Rights. This decision is relevant to the previously mentioned Planning Authorities, including the Township, who are directed to</p>		

² https://www.kawarthaconservation.com/en/resources/Lake-Management-Plans/LSEMP_May2010_FINAL.pdf

Reference	Issue	Request	Township Staff Response
	consider impacts on Aboriginal and treaty rights by the 2024 PPS.		
Provincially Significant Wetland	<p>The proposed lands are adjacent to the Port Perry North Provincially Significant Wetland, while there are additional wetland pockets throughout the site. The evaluation report for this PSW (April 2014, available from the OMNRF) states that adjacent uplands are used by wetland species including nesting waterfowl, turtles, and amphibians. This report recommends that forest cover should be increased in and around the PSW, the currently proposed development is not consistent with this direction.</p> <p>Avenu's conceptual drawing appears to ignore the PSW almost completely, with no regard for impacts on this important feature. The concept shows forested areas overlapping and adjacent to the PSW being converted to "<i>new waterfront sand beach</i>", while a north-west pocket of the PSW appears to overlap with a proposed four-storey building.</p>	<p>Please provide an evidence-based assessment of the proposed development's impacts on the PSW and associated upland habitats. This must include mapping of the proposal alongside the PSW boundaries, buffers, and the assessment of potential SAR habitat (see following comment).</p> <p>The overall development density must not be approved as proposed given potential overlaps with the PSW and SAR habitat. Density must be re-examined in light of actual developable area following an assessment of impacts.</p>	<p>Township staff agree that the PSW boundary does not appear to be respected in the development concept. Establishing the limits of development to ensure that natural heritage features and their required buffers are not impacted has been identified in the staff report as a threshold issue that should be addressed prior to Council endorsement. The updated EIS will need to address this matter.</p> <p>Table 2 of the staff report has been updated to note that the updated EIS needs to address matters identified in this letter.</p>

Reference	Issue	Request	Township Staff Response
Species at Risk Habitat	<p>Avenu has not adequately considered the risk of this development on Species at Risk (SAR). Given the presence of a Provincially Significant Wetland, there is a particular risk to wetland species, including turtles, that may use the subject lands for various life stages (e.g., nesting). Per the Natural Heritage Information Centre and assessments of other proposals on Lake Scugog, SAR turtles potentially present in the area include the following. Note that provincial risk status is denoted beside “ESA” (<i>Endangered Species Act</i>), federal risk status beside “SARA” (<i>Species at Risk Act</i>) or “COSEWIC”.</p> <ul style="list-style-type: none"> • Blanding’s turtle (ESA: Threatened, COSEWIC: Endangered) • Midland painted turtle (SARA: Special Concern) • Snapping turtle (ESA/SARA: Special Concern) <p>Potential impacts of the proposal on these species are numerous, including the destruction and disturbance of nesting habitat. Per the provincial Blanding’s turtle recovery strategy, these turtles nest in relatively open areas in the general vicinity</p>	<p>Given the impacts of this proposal on PSWs and associated SAR, the Township must recognize that the MZO request is premature. By supporting the MZO without prior consideration of impacts on these species, the Township of Scugog would be facilitating potential destruction and degradation of SAR habitat. By choosing to not support the MZO, the Township will be consistent with the Stoney Lake OMB decision and will be acting in respect of MSIFN’s rights and practices.</p>	<p>Refer to response above.</p>

Reference	Issue	Request	Township Staff Response
	<p>of a wetland³, such as the open areas that Avenu is proposing for development.</p> <p>Developing these areas is contrary to legislation, and local precedent in the area: in 2017 the former Ontario Municipal Board (OMB, now Ontario Land Tribunal) decided to not allow housing development on Stoney Lake⁴ in the Kawarthas due to the location of the development in and around Provincially Significant Wetlands. This site contained habitat for many species, including the Blanding's turtle. The decision also respected the rights of Williams Treaties First Nations, including MSIFN, Alderville, and Curve Lake.</p>		

³ <https://files.ontario.ca/mecp-rs-blandings-turtle-2019-12-05.pdf>

⁴ <https://anishinabeknews.ca/2017/10/11/ontario-municipal-board-decision-saves-blandings-turtle-habitat-on-stoney-lake/>

Attachment 10:

Summary of Township and Agency Comments (including key correspondence letters)

The following comments were received from the Town circulating the developer's MZO Brief internally for Township staff comment, and externally to agencies normally circulated as part of a typical zoning by-law amendment process.

Kawartha Conservation Authority

The full response from Kawartha Conservation Authority is included at the end of this document. The below provides a summary of key points discussed within the response:

The subject property is within the vicinity of the following Natural Hazards:

- *Erosion Hazard*
- *Flooding Hazard and*
- *Unstable Soil*

The property is within 100-year lake level of Lake Scugog and is mostly within a Provincially Significant Wetland (PSW). A watercourse runs across the property into the PSW.

The subject property is mostly within Kawartha Conservation's regulated area, a permit pursuant to Ontario Regulation 41/24 will be required prior to any future development within the regulated areas.

The proposal is subject to the natural hazard policies within the Provincial Policy Statement (PPS) (2020).

According to Section 3 of Kawartha Conservation's Plan Review Policies (2013), KRCA will recommend that new development and/or site alteration not be permitted in a Provincially Significant Wetlands, except where development could satisfy the policies contained in Chapter 4.

It is recommended that the following studies are submitted with the application:

- Wetland boundary (ELC classification pre-development) and watercourse delineation/staking
- Technical Study outlining the extent of all hazards regulated under O. Reg. 41/24 on the property.
- Flood Study for the subject property identifying the floodplain limits including the flood study for the watercourse connecting into Lake Scugog.
- Stage-storage discharge relationships of the flood plain be maintained by means of an incrementally balanced cut and fill operation designed in 0.3 metre vertical increments) to

ensure that there will be no adverse hydraulic or fluvial impacts on lakes, rivers, creeks, streams, or watercourses. Engineered hydraulic analyses may be required, at the discretion of the Authority, to demonstrate that the later condition has been met and that there will be no detrimental effect on upstream water levels or local stream flow velocities or, if stage-storage discharge relationships of the flood plain cannot be maintained (i.e., through means of an incrementally balanced cut and fill operation designed in 0.3m vertical increments), that an engineered hydraulic analysis be prepared by a qualified professional that demonstrates there will be no adverse hydraulic or fluvial impact on lakes, rivers, creeks, streams or watercourses. The analysis must also demonstrate that impacts on the hydraulic and fluvial functions of the water bodies be minimized to the greatest extent possible and upstream and downstream flow velocities related to increased flood risk or damage are unaffected.

- Original topographic map prepared by a qualified professional (i.e., surveyor) showing pre-development on-site elevation and
- Grading plan prepared by a qualified professional showing post-development elevations.
- Detailed Site Plan
- Stormwater Management Plan
- Erosion and Sediment Control Plan along with multi-year monitoring plan.
- Geotechnical Study
- Hydrogeological Study
- All requirements of the Large Fill Procedural Guideline located in Appendix O of the Plan Review and Regulation Policies (2013) (if imported fill volumes exceed 500 cubic metres).
- Studies may also be required related to following:
 - Proposed Road through the PSW
 - Alteration of the existing Watercourse
 - Sand Beach
 - Communal Docks
 - 2 pedestrian bridges
 - Pier and Lookout Point
 - Boardwalk Trail for natural feature enhancement
- Site Visits may be required.
- A decision by the Kawartha Conservation Board of Directors is likely required for issuance of the permit.
- Additional studies may be required and will be outlined at the time of application.

Durham Region Planning

The full response from Durham Region is included at the end of this document. The below provides a summary of key points discussed within the response:

The following issues were highlighted in Durham's response with respect to Provincial and Regional policies, servicing requirements, transportation, and health:

Current Regional Official Plan (ROP):

Servicing

- Policy 8B.2.3 requires that development applications within Living Areas have regard for the types and capacities of the existing municipal services, infrastructure, and feasibility of expansion.
- The increase in population as a result of the proposed development was not considered in the Port Perry ROP population forecast to 2051. As such, municipal sanitary sewer services have not been planned for the area.
- The proposed MZO includes a private communal sanitary sewage treatment facility. If the proposed development land can be serviced with connection to the Nonquon Water Pollution Control Plant, and future expansion to this facility, the Region does not believe that a private communal sanitary sewage treatment facility should be considered or permitted for this development.
- If a private communal sanitary sewage treatment facility is deemed appropriate for this project, approval by Ministry of Environment Conservation and Parks (MOECP) is required. If a private communal sanitary sewage treatment facility is considered for this project, a Responsibility Agreement between the proponent and the Region of Durham is required.
- Policy 4.1.8 indicates that the Region shall not be compelled to supply water or sewage to a development where sufficient capacity does not exist. Connections will only be provided when it is determined the water and/or sewage system has sufficient capacity to accommodate planned growth. An ROP Amendment may be required to contemplate the level of density proposed on the subject property.

Wetland

- The site is surrounded by a Provincially Significant Wetland (PSW). The proposed MZO also includes development within the Regional Natural Heritage System, delineated within the new Council approved, ROP. An environmental impact study would be required to ensure no negative impact on present key natural heritage and key hydrologic features and functions.
- The proposed MZO should ensure that elements such as the marina, pedestrian bridge, beach, etc. are not located within a significant natural area to comply with policy.
- The Federal Department of Fisheries and Oceans has identified the shores of Lake Scugog as containing significant aquatic habitat and water species. Approval of the nearby Marsh Forest Resort Development on Scugog Island required the development

to minimize shoreline activity/marina uses and prohibited the use of motorized watercraft.

- A significant portion of the subject property is identified as an area of archaeological potential. Prior to any development taking place on the property, an archaeological assessment would be required, including confirmation of no archeological concerns from the Ministry of Tourism, Culture and Sport. There shall be no disturbance or grading of the site until the Ministry signs off on the said archaeological study requirements and findings.
- The subject property is located within Kawartha Region Conservation Authority's (KRCA) regulated area. Consultation with KRCA is needed to determine any permitting requirements.

Provincial Policy Statement (PPS):

- As the subject property falls within the limits of the Greenbelt Plan Area, any proposal shall be consistent with the Provincial Policy Statement (PPS). The Ministry of Municipal Affairs and Housing (MMAH) should be consulted regarding the use of an MZO for this development.
- Policy 1.1.3.2.b of the PPS requires that land use patterns within settlement areas be based on densities and a mix of land uses that are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion. The Township of Scugog should ensure they are satisfied that the scale of this proposed development is appropriate in the Port Perry context.
- The PPS also requires that planning authorities engage with Indigenous communities and coordinate land use planning matters. The Provincial MZO Framework supports this by requiring submissions to provide a description of engagement with Indigenous communities.
- The proposed MZO materials provided outline a timeline of engagement with Indigenous communities but do not include actual feedback from First Nation rights holders. Therefore, Indigenous consultation must be undertaken and received prior to any further consideration of this proposed MZO.

Municipal Servicing:

- The existing Draft Plan of subdivision approval of 20 lots on the site was intended to be serviced via an extension of a watermain along Simcoe Street, Castle Harbour Drive, and the internal local roadways. At the time, the Region was willing to allow this development to proceed on a long dead end watermain because of the limited number of units proposed. There are no sanitary sewers near the site, so the Region's

Planning and Works Departments supported the concept of this development moving forward on private septic systems.

- Currently, neither the Region's capital budget and nine-year forecast, nor the Development Charge Background Study includes the extension of the sanitary sewer system to this area. The density proposed through the MZO is at a level that should be connected to the Region's water system and sanitary sewer system, including Nonquon (WPCP).
- Other active development applications in Port Perry are dependent on capacity in the existing systems and planned expansions to the water system and the sanitary sewerage system. Infrastructure planning has not accounted for a high-density development on the application site. The anticipated timing of this proposed development and other active development applications in Port Perry will need to be re-evaluated so that the need and timing for new infrastructure can be re-assessed. This could include impacts and changes to the following:
 - *Regional Official Plan population projections*
 - *Development Charge Background Study*
 - *Class EA for Water Supply and Storage*
 - *Class EA for Nonquon Water Pollution Control Plant*
- The Region of Durham allocates capacity at the timing of executing a subdivision agreement. The Township of Scugog also has a process in place for allocating servicing capacity.

Water Servicing:

- A Class EA for Port Perry Water Supply and Storage has been completed and projects for additional water supply and storage have been identified in the 2023 Development Charge Background Study. These projects are striving to service a population beyond 11,880 and a significant portion of the Employment Lands but will not be sufficient to service a population of 17,740 by 2051.
- The Region expects additional projects to be identified for the Urban Area of Port Perry in a future Development Charge Background Study to be able to support the projected population.
- All identified projects for water supply and storage would need to be constructed before this proposed development could proceed, as well as potential projects that have not yet been identified.
- This proposed development will require extensive extensions to the existing water system. The proposed water system must have a minimum of two supply points for system security (i.e. looped system). Due to the long distance from the existing system, water modelling is needed to show that adequate fire protection can be provided.

- Potential impacts to the existing private wells in the estate residential subdivision to the north of this development should also be assessed.

Sanitary Sewerage Servicing:

- A Class EA for the Nonquon WPCP has been completed. The mechanical sewage treatment plant has been constructed to service the 2031 population of 11,880 and a significant portion of the Employment Lands.
- A future expansion to this facility is anticipated beyond the 2023 Development Charge Background Study. It is expected that this future expansion would be required for this proposed development to proceed. The expansion anticipated by the Class EA may not have considered a population of 17,740 or any new population beyond this 2051 threshold. A new Class EA and a new strategy for flows beyond the anticipated limits of the previous study may be required.
- A sanitary sewage pumping station and new forcemain connection to the Nonquon WPCP would be required to provide service to this development. This sanitary sewage pumping station was not identified in the 2023 Development Charge Background Study and a Class EA would be required for the new Sanitary Sewage Pumping Station.

Transportation:

- The subject property fronts Simcoe Street, designated as a Type 'A' arterial road in the current ROP. No road widening dedication is required.
- As a Type A arterial roadway, Simcoe Street is subject to rigid/progressive access control. Given the extensive frontage on Castle Harbour Drive, which is designated as a local road in the ROP, no direct access will be permitted to Simcoe Street. Access to the development must be provided via Castle Harbour Drive exclusively.
- A Traffic Impact Study must be submitted to the Region. The scope of the study should be agreed by the Township of Scugog and the Region prior to undertaking the study.
- The Region would also require the submission of a Stormwater Management Report.
- Efforts should be made to integrate cycling connections from the site to the Primary Cycling Network via the following routes:

a) a buffered paved shoulder proposed to run North along Simcoe Street from Castle Harbour Drive to Scugog Line 8;

b) a buffered paved shoulder proposed to run South along Simcoe Street to County Estates Drive which connects to the Canterbury Commons Cycling Trail; and

c) 1.5 kilometres south of the subject site along Simcoe Street there is a connection to the Port Perry Waterfront Trail which offers connections further south to Port Perry.

- Signage directing cyclists to these routes from internal routes should also be explored.

Environmental Health:

- The scale of the proposed MZO falls outside the purview of the Regional Health Department, as approvals for a sanitary sewerage system of this size are required by MOECP.

Public Health/Sustainability:

- Rental units or housing used for vulnerable and priority populations should have central air conditioning in the individual units and a cooling room in any multi-dwelling unit.
- During construction, implementation of a dust management plan is recommended to reduce air emissions and minimize adverse air quality impacts to surrounding communities.
- Consideration should be given to water and landscaping features that are graded to prevent pooling of water that may contribute to breeding grounds for vectors such as mosquitos.

Conclusion

- The Region's review of the proposed MZO has identified a variety of issues that should be addressed prior to the further consideration of the development.
- The Region looks forward to continued collaboration with Township of Scugog staff to address these issues.

Township Public Works and Infrastructure Services

The full response from Township Public Works and Infrastructure Services is included at the end of this document. The below provides a summary of key points discussed within the response:

Township Public Works has concerns with the proposed acquisition of the Castle Harbour Right-Of-Way (ROW) to Lake Scugog.

This ROW is required for the installation of a Township driveway and parking lot for a budgeted future park development and waterfront trail north of the proposed development,

adjacent to Lake Scugog. The construction of the park has been approved by council and is scheduled for design in the Capital Budget for 2026.

If the development acquires the Township ROW, the Township will lose access to the parcel where the parking lot, playground and waterfront trail will be constructed. The Township parcel will become landlocked.

A copy of the project approved by Council on October 19, 2015 – Report OPS-2015-37, was provided in the response.

Township Fire Services

The Fire Department has no comment at this stage regarding rezoning the property.

At a later stage in development, the department will need to see plans for water supply for firefighting including regional fire hydrant coverage, fire access route designs and building matrixes for all buildings including fire protection, fire alarm, sprinkler systems, standpipes and fire department connections.

Township Municipal Law Enforcement

No comment.

Township Building Department

The building will require the fire access route design and provisions for onsite water for fire fighting. The site will also require a subsurface investigation report for soil conditions

Ministry of Municipal Affairs and Housing

The Ministry will not be commenting on the specifics of this potential zoning order request.

The Ministry of Municipal Affairs and Housing's zoning order framework will help guide how zoning order requests are considered in support of provincial priorities. The new framework be found on the Ministry's website. The Minister will only be considering requests that have been submitted in accordance with the new zoning order framework.

Enbridge Gas Distribution

Enbridge Gas does not object to the proposed application, but reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Canada Post

No comments.

Department of Fisheries and Oceans Canada

The Fish and Fish Habitat Protection Program cannot provide comment on general planning or zoning proposals. If planned works may cause any of the prohibited effects under the Fisheries Act or Species at Risk Act, a Request for Review form should be completed for the works and submitted to FisheriesProtection@dfo-mpo.gc.ca.

If project works are in or near water such as a marina or beach, a Request for Review (RFR) should be submitted to DFO for review under the Fisheries Act and Species at Risk Act.

DFO conducts an independent review of near or in-water works, whereby a DFO biologist reviews the Request for Review document and project details. Depending on DFO's concerns they may consult other permit issuing authorities, which could include Parks Canada, MNR, and conservation authorities.

Either a DFO-specific Letter of Advice is issued or for higher risk files, a Fisheries Act Authorization and/or Species at Risk Permit may be required.

Bell Canada c/o WSP

Bell Canada have requested that the applicant provide them with a Servicing Plans/Composite Utility Plan (CUP) as soon as possible, to confirm the provision of communication/telecommunication infrastructure needed to service the development and clear conditions.

Bell Canada have also requested that the following be included as conditions of approval for any Draft Plan of Subdivision, Draft Plan of Condominium and/or Site Plan application(s) related to this development proposal:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.”

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The conditions will remain in effect until they are officially cleared by Bell Canada as part of the development approval process.

Elexicon Energy

The site is outside of Elexicon’s service area.

Durham Catholic District School Board

The School Board notes that the proposed development would generate approximately 130 elementary pupils and 117 secondary pupils, and establishes that the students generated from this development will attend existing neighbourhood schools. Staff has no objection.

Scugog Lake Stewards Inc.

The full response from Scugog Lake Stewards Inc. is included at the end of this document. The below provides a summary of key points discussed within the response:

- Observed ongoing deterioration of lake quality since around 2015, including the subject area. Causes include climate change, introduction of invasive species and continued shoreline development.
- It is noted that even smaller-scale development along the shoreline can result in increased nutrient, particulate matter and chloride levels.
- Significant concern over the potential impact of proposed development, despite modern technologies. Recently, developments have been responsible for major silt and sediment spills into Lake Scugog, despite prior assurances this would not occur.
- Consider that the implementation of an MZO in this instance would represent a *‘lack of due process, lack of imperative, and lack of feasibility.’*
- An MZO could circumvent the requirement for key studies, such as ecological assessments to determine appropriate Environmental Protection Zone boundaries and setbacks.
- An MZO would be considered prior to the design of a major private communal wastewater treatment facility and carrying capacity of the site has been determined, and *‘before the routing of water services and a second access road to the development, currently projected to cross a major wetland feature have been*

designed. It is considered that the request for an MZO prior to this information being produced is premature.

- Lack of substantive science-based studies to support the densities proposed within the development e.g. geotechnical or hydrogeological studies, to determine the feasibility of a private communal sewage disposal system and on-site storm water management.
- Threats to the site and Cawker's Creek from sedimentation, contamination and other impacts from construction and possible service failure.
- In conclusion, the Scugog Lake Stewards do not support Council requesting the Minister of Municipal Affairs and Housing to approve an MZO for the proposal. Council and staff are encouraged *'to retain full authority and control of the development process.'*

Scugog Environmental and Climate Change Advisory Committee

The full response from Scugog Environmental and Climate Change Advisory Committee is included at the end of this document. The below provides a summary of key points discussed within the response:

The MZO submission was circulated to the Scugog Environmental and Climate Change Advisory Committee with comments received including, but not limited to the following:

- Need for more density
- Future road/traffic
- Need for EIS/development limits/buffers
- Assimilative capacity of the lake
- Feasibility of concept
- Shoreline alteration
- Setbacks and density
- Private servicing feasibility/impacts on sensitive uses/features
- Need for new/updated studies
- Housing options
- Official Plan conformity
- Indigenous consultation
- MZO authority/development conditions
- Community character
- Resilience and sustainability
- Carbon footprint

Burnside

The full response from Scugog Environmental and Climate Change Advisory Committee is included at the end of this document. The below provides a summary of key points discussed within the response:

The Township provided the MZO Brief to a third-party consultant for peer review related to the following:

- General Comments
- Stage 1, 2, and 3 Archeological Assessment
- Phase 1 Environmental Assessment
- Natural Heritage Feasibility Letter
- Transportation Impact Study
- Summary of Servicing Feasibility Letter
- Wastewater Treatment – Development Feasibility Study

Their full comments are included at the end of this Attachment and have been considered in the preparation of the staff report. Further peer review will be required as new information is submitted.

The following agencies were consulted but provided no response:

Hydro One Networks
Ontario Power Generation
Rogers
Durham District School Board
Ministry of the Environment, Conservation and Parks
Parks Canada, Trent-Severn Waterways

Key Correspondence Letters

Public Works and Infrastructure Services Comments

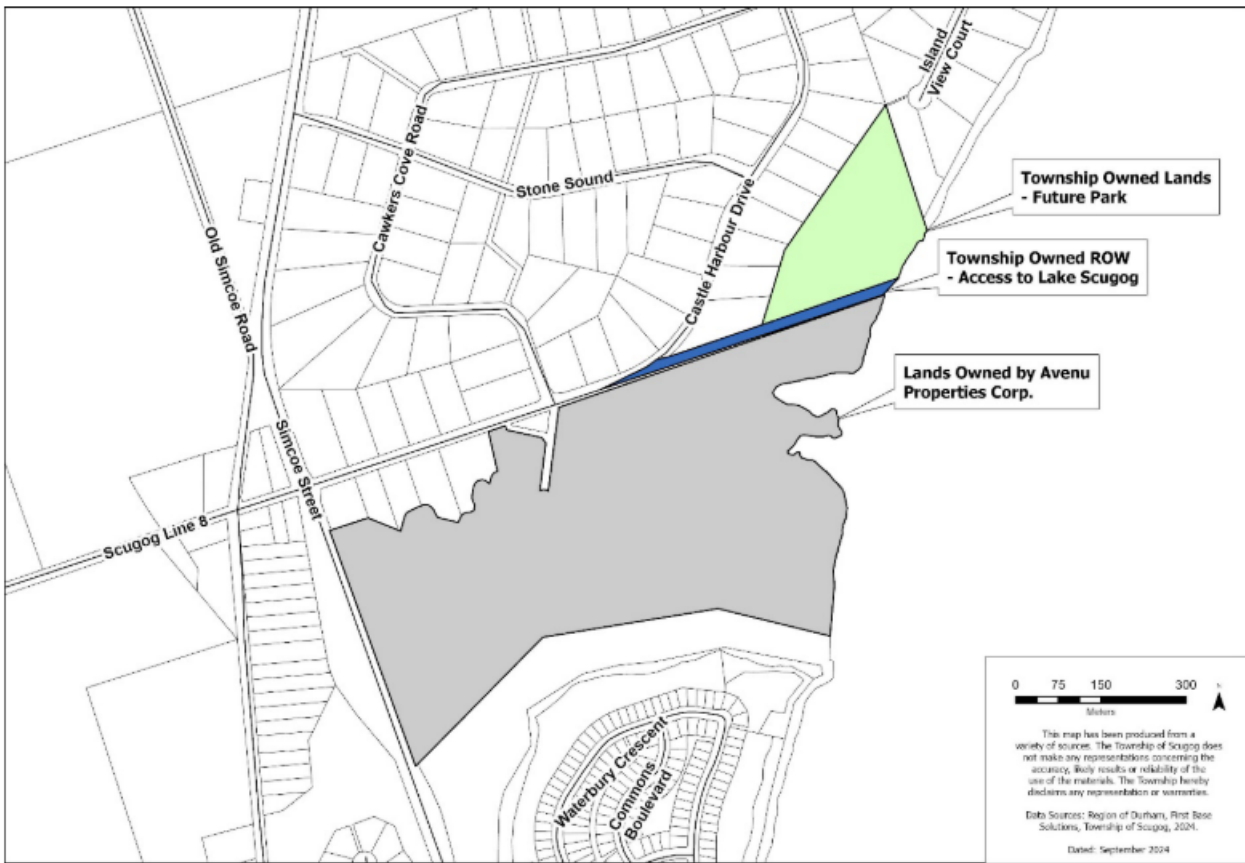
The Township has concerns with the proposed acquisition of the Castle Harbour Right-of-Way (ROW) to Lake Scugog.

This ROW is required for the installation of a Township driveway and parking lot for a budgeted future park development and waterfront trail north of the proposed development, adjacent to Lake Scugog. The construction of the park has been approved by council and is scheduled for design in the Capital Budget for 2026.

If the developer acquires the Township ROW, the Township will lose access to the parkland and the Township’s lands would become landlocked.

Attached is a copy of the project approved by Council in 2015 – Report OPS-2015-37.

Figure 1: A map showing the Township owned ROW and parkland.





Meeting: COMMITTEE OF THE WHOLE

Date: October 19, 2015

Dept: Public Works and Parks

Report No: OPS-2015-37

Title: Castle Harbour Park Design

Recommendation:

THAT the landscape design and costing for Castle Harbour Park be received as information only;

AND THAT the site be left in its natural state as an informal or naturalized park and no additional resources be expended on the project at this time.

Background:

Introduction

The purpose of this report is to provide information to Council regarding the landscape design and costing for the proposed waterfront park development plan in the Castle Harbour community.

Discussion:

Concept Plan for Community Park

AECON was awarded the contract to conceptualize and complete a landscape parkland design complete with amenities and relative costing analysis for Council consideration, one that creates a multi use open space design. The Township received three concept plans from AECON for the Community Park in Castle Harbour.

The three concept plans were presented to the public at an information centre held in October 2013. After the public information centre, staff and AECON developed a recommended park design by amalgamating the positives attributes from each of the original three concepts (Attachment #1).

The preliminary cost breakdown for the recommended design totalled \$914,135.00 (Attachment #2), which included costs for site works, site services, playground area and equipment, and site features.

During the 2014 budget deliberations, Council gave direction to the Director of Public Works and Parks to bring this report and conceptual landscape design back to Council and provide information on the final results of this contracted work in lieu of the consultant. This would give Council the opportunity to see the multi-use park design and ask questions of the design and its intent.

Staff recommends, at this time, not to proceed with the construction of the Castle Harbour Community Park due to budget restraints.

Environmental Considerations:

The parkland being left in its current naturalized state has no negative environmental impacts, further, offers citizens and wildlife the ability to interact without significant impacts on either and is fiscally prudent at this time.

Accessibility Considerations: N/A

Funding: There is no funding impact at this time.

Conclusion:

It is recommended that this report be accepted as information and no alteration or monies be associated with this landscape design at this point in time.

Respectfully Submitted:

Glen Smith

Director of Public Works and Parks

Council Minutes from October 19, 2015 (Council Meeting #15)

Item 2.5 OPS-2015-37
 Glen Smith
 Director of Public Works & Parks

Re: Castle Harbour Park Design

Recommendation:

THAT the landscape design and costing for Castle Harbour Park be received as information only;

AND THAT the site be left in its natural state as an informal or naturalized park and no additional resources be expended on the project at this time.

Resolution No.: 15-538

Moved By: Councillor Back

THAT Council concur with the recommendation as outlined in Staff Report OPS-2015-37.

Carried



August 8, 2024

sent via Email

**The Regional
Municipality
of Durham**

Planning and Economic
Development Department

Planning Division

605 ROSSLAND ROAD EAST
LEVEL 4
PO BOX 623
WHITBY, ON L1N 6A3
CANADA

905-668-7711
1-800-372-1102

Email: planning@durham.ca

durham.ca

Brian Bridgeman,
MCIP, RPP, PLE
Commissioner of Planning
and Economic Development

Valerie Hendry
Manager of Planning
Township of Scugog
181 Perry Street
P.O. Box 780
Port Perry, ON L9L 1A7

Dear Ms. Hendry,

**RE: Regional Comments
Proposed Minister's Zoning Order
0 Castle Harbour Drive and 16941 Simcoe Street, Township
of Scugog (Regional File No. MZO-2024-01)**

The Region has been asked by the Township of Scugog to review and provide comments on a proposed Minister's Zoning Order (MZO) at 0 Castle Harbour Drive and 16941 Simcoe Street in Port Perry.

The proposed MZO would rezone the subject property to permit 600 multi-residential units with commercial uses as well as a beach, walking trails, a pedestrian bridge, and marina. The MZO also proposes the use of a private communal sanitary sewage system. Draft Plan approval for a 20-lot estate residential development is currently in place on the subject property (Regional File No. S-S-2004-01).

We have reviewed the above noted proposed MZO and offer the following comments with respect to Provincial and Regional policies, servicing requirements, transportation, and health.

Current Regional Official Plan (ROP)

The current ROP designates the subject property as predominately Living Area, with a band of designated Waterfront Area adjacent to Lake Scugog.

Current ROP policies support a range of housing options within the Region's Living Areas. However, Policy 8B.2.3 requires that development applications within Living Areas have regard for the types and capacities of the existing municipal services, infrastructure, and feasibility of expansion.

If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2548.

The current ROP population forecast for Port Perry to 2031 is 11,880. The new, Council approved, ROP population forecast to 2051 is 17,740. Neither of these population projections anticipated such a high-density development on the subject property. As such, municipal sanitary sewer services have not been planned for the area.

The proposed MZO includes a private communal sanitary sewage treatment facility. If the proposed development land can be serviced with connection to the Nonquon Water Pollution Control Plant, and future expansion to this facility, the Region does not believe that a private communal sanitary sewage treatment facility should be considered or permitted for this development.

If a private communal sanitary sewage treatment facility is deemed appropriate for this project, approval by Ministry of Environment Conservation and Parks (MOECP) is required. In addition, if a private communal sanitary sewage treatment facility is considered for this project, a Responsibility Agreement between the proponent and the Region of Durham will be required.

Policy 4.1.8 of the current ROP indicates that the Region shall not be compelled to supply water or sewage to a development where sufficient capacity does not exist. Connections will only be provided when it is determined the water and/or sewage system has sufficient capacity to accommodate planned growth. For these reasons, an ROP Amendment may be required to contemplate the level of density proposed on the subject property.

The subject property is surrounded by a Provincially Significant Wetland (PSW) and other potential key natural heritage and hydrologic features. The proposed MZO also includes development within the Regional Natural Heritage System, delineated within the new Council approved, ROP. An environmental impact study would be required to ensure no negative impact on present key natural heritage and key hydrologic features and functions.

Policy 10C.1.1 of the current ROP designates Waterfront Areas as “people places” except for significant natural areas, which will be protected in their natural states. To meet the intent of this policy, the proposed MZO should ensure that elements such as the marina, pedestrian bridge, beach, etc. are not located within a significant natural area.

Please note that it is the Region’s experience that the Federal Department of Fisheries and Oceans has identified the shores of Lake Scugog as containing significant aquatic habitat and water species. As

such, approval of the nearby Marsh Forest Resort Development on Scugog Island required the development to minimize shoreline activity/marina uses and prohibited the use of motorized watercraft.

A significant portion of the subject property is identified as an area of archaeological potential. Prior to any development taking place on the property, an archaeological assessment would be required, including confirmation of no archeological concerns from the Ministry of Tourism, Culture and Sport. There shall be no disturbance or grading of the site until the Ministry signs off on the said archaeological study requirements and findings.

The entirety of the subject property is located within Kawartha Region Conservation Authority's (KRCA) regulated area. Consultation with KRCA is required to determine any permitting requirements related to the proposed development.

Provincial and Regional Policies

The proposed MZO is located within a Town/Village within the Greenbelt Plan Area. Since the subject property is within the Port Perry urban boundary, the site is subject to the policies of the Greenbelt Plan (as applicable).

In accordance with the provisions of the *Planning Act*, MZOs do not have to be consistent with the Provincial Policy Statement (PPS) outside of the limits of the Greenbelt Plan Area. As the subject property falls within the limits of the Greenbelt Plan Area, any proposals shall conform and be consistent with provincial policies. It is our understanding that MZOs are to be applied outside of the Greenbelt Plan Area. The Ministry of Municipal Affairs and Housing (MMAH) should be consulted regarding the use of an MZO for this development.

Provincial Policy Statement (PPS)

Policy 1.1.3.2.b of the PPS requires that land use patterns within settlement areas be based on densities and a mix of land uses that are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion. The Township of Scugog should satisfy itself that the scale of this proposed development is appropriate in the Port Perry context.

The PPS also requires that planning authorities engage with Indigenous communities and coordinate land use planning matters.

The Provincial MZO Framework supports this by requiring submissions to provide a description of engagement with Indigenous communities. The proposed MZO materials provided outline a timeline of engagement with Indigenous communities but do not include actual feedback from First Nation rights holders. Therefore, Indigenous consultation must be undertaken and received prior to any further consideration of this proposed MZO.

Municipal Servicing

The existing Draft Plan of subdivision approval of 20 lots on this property was proposed to be serviced via an extension of a watermain along Simcoe Street, Castle Harbour Drive, and the internal local roadways. At the time, the Region was willing to allow this development to proceed on a long dead end watermain because of the small number of units.

The comments provided in this letter regarding Regional sanitary sewer capacity are applicable until such time as the MOECP signs off on the proposed communal system.

There are no sanitary sewers near the subject property. The estate residential lands to the north of this area are serviced with private wells and private septic systems. It was confirmed at the time of the last application that the proposed 20 lots could be serviced with private septic systems in accordance with Regional Health Department requirements. The Region's Planning and Works Departments supported the concept of this development moving forward on private septic systems.

At this time, neither the Region's capital budget and nine-year forecast, nor the Development Charge Background Study includes the extension of the sanitary sewer system to this area. The density proposed through the MZO is at a level that should be connected to the Region's water system and sanitary sewer system, including Nonquon (WPCP).

There are several other active development applications in Port Perry that are relying on capacity in the existing systems and planned expansions to both the water system and the sanitary sewerage system. None of the infrastructure planning to date has accounted for a high-density development on the subject property. The anticipated timing of this proposed development and other active development applications in Port Perry will need to be re-evaluated and confirmed so that the need and timing for new infrastructure can be re-assessed. This could include impacts and changes to the following:

- Regional Official Plan population projections
- Development Charge Background Study
- Class EA for Water Supply and Storage
- Class EA for Nonquon Water Pollution Control Plant

The Region of Durham allocates capacity at the timing of executing a subdivision agreement. The Township of Scugog also has a process in place for allocating servicing capacity.

Water Servicing

A Class EA for Port Perry Water Supply and Storage has been completed and projects for additional water supply and storage have been identified in the 2023 Development Charge Background Study. These projects are striving to service a population beyond 11,880 and a significant portion of the Employment Lands but will not be sufficient to service a population of 17,740 by 2051. The Region expects additional projects to be identified for the Urban Area of Port Perry in a future Development Charge Background Study to be able to support the population of 17,740.

It is anticipated that all identified projects for water supply and storage will need to be constructed before this proposed development could proceed. Additionally, projects that have not yet been identified may need to be constructed before this development could proceed.

This proposed development will require extensive extensions to the existing water system. The proposed water system must have a minimum of two supply points for system security (i.e. looped system). Due to the long distance from the existing system, water modelling will be required to show that adequate fire protection can be provided to the proposed development.

Potential impacts to the existing private wells in the estate residential subdivision to the north of this development should also be assessed.

Sanitary Sewerage Servicing

A Class EA for the Nonquon WPCP has been completed. The mechanical sewage treatment plant has been constructed to service the 2031 population of 11,880 and a significant portion of the Employment Lands.

A future expansion to this facility is anticipated beyond the 2023 Development Charge Background Study. It is expected that this future expansion would be required for this proposed development to

proceed. The expansion anticipated by the Class EA may not have considered a population of 17,740 or any new population beyond this 2051 threshold. A new Class EA and a new strategy for flows beyond the anticipated limits of the previous study may be required.

A sanitary sewage pumping station and new forcemain connection to the Nonquon WPCP would be required to provide service to this development. This sanitary sewage pumping station was not identified in the 2023 Development Charge Background Study and a Class EA would be required for the new Sanitary Sewage Pumping Station.

Transportation

The subject property fronts Simcoe Street (Reg. Rd. 2), which is designated as a Type 'A' arterial road in the current ROP. The existing road allowance meets the minimum requirement in the ROP; therefore, no road widening dedication is required.

As a Type A arterial roadway, Simcoe Street is subject to rigid/progressive access control. Given the extensive frontage on Castle Harbour Drive, which is designated as a local road in the ROP, no direct access will be permitted to Simcoe Street. Access to the development must be provided via Castle Harbour Drive exclusively.

The Region would require the submission of a Traffic Impact Study. The scope of the study should be agreed by the Township of Scugog and the Region before undertaking the study.

The Region would also require the submission of a Stormwater Management Report.

Every effort should be made to integrate cycling connections from within the subject property boundaries to the Primary Cycling Network via the following routes:

- a) a buffered paved shoulder proposed to run North along Simcoe Street from Castle Harbour Drive to Scugog Line 8;
- b) a buffered paved shoulder proposed to run South along Simcoe Street to County Estates Drive which connects to the Canterbury Commons Cycling Trail; and
- c) 1.5 kilometres south of the subject site along Simcoe Street there is a connection to the Port Perry Waterfront Trail which offers connections further south to Port Perry.

Signage directing cyclists to these routes from internal routes should also be explored.

Environmental Health

The scale of the proposed MZO falls outside the purview of the Regional Health Department, as approvals for a sanitary sewerage system of this size are required by MOECP, as detailed above.

Public Health/Sustainability

To minimize the impacts of extreme heat, it is recommended that new rental units or housing used for vulnerable and priority populations have central air conditioning in the individual units and a cooling room in any multi-dwelling unit.

During construction, implementation of a dust management plan is recommended to reduce air emissions and minimize adverse air quality impacts to surrounding communities.

Consideration should be given to water and landscaping features that are graded to prevent pooling of water that may contribute to breeding grounds for vectors such as mosquitos.

Conclusion

The Region's review of the proposed MZO has identified a variety of issues that should be addressed prior to the further consideration of the development. The Region looks forward to continued collaboration with Township of Scugog staff to address these issues. If you have any questions related to the comments contained within this letter, please contact Amanda Bathe at Amanda.Bathe@durham.ca.

Regards,

Lino Trombino

Lino Trombino
Manager of Plan Implementation

Cc: Jeff Almeida, Regional Works Department
Videsh Brijpaul, Regional Transportation Planning
Sendi Struna, Regional Health Department
Matthew Mantle, Kawartha Region Conservation Authority
Maya Harris, Ministry of Municipal Affairs and Housing



KRCA File #: PPLD-3528

Via Email: vhendry@scugog.ca

Valerie Hendry
Manager of Planning
Township of Scugog
181 Perry St.,
Port Perry, ON L9L 1A7

**Regarding: Minister's Zoning Order
16941 Simcoe St and Waterfront property on Castle Harbour Dr
ARN 182001000814600 and 182001000814700
David Medhurst on behalf of Avenu Properties Inc**

Dear Ms. Hendry,

We have completed the review of the above-noted application. The comments are provided as per our MOU with the Township of Scugog to review the application with respect to natural hazards and water quantity. Our comments are as follows:

APPLICATION PURPOSE:

It is our understanding that the purpose of the proposed MZO applications is to rezone the property to permit 600 multi-residential units, on a new public road from Simcoe Street connected to private roads with public access to the waterfront. Access is also proposed from Castle Harbour Drive. Residential uses would transition from low density to the north with higher density residential uses internal to the site. Commercial uses (retail and restaurants) as well as a beach, walking trails, a pedestrian bridge, and marina are proposed. The development would utilize a private communal wastewater treatment facility and the municipal watermain would be extended from Simcoe Street.

SITE CHARACTERISTICS:

Existing mapping indicates that the subject property is within the vicinity of the following Natural Hazards:

- Erosion Hazard
- Flooding Hazard and
- Unstable Soil

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The property is within 100-year lake level of Lake Scugog and is mostly within a Provincially Significant Wetland (PSW). A watercourse runs across the property into the PSW.



APPLICABLE KAWARTHA CONSERVATION REGULATION AND POLICIES:

The following information contains the applicable policies from the Kawartha Conservation Plan Review and Regulation Policies as well as the definition of development *as defined within Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits, under the Conservation Authorities Act, 1990.*

Plan Review and Regulation Policies:

In keeping with the provisions of the Provincial Policy Statement (2020) and the Kawartha Conservation Plan Review and Regulation Policies, we will support development within a regulated area provided that the development conforms to our policies.

Ontario Regulation 41/24:

Any development within Kawartha Conservation’s regulated area will require a Permit pursuant to Ontario Regulation 41/24.

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and

- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development Activity is defined as:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) site grading, or
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere; (“activité d’aménagement”)

*The subject property is mostly within Kawartha Conservation’s regulated area, a permit pursuant to Ontario Regulation 41/24 **will be required** prior to any future development within the regulated areas. Please contact our permitting department at permits@kawarthaconservation.com for more details on permits.*

PROVINCIAL PLANS:

The proposal is subject to the natural hazard policies within the Provincial Policy Statement (PPS) (2020).

COMMENTS:

According to Section 3 of Kawartha Conservation’s Plan Review Policies (2013)

KRCA will recommend that new development and/or site alteration not be permitted in the following hazard features, except where development could satisfy the policies contained in Chapter 4.

- in a Provincially Significant Wetlands,
- within a Floodplain,
- within the existing channel of a watercourse,
- lands susceptible to an Erosion Hazard
- hazardous land associated with Unstable Soils

Provincially Significant Wetland (PSW)

For all new development proposals involving site alterations where a wetland is present on or adjacent to lands subject to the development, KRCA may recommend on-site wetland boundary delineation/staking. This boundary delineation shall be illustrated on a Reference Plan or Site Plan. In the case of provincially



significant wetlands, where an approved Ministry of Natural Resources' boundary differs from that identified on-site, the proponent will be responsible for obtaining acceptance of the new provincially significant wetland boundary from the Ministry of Natural Resources.

Watercourse

For all development proposals adjacent to a watercourse, KRCA will recommend the maintenance, establishment, and/or enhancement of a buffer of an appropriate width 15 metres from the stable top of the bank.

Flooding Hazard

When development is proposed within or adjacent to a river or stream valley where the watercourse drains an area equal to or greater than 125 hectares and the floodplain limits for the watercourse are not available, the KRCA will require that the applicant (or agent) provide appropriate technical report(s) identifying the floodplain limits on the subject lands prepared by a qualified professional in accordance with the criteria set out in the Ministry of Natural Resources' Technical Guide – River & Stream Systems: Flooding Hazard Limit (2002). The floodplain limit is to be based on the greater of the flood produced by the greater of the Timmins storm or the 100-year flood.

Erosion Hazard

In cases where new development is proposed within or adjacent to a river or stream valley, KRCA will require that the applicant (or agent) provide appropriate technical report(s) (i.e., topographic survey, stream bank erosion analysis, and/or geotechnical investigation) identifying the extent of the erosion hazard limit on the subject lands prepared by a qualified professional in accordance with the criteria set out in the Ministry of Natural Resources' Technical Guide - River & Stream Systems: Erosion Hazard Limit (2002) to the satisfaction of KRCA

Unstable Soils

In cases where new development is proposed within to hazardous land associated with Unstable Soil, KRCA will require that the applicant (or agent) provide appropriate technical report(s) (i.e., geotechnical study) identifying the extent of the hazard limit on the subject lands signed and stamped by a qualified professional.

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KRCA will recommend that a subdivision or condominium plan adjacent to:

- a Provincially Significant Wetland include protection of the wetland and setback of 30m.
- a Floodplain include protection of the-
 - Floodplain including the limit of the flooding hazard based on the 100-year flood or the Regional Storm (Timmins storm), whichever is greater.
 - Unconfined Valley Systems including 6m from the maximum extent of the greater of the flooding hazard limit or the predicted meander belt width.
- the Watercourse including the 15m buffer from stable top of the bank.
- an Erosion Hazard include protection of the entire Erosion Hazard limit determined in accordance with the criteria set out in the Ministry of Natural Resources' Technical Guide - River & Stream Systems: Erosion Hazard Limit (2002).
- to hazardous land associated with Unstable Soil include protection of the hazardous land, as determined through a geotechnical study prepared, signed and stamped by a qualified professional.

KRCA will recommend that protected lands either be retained by the owner, held in common ownership, dedicated to a willing party (e.g., Conservation Authority, municipality, land trust organization, etc.) on a case-by-case basis depending on the interest of the respective parties, or at a minimum, zoned appropriately (e.g., Environmental Protection, Hazard Land, Open Space) to protect the feature.

According to Section 4 of Kawartha Conservation's Plan Review Policies (2013)

New multiple residential development will not be permitted within the following regardless of previous approvals provided under the Planning Act or other regulatory process (e.g., Building Code Act):

- within a wetland.
- a flooding hazard.
- an erosion hazard.
- hazardous lands associated with unstable soil.

We require studies as outlined below to illustrate how and why it's "safe" in order to move forward with the proposal, Given this policy, the Board of Directors' approval may be required.

Development within the Area of interference of Wetland

4.6.2.2(2) New residential or structural agricultural development within 30 metres of a wetland on an existing lot(s) of record where the principle of development has previously been established may be permitted provided that:

- development will be setback from the wetland boundary by at least 30 metres, where feasible;
- disturbed area and soil compaction will be minimized;
- impervious areas will be minimized;
- it can be demonstrated through site review or an Environmental Impact Study that there will be no adverse impact on the hydrologic function of the wetland;
- inert fill material will be used. The proponent may be required to provide proof of the origin and quality of the fill material ensure the control of pollution and the conservation of land are not adversely affected; and,
- best management practices will be employed to:
 - maintain water balance;
 - control sediment and erosion; and,
 - maintain or enhance a wetland buffer in accordance with Policy 4.6.2(2).

We recommend at least 30m buffer from the Wetland. If a lesser wetland buffer is proposed, the EIS should demonstrate that there be no adverse impact on the hydrologic function of the wetland (i.e., mitigation measures and/or compensation for lost wetland function).

Proposed Road through the Wetland (PSW)

Public infrastructure (e.g., roads, sewers, flood and/or erosion control works, water supply, etc.) and private infrastructure (e.g., roads, gas and electrical transmission pipelines/corridors, etc.) may be permitted to be constructed, realigned and/or upgraded within a wetland when the location is supported through an approved Environmental Assessment.

Please refer to our policy 4.7.2.1 (1) for more details on construction of the road through wetland (PSW).

Alteration of the existing Watercourse

According to the concept plan, the watercourse is either proposed to be filled in or two culverts would be required to accommodate the construction roads. Please confirm.

If culverts are deemed necessary, we require calculations to confirm that they are adequately sized and have a suitable diameter to effectively carry the water flow.

Please refer to our policy 4.7.2.1 (1) for construction of culverts and policy 4.7.2.4 (2) for enclosures of the watercourse.

Sand Beach

The beach will modify the hydrological function of the wetland and also diminish the flood storage of the area. Therefore, we recommend that the wetland be left in its natural state without any interference.

Communal Docks

Please refer to our policy 4.7.2.1(10) Multiple docking facilities. The proposed docks appear to be within the wetland, KRCA may require the submission of a technical site-specific assessment to evaluate the impact on near-shore littoral processes.

2 pedestrian bridges

Please refer to our policy 4.7.2.1 (1) for construction of bridges.

Pier and Lookout Point and Boardwalk Trail for natural feature enhancement

They appear to be proposed within the Wetland. The Board of Directors' approval is likely to be required.

*If the wetland is lost as a result of development can has to be demonstrated through a Technical Study that compensation will be accommodated resulting in “no net loss” of the wetland function while striving to achieve the principle of “net gain” and, where applicable, the maintenance of existing hydrological linkages.

Large Fill

Please refer to Appendix O – Large Fill Procedural Guideline in Kawartha Conservation’s Plan Review Policies (2013)

Other policies may be applicable to the development and will be considered at the time of application.

The application may be presented to our Board of Directors for their approval. The next steps will be outlined at the time of application.

Note - Approval from Trent Severn will be required for any changes or alterations within Lake Scugog.

As a summary of the above, we would recommend the following studies to be submitted with the application:

- Wetland boundary (ELC classification pre-development) and watercourse delineation/staking
- Technical Study outlining the extent of all hazards regulated under O. Reg. 41/24 on the property.
- Flood Study for the subject property identifying the floodplain limits including the flood study for the watercourse connecting into Lake Scugog.
- Stage-storage discharge relationships of the flood plain be maintained by means of an incrementally balanced cut and fill operation designed in 0.3 metre vertical increments) to ensure that there will be no adverse hydraulic or fluvial impacts on lakes, rivers, creeks, streams, or watercourses. Engineered hydraulic analyses may be required, at the discretion of the Authority, to demonstrate that the later condition has been met and that there will be no detrimental effect on upstream water levels or local stream flow velocities;

OR

- If stage-storage discharge relationships of the flood plain cannot be maintained (i.e., through means of an incrementally balanced cut and fill operation designed in 0.3m vertical increments), that an engineered hydraulic analysis be prepared by a qualified professional that demonstrates there will be no adverse hydraulic or fluvial impact on lakes, rivers, creeks, streams or watercourses. The analysis must also demonstrate that impacts on the hydraulic and fluvial functions of the water bodies be minimized to the greatest extent possible and upstream and downstream flow velocities related to increased flood risk or damage are unaffected.
- Original topographic map prepared by a qualified professional (i.e., surveyor) showing pre-development on-site elevation and
- Grading plan prepared by a qualified professional showing post-development elevations.
- Detailed Site Plan
- Stormwater Management Plan
- Erosion and Sediment Control Plan along with multi-year monitoring plan.
- Geotechnical Study
- Hydrogeological Study
- All requirements of the Large Fill Procedural Guideline located in Appendix O of the Plan Review and Regulation Policies (2013) (if imported fill volumes exceed 500 cubic metres).



- Studies may also be required related to following:
 - Proposed Road through the PSW
 - Alteration of the existing Watercourse
 - Sand Beach
 - Communal Docks
 - 2 pedestrian bridges
 - Pier and Lookout Point
 - Boardwalk Trail for natural feature enhancement
- Site Visits may be required.
- A decision by the Kawartha Conservation Board of Directors is likely required for issuance of the permit.
- Additional studies may be required and will be outlined at the time of application.

I trust this meets your information requirements at this time. Should you have any questions, please contact the undersigned. Should you have any questions, please contact the undersigned.

Sincerely,

Harmanpreet Kaur
Resources Planner
Kawartha Conservation

CC: Matthew Mantle, Director of Planning and Development, Kawartha Conservation

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SCUGOG LAKE STEWARDS INC.

July 29, 2024

**Mr. Kevin Heritage, Director of Development Services,
Ms. Valerie Hendry, Manager of Planning,
Township of Scugog**

Subject:

Submission to the Scugog Township regarding the Avenu Properties proposal seeking the Council of the Corporation of the Township of Scugog to request the Minister of Municipal Affairs and Housing to enact a Minister's Zoning Order to implement their proposed development on Castle Harbour Drive

On behalf of the Scugog Lake Stewards, I am making this submission to present the position of our Board of Directors regarding the Avenu Properties request of Council to request the Minister of Municipal Affairs and Housing to enact an MZO for a medium density 582- unit development supported by private servicing south of Harbour Castle Road and abutting Cawkers Creek.

I appreciated the opportunity to make a deputation to Council on this matter on June 24, 2024.

The Scugog Lake Stewards Inc. was established in March 2003 as a non-profit charitable corporation with a mandate which includes the conservation and protection of Lake Scugog and its watershed and to increase public awareness of lake health and support for continued economic, social and recreational development around the lake in an ecologically responsible and sustainable manner

In preparing this submission, we have reviewed the proponent's development brief, examined the implications of Bill 185 and Bill 23 and Sections 37, 41 and 47 of the Planning Act relative to the proposal, and a myriad of science-based reports and plans that address the health of Lake Scugog. We have also had engagement with our Science Advisor to the Board from Ontario Tech University, Dr. Andrea Kirkwood, with other environmental organizations, an MSIFN representative, and with local ratepayers to obtain their various perspectives on the merits or demerits of the proposal.

Concerns about Lake Scugog

We believe that the health and appeal of Lake Scugog is critical to the continued vitality of the Township of Scugog and its livability and economic viability as a community. Especially since about 2015, we have observed a serious deterioration of lake quality, including the subject area, through the impact of many factors including the various results of recent climate change, the introduction of destructive invasive species and continued shoreline development deteriorating near shore viability and balance, to name a few.

Therefore, in considering the implications of this development proposal and the request to move the approval authority over the zoning and scale, density and configuration of this large development to the province, we must first and foremost assess possible implications on Lake Scugog. Science-based assessments of Lake Scugog over time tell us that land uses within the watershed are an important determinant for lake water quality, with urban lands particularly leading to increased nutrient levels. Even individual and smaller-scale shoreline development can result in increased nutrient, particulate matter and chloride levels (from Lake and Reservoir in driving nearshore water quality in a large, shallow, Canadian Lake" – Smith, Balika and Kirkwood, 2021).

Our Science Advisor indicates 'the lake is currently classified as eutrophic, which also reinforces the fact that additional shoreline development will only increase pollution loads to the lake and fuel eutrophication. Any increase in new shoreline modification and development will also result in exacerbating lake degradation that already occurs due to current urban development, invasive species and climate change' (Dr. Andrea Kirkwood, Professor of Biological Science, Ontario Tech University, July 2024).

And to add to this point, long term monitoring, and some sampling in mid-June 2024 of Cawkers Creek and its outlet shows virtually all environmental and water quality parameters such as Total Phosphorus, Nitrogen, Chlorides and benthic macroinvertebrates get a grade of D or F.

Accordingly, any impact on the waters, bed and shoreline of Lake Scugog and certainly along Cawkers Creek, from even the most technologically designed new development is of major concern. We have seen recent failures of such, creating massive silt and sediment spills into Lake Scugog despite assurances from proponents that it would never happen given their technology and oversight.

The Scugog Lake Stewards are supportive of continued development in the Township of Scugog and would not oppose development, provided it has been evaluated positively with regard to its short and long term impact on the environment generally and upon Lake Scugog in particular. At this point, however, there are no assurances that this development can meet those safe impact thresholds. Much more study needs to be done.

Concerns about the implications of seeking provincial approval of an MZO for the development

We don't see the rationale for seeking an MZO to establish the zoning and unit density for this development considering **lack of due process, lack of imperative, and lack of feasibility.**

Process

As we understand the process under Bill 185, the Minister, in considering a request to approve an MZO, has sole discretion on who is consulted, and what studies and information are required in order to make a decision.

There is no appeal of the Minister's decision.

If approved, the Zoning for the property is established as is the density, form and spacing of the development. This occurs even before important studies, such as ecological assessments to determine appropriate Environmental Protection Zone boundaries and setbacks have been completed. It occurs before the design of a major private communal wastewater treatment facility and carrying capacity of the site has been determined. It occurs before the routing of water services and a second

access road to the development, currently projected to cross a major wetland feature have been designed.

The request for an MZO without this vital information therefore seems premature.

Imperative

We understand pressure on municipalities to support the provision of housing, and a diversity of housing and particularly affordable housing. But is this an acceptable location to meet those housing targets. We question if the proposal meets provincial interests and warrants removing important municipal oversight and controls of the development. Does a 582 unit proposal (and that number should be in question given environmental protection zones have yet to be confirmed) and one that mentions a health centre and some level of transit to the site demonstrate or create a reasonable level of provincial interest ?

The MMAH website on MZO's states "As best practice, proponents should consider whether there is a demonstrable need for urgency of zoning relief such as timelines relating to funding or grants, or an emergency public health and safety concern. Proponents should also assess project feasibility prior to making a request, such as anticipated timelines related to applying for downstream approvals and progress to address water and wastewater and other servicing."

When questioned at Council on June 24 about the key rationale in making the request to seek an MZO approval, the proponent indicated that a key consideration was avoiding months, perhaps a year or two of frivolous appeals of zoning proposals for the property to the Ontario Land Tribunal. Avoidance of frivolous and vexatious appeals is of course understandable, but is that sufficient rationale to remove the municipality from the oversight and control of this development, particularly the zoning.

Feasibility

We question how it is feasible for the proponent to propose or the province to approve a unit density and land uses for the property at this time. In examining the project brief in detail, there are no substantive science - based studies to support the densities proposed – for example – there have been no updated studies undertaken to support the redefinition of specific Environmental zones and wetland boundaries and setbacks from development, although one has just been commenced in June; there have

been no comprehensive geotechnical nor hydrogeological studies that have addressed soil stability and the carrying capacity of the site for the density and siting of units proposed and to address the feasibility of a private communal sewage disposal system and storm water management on site. There could be major threats to the site and Cawker's creek from sedimentation, contamination and other impacts from construction and possible failure or overloading of services.

This proposal to seek an MZO therefore seems premature and without full rationale. This matter should not be rushed to the province.

Going Forward

We were pleased and relieved that Council decided to refer this matter to staff to bring a report back to Council Committee in September. Staff had not been invited to submit a report and recommendations to Council at the June 24 Council meeting. Referral to staff now enables staff to lead and conduct the necessary assessments of, and consultations on, the merits and demerits of seeking an MZO and the feasibility of elements of the proposal and bring recommendations back to Council. Part of that process hopefully involves consultations with other parties including the Scugog Lake Stewards and very importantly to lead the process of direct engagement with the public, not the proponent. This process should bring a balanced perspective and robust input to Council for its further deliberations.

In summary, the Scugog Lake Stewards are NOT in support of Council requesting the Minister of Municipal Affairs and Housing to approve an MZO for the Avenu Properties development proposal. Instead, we strongly urge Council and staff to retain full authority and control of the development process.

Thank you for the opportunity to address this matter with you. We look forward to having further engagement with staff and Council on this matter over the coming months.

Respectfully submitted

Robert W. Messervey, BES, MPA
President, Scugog Lake Stewards Inc.



July 25, 2024

Via: Email

Ms. Valerie Hendry, MCIP, RPP
 Manager of Planning
 Township of Scugog
 181 Perry Street
 P.O. Box 780
 Port Perry ON L9L 1A7

Dear Ms. Hendry:

**Re: Avenu Properties Corporation
 Minister's Zoning Order – First Submission
 Township File No.:
 Project No.: 300057971.0000**

We have reviewed the following material relating to the above noted Minister's Zoning Order.

No.	Description	Issued	Received
1.	Agency Circulation, prepared by Township of Scugog (Township)	June 30, 2024	July 2, 2024
2.	Due Diligence & Draft MZO Resolution Letter, prepared by Ritchie Ketcheson Hart & Biggart LLP	June 20, 2024	July 2, 2024
3.	Council Resolutions Memo, prepared by Township	June 28, 2024	July 2, 2024
4.	Appendix A of Council Resolutions Memo, prepared by Township (two draft versions)	June 2024	July 2, 2024
5.	Minister's Zoning Order Briefing, prepared by Avenu Properties Corp	June 17, 2024	July 2, 2024

Further to the Township's circulation memo dated June 30, 2024, we are in receipt of the first submission for the above referenced Minister's Zoning Order to facilitate the development of the subject lands to permit 600 multi-residential units of varying density, commercial uses, public roads, open space and beach/marina uses. The development will include private roads and be serviced by the extension of the existing Municipal water system and private sewage treatment.

Our current submission comments follow in the table below (the "Re" refers to No. in previous submission comments; however, as this is the first submission, the "Re" column is blank). Comments on a drawing should be reflected on all drawings.

No.	Re	Description
General Comments		
1.1		A response letter addressing comments, including red-line comments provided by all disciplines (Site Plan, Civil, Geotechnical) is to be included in each submission. We support the use of a comment matrix to track comments and responses for all disciplines and agencies.
1.2		We understand that the concept plan has been provided for reference only, and that a detailed review of the plan will occur through subsequent phases of the application process. However, we have provided comments on the concept plan as these speak to the viability of the development and are relevant to the zoning application.
1.3		<p>Block Plan Comments</p> <ul style="list-style-type: none"> a) We note that based on an overlay of the concept plan and Figure 1 from the 2017 Environmental Impact Study, a significant portion of the development is beyond the previously identified wetland limits and buffers. In addition, environmental limits for the western portion of the development adjacent to Simcoe Street have not been established. See comments in the following sections on this issue. b) There are general concerns with the proposed road network geometrics including ROW (i.e., width, boulevard width, lane widths), alignments, connectivity, public/private realm and secondary emergency access. Some of these elements do not comply with Township guidelines and standards. A CAD drawing of the block plan should be provided for the next submission for review. In addition, it is recommended a meeting be held for the Applicant to explain the road proposed network. c) The public street shown connecting Simcoe Street to the development is located within a PSW or PSW setback, and therefore, is not a viable alignment. Secondary or emergency access will be required for this development. d) Block 52 does not appear to have access to the proposed public street. Clarification is required. e) Daylighting is required at all appropriate locations as per Township standards. f) It is unclear whether the north-south public street that is shown entering Block 50 continues as a public street into Block 50. If it is intended to continue into Block 50 to form the loop as shown, the proposed below grade garage cannot encroach on the public ROW. If it is intended the public street terminates at Block 50, it is recommended to be terminated as a cul-de-sac.

No.	Re	Description
1.4		The following preliminary studies should be provided to support the proposed development prior to Zoning Approval. <ul style="list-style-type: none"> • Preliminary Geotechnical Report. • Preliminary Hydrogeological Study and Water Balance Report. • Preliminary Noise Study.
Stage 1, 2, and 3 Archeological Assessment – comments by Bruce Alexander, C.E.T.		
1.5		The reports recommend that the site should be considered clear of Archeological significance. Confirmation of registry under the Ontario Heritage Act will be required.
Phase 1 Environmental Assessment – comments by Jim Walls, P.Geo., QP _{ESA}		
1.6		No comments.
Natural Heritage Feasibility Letter – comments by Tricia Radburn, M.Sc.(PI), MCIP, RPP		
1.7		The Feasibility Letter indicates that field investigations conducted in 2016 and 2017 may no longer reflect current conditions. We understand that additional field investigations are planned and will be documented in a more fulsome Environmental Impact Study (EIS). The development limit cannot be approved until the EIS is completed to the satisfaction of the Township.
1.8		We note that the feasibility letter only covers the eastern portion of the property. All lands within the application proposal will require a full Environmental Impact Study, including identification of environmentally sensitive areas, and determination of limits of development.
1.9		The conceptual site plan shows development within the provincially significant wetland (PSW), including multiple lots, docks, a pier and a man-made sand beach. These types of development are not permitted within a PSW. The EIS will need to include a confirmation of the wetland boundary and will need to demonstrate that development is outside of the wetland and a vegetation protection zone that it is at least 30 m wide around the wetland.
1.10		The Feasibility Letter notes that some in-water work is proposed and that a sensitive bass spawning area is located in the vicinity. Noting that development is not permitted within a PSW, if any in-water work is proposed outside of the PSW, impacts to fish habitat will need to be assessed in greater detail.
Transportation Impact Study – comments by Neevijan Pugalendiran, E.I.T. and David Angelakis, C.E.T.		
1.11		General Comments <ol style="list-style-type: none"> a) The report provided was unsigned and did not indicate who the author was. All reports submitted to the Township must be signed. b) Please provide synchro files for review.

No.	Re	Description
1.12		<p>Section 2.1: Road Network</p> <p>a) The TIS classifies Simcoe Street as a Type 'B' arterial road; however, as per the Township's Official Plan, Simcoe Street is a Type 'A' arterial road.</p>
1.13		<p>Section 3.4: Future Background, Site Traffic, and Future Total Traffic Volumes</p> <p>a) It appears background traffic growth was applied; however, the TIS does not state the % growth used nor provides a justification for the % growth used. In addition, the TIS does not include the consideration of background developments within the vicinity of the site. Please update the analysis to include justification of the traffic growth used and any relevant background developments within the vicinity of the site.</p>
<p>Summary of Servicing Feasibility Letter – comments by Bruce Alexander, C.E.T. and Lana Russell, P.Eng.</p>		
1.14		<p>Grading</p> <p>It is anticipated that the proposed development will need to raise the elevation of the property to support the development concept. No conceptual grading has been presented at this time. A preliminary grading plan and preliminary cut and fill plan should be provided with the next submission. In particular, the submission should identify the magnitude of trucking, both inbound and outbound that is anticipated, and how this will impact the local and Regional roads and local community.</p> <p>Water Servicing</p> <p>The following is a summary of the water servicing analysis.</p> <p>a) The existing water infrastructure will need to be upgraded per the Region of Durham 2018 EA and 2023 Development Charge Background Study. Requests for Proposal for the design of new water supply (2024) and water storage (2025) are pending from the Region.</p> <p>b) The letter acknowledges that the proposed upgrades <i>“will not be sufficient to service the projected 2051 population or any future projections”</i>.</p> <p>c) The Township has acknowledged that there may be unused allocation that could be assigned to this development which may allow for a phased buildout of the plan.</p>

No.	Re	Description
		<p>d) The letter notes that proposed “<i>advanced water recycling technology from the sanitary treatment plant can potentially reduce potable water usage by 30%</i>”.</p> <p>e) The letter notes that to provide water supply redundancy to the development, existing watermains will need to be extended from Scugog Line 8 and from Simcoe Street.</p> <p>f) The letter notes that should municipal water not be readily available, portions of the site may be serviced via private wells, pending further Hydrogeological investigation.</p> <p>Based on the above, it does not appear that water servicing feasibility has been established and that further study is required to support the proposed development.</p> <p>Stormwater Management</p> <p>No comments relating to Zoning.</p>
Wastewater Treatment – Development Feasibility Study – comments by Anne Egan, P.Eng.		
1.15		<p>a) The proposal is for 582 residential units and project average daily flow of 280,408 L/day. The proposed servicing concept includes a treatment facility with water reuse for non-potable uses such as toilet flushing. Other potential water reuse options are mentioned, such as irrigation, vehicle washing and cooling tower makeup. A 100% reuse scenario does not appear to be proposed, nor is that realistic, particularly in our climate. Therefore, a suitable effluent receiver needs to be identified. The report eludes to discharging effluent “towards the nearby wetland”.</p> <p>b) Additional information should be provided to quantify an overall wastewater balance – the anticipated water reuse volumes, and how much would be discharged, as well as additional information on a suitable receiver that could meet MECP requirements for direct surface discharge. Pre-consultation discussions with the MECP is highly recommended for input on the feasibility and approvability of the overall servicing approach.</p>

Based on our review, we are not able to recommend Zoning at this time.

Should you have any questions or require any additional information, please contact the undersigned.

Yours truly,

R.J. Burnside & Associates Limited

Bruce Alexander, C.E.T.
BA:bp

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DRAFT

**Comments from the Scugog Environmental and Climate Change Advisory Committee
regarding the Avenu Properties Submission**

(2024-08-30)

I want to first express that I am not against densification, I really think that there is a need and necessity for densification, especially around downtown Port Perry. There is room for more people, bringing in more diversity and adds even more beauty to our township if done correctly. The more people the more, much needed tax money for the Township.

From what I understand, there was a traffic study done and it showed that that there is no need for a secondary road built through the PSW. That does not mean that the development won't have one built anyway. I feel that the city needs to stipulate the requirement that there will never be a road built there. If the road is still in question, it is an absolute showstopper for me.

I also do not want to see fill brought in to form a new beach. I'm not sure why they would like to put one unless it has something to do with their proposed sewage treatment plan. I don't think people should be swimming in the lake so close to town. It is very costly for the proper studies to be done (as I'm sure that we all know with the Lake Enhancement Project). I am also very against that area that was proposed to be filled in because they own the lake bottom, again costly, needless, and will destroy aquatic habitat. This is another showstopper and would cause me to not support the MZO request.

I don't know what the current setbacks are, but I'd like to so we can see if they need to be increased.

I would really like the construction footprint decreased. Sure, we can ask for the number of units to be lowered, but that just means that the units would become larger and more expensive, which in my mind is a worst-case scenario. Instead, can we allow for an increase in height of some of the proposed buildings in exchange for decreasing the overall footprint (getting rid of some of the proposed buildings that are proposed close to the wetland)?

I am concerned with the proposed onsite sewage treatment plant as I'm not confident in the onsite sewage treatment facility running with absolutely zero issues, especially with 600 units of waste. It is proposed that solids be moved off site and 600 units worth of solid waste is a lot to move. Plus, the average household of 3 people uses roughly 630 liters of water per day (210 liters per person). So, if only one person lives in each unit, that's 126,000 liters a day, equivalent to two, 16x32 foot pools at around 4.5ft deep. I'd be afraid if/when something goes wrong, that raw sewage would find its way into the lake, which is what happens in Toronto during these more intense and frequent weather events. I would also like to make sure that if/when something does go wrong with the sewage treatment, that the township is not responsible for the expense of fixing and cleaning up any would-be environmental disasters. With the money saved from the proposed road through the wetland not built and the beach not built, can we maybe have them hook up sewage to the town at their expense? I'm just very on edge about the onsite sewage treatment, the shipping of solid waste, and what happens when something goes wrong because (pun intended) shit happens! Who is accountable for when something happens? Who fixes it? Who pays for it? How often are the poop trucks going to be driving up and down Castle Harbour Drive? What expense will it be for the new residents to have said trucks removing the solid waste? Would the expense be too much and cause people (thinking of the elderly on a budget) to need to move from there?

I would like to see that every and all environmental studies are done and up to date reflecting the latest site plan, regardless of if the MZO does not require it or tries to bypass them. There was an EIS done in 2016, which is way out of date and probably had a very different scope of work for those

proposed 20 estate lots. These studies need to be done by a 3rd party agreed upon by the developer, Township, and maybe even the residents. These studies are to be paid by the developer, not the municipality. I think Beacon did the last one and I have zero problems with them doing an EIS update.

I would personally like to have access to the property to see what it looks like in its current state. I think the Environmentally Advisory Committee should be granted permission to access all potential development properties to check things out before construction removes any evidence of environmentally sensitive plants/animals. We all have our areas of expertise, and I feel the Township should be more willing to use our knowledge. For example, if the area is 100% Phragmites, I think we would have some helpful comments for the township and the developer.

To be honest, I really like the overall design, the footprint just needs to be reduced. I would even be okay with the number of units providing that the sewage treatment plant is 1000% problem free and has multiple failsafe measures that assure sewage will never, ever touch a drop of lake water. I just really feel that the overall footprint for the proposed area would have a very negative effect on the PSW and surrounding environment, and 600 units of sewage is just too much and if a problem were to happen, it would be catastrophic! I would not endorse this MZO if the frequency of solid sewage to be shipped off site would be too high. I really don't support a sewage truck being present every few days in an established residential neighbourhood, it's not fair to the neighbours, and it would not be very environmentally minded.

There's also the automobile issue, 600 units means a lot of cars. I think that during their presentation to us, there was no talk about parking except for on street parking and a shuttle to and from town. Please correct me if I'm wrong, but is there now underground parking proposed? I do like the shuttle idea, but we would need to make sure that the developer follows through with it. Also, who would pay for the shuttle and what would the shuttle expense be? If there are a lot of seniors that happen to move in, we need to make sure that they have an affordable means of transportation to town for everyday needs and necessities, this includes Sundays!

A couple things I really like, I like that proposed bridge to the path around Canterbury Commons. I feel there would be a lot of opposition to this from the Canterbury Commons homeowners, but to be honest, they moved into a controversial neighbourhood themselves as it was a beautiful golf course before hand (I was lucky enough to have golfed there a few times). The bridge will be super expensive with the studies needed and there will be some impact on the wetland, but it's far less than the proposed road. I personally would stipulate the requirement for this bridge. There is no sidewalk on Simcoe Street in front of the wetland, so if the bridge won't happen, then there would need to be a sidewalk put in and would the township be on the hook for the cost of this if the bridge is dropped? Or do we drop the bridge from now and have the requirement for the developer to put a sidewalk in from Castle Harbour to the next connecting sidewalk?

I also like the resident doctor's housing. I think the Mayor misspoke when she said that doctors need housing. I recently found out that the proposed "doctor" housing is actually for doctors that are still in school finishing up their placements or 'residencies'. I really like this idea as sometimes it takes a very long time to see my own doctor, but I am fine with seeing a resident doctor and can get a much quicker appointment. If we had more resident doctors, our wait times could be drastically reduced. These resident doctors aren't making the big bucks yet and are probably a couple hundred thousand dollars in debt still, so it would be very attractive to them to come to Port Perry.

I'm all for some more densification of Port Perry, it is really needed, just not at the expense of the environment. There will always be people opposed to developments near their homes, and I can see the issue with the surrounding homes in this instance. I think there is a lot of densifications potential

right downtown at the moment (parking lots, post office) and at Kings Landing and across the street. I think that the Township should also start to contact these developers and ask them what is happening with their projects. I think Scugog should somehow be able to force developers to build if permits have been issued. Doesn't the Provincial Government have an initiative that gives Municipalities money if developments are completed? If the developer refuses to build, can we not ask them to give the same money yearly that we would otherwise get from the government? (I have not read into this and am not 100% sure about the government giving money for completed developments, I'm just going by what I've heard a while ago). King's Landing and across the road should be a priority!

In summary, I do not support this MZO as it stands, but with some changes and agreements, I can see a lot of potential and would change my mind if the environment is respected a little more and the best interests and requirements of the Township are met.

(2024-08-29)

In general, I believe densification is far better than sprawling development. There is a reduced strain on utilities, local roads and other auxiliary services needed for development. That said, I would not support the proposed MZO as is proposed, and to be clear, I am not against the development itself. I do have significant concerns with the ability of the Township to hold developers accountable, and the resources to monitor and inspect development itself (a significant failing), however I will speak to this specifically vs. the broader issue of the lack of "teeth" of our Township.

I would understand the rationale for the MZO to be that the development conforms with all necessary steps for development, as described by the legal team at Ritchie Ketcheson Hart & Biggart and would respectfully disagree on the following points:

- MZO Due Diligence => It is stated that studies and reports are required for an MZO to be issued, however there is no reference to which studies are required, when they would be required, nor clarity on the depth of the review and sign off to determine due diligence. These are noted failings of a MZO and "short circuit" a process which has been established for a reason - Environmental Due Diligence. In addition, the MZO is for situations of extraordinary urgency and is a tool to override legal and policy processes. The legal framework presented to support the MZO contradicts the situation for its use. This development is stated to conform with the Official Plan, however that plan is set out for a number of years of gradual development and density within established areas vs. blocked densification in a newly developed area.

- Environmental Due Diligence => The issuance of an MZO does have an effect on environmental matters. The MZO allows the Minister to support the conversion of critical projects, however it requires zoning orders to support a clean and healthy environment. The development overprints wetlands, includes significant fill in an already compromised aquatic system and would continue to impact a lagging state of contact and waste water management. Although wastewater is touched on in specifics of Regional and Provincial approvals, it is the only area addressed. Had the request included a thorough understanding of the current environment, an understanding of assimilative capacity (runoff in to Lake Scugog, wastewater, potable, etc.), or even an understanding of material balance (fill) required to develop at or near the shoreline, it would do well to support the case of a robust understanding of environmental matters. Lake Scugog has diminishing capacity and the case for supporting oil / water separators, sediment basins and other run-off capture infrastructure is well known and recently financially supported by Council. This development would pose a significant and material impact and likely hasten further degradation of aquatic species and overall lake health beyond what is being lessened and no further works are envisioned or funded at this time. I'm happy to be proven misguided, however I would understand no studies have been advanced or technical models developed to demonstrate otherwise.

- Indigenous Consultation => The Township may not have an official requirement to consult (and the MZO would make engagement exempt, removing the Duty to Consult), however the Township absolutely should reserve the right to consult with MSIFN prior to any motion in support or otherwise. It would be irresponsible and disingenuous to continually hold land acknowledgements speaking to the history and respect of MSIFN and then defer all consultation to the Developer and the Crown in cases of significant development. The previous notwithstanding, it is stated that the Developer has made some efforts to engage with MSIFN, however there is no provided description on what accommodations support or methods of engagement have been made to date, nor the path being proposed to require an MZO. It is the moral obligation of the Township to engage with MSIFN to determine their level of understanding and engagement with the Developer, and determine how their concerns have been heard, documented and incorporated prior to any decision made on an MZO.

Fundamentally the MZO is intended to expedite critical projects based on extraordinary urgency; I would understand the project would not qualify. I would recommend that our Mayor and Council direct the Developer to do their own due diligence in the form of an environmental impact statement and follow the requisite provincial process vs. trying to advance a project under false pretenses.

(2024-08-29)

My official comments would be: if the Town cannot retain its authority to impose conditions on the development then - no - do not support the MZO.
And if there's any doubt, then still no.

(2024-08-28)

In addition to my comments from 2024-06-17 (copied and pasted further down below) which are supportive of the idea as well as critical of the proposal, here are my other thoughts for consideration:

-There is a lack of substantiated evidence or reports (studies/research/solutions/case studies, etc.) supporting that the proposal can be carried out as presented which warrants due concern over the environmental impacts of it.

-Also, there appears to be little regard for the corporate governance structure of the project in terms of accountability and liability whether it be during the development and construction of the project or the operation and maintenance of it (there are many components here, like the private roads and private wastewater system and the financing, just as examples, that all require this kind of attention); demonstrating this aspect of foresight or strategy is important to gaining and building trust with people.

-Lastly, at the link Maegan provided us, in the file named "Avenu Properties MZO – Legal Opinion Letter" pdf, on page 2, under the section Environmental Due Diligence, I find the claim made of "I confirm that the issuance of an MZO has no effect on environmental matters" to be generally misleading and dismissive of sustainability issues that we have all raised.

(2024-08-24)

I am deeply concerned about the Avenu Proposal

First of all, it is not clear that an Environmental Impact Study (EIS) has been done or is even required. For such an intensive development proposal that is immediately adjacent (and even partly

within) a Provincially Significant Wetland (PSW) and would remove a substantial area of vegetation, an Environmental study that clearly describes existing conditions (terrain, vegetation, fauna, hydrology etc.), identifies environmental functions and identifies potential environmental impacts is critically important.

The proposal shows a road within the marsh of the PSW at a location which is very wet, consists of organic soils, and would require a huge amount of fill. Why is this road even necessary?

It appears that there will be some filling into the lake

The development appears to have minimal vegetated buffer, that would at least help to attenuate fertilizer runoff (e.g. from lawns) into the lake. Likely to result in even more algal blooms and excessive growth of aquatic vegetation. Furthermore, the marshy bay is not suitable for boating and currently supports considerable wetland wildlife. This development would put pressure to dredge the bay to accommodate boat traffic and 'unsightliness' of the wetland.

The existing natural wooded vegetation on the north side of the bay that currently forms a good buffer as well as habitat for wildlife, will be completely removed.

A sudden increase of 600 units will strain Port Perry services and change character of north end of Port Perry.

I feel that the plan put forward is not sufficiently detailed to understand the environmental and other impacts to the community and therefore the MZO should be rejected. This is not good planning for a development that is likely to have significant repercussions to the environment and community. A detailed EIS needs to be completed and reviewed before such a development can be considered.

The below comments came up after members of the committee met with Avenu properties for a presentation prior to the official documents being submitted to the Township.

(2024-06-17)

As an environmental and climate change committee, our interests as stakeholders are sustainability as a whole which is inclusive of the environment, society, and economy. I did not see a section representing this.

At the meeting, we spoke about our concerns associated with a range of sustainability items:

-planning and building with resilience to climate changes and extreme weather events that are unpredictable yet becoming more frequent, especially for a development on the lake shore; for example, the ability to withstand and recover quickly from system wide power outages or major wind/rain storms and tornado events (to overlook or underestimate the importance of this point would make the development unsustainable)

-the carbon footprint in the construction of the neighbourhood and then in its operation; ensuring greenhouse gas emissions are minimized as much as possible, and developing with climate change adaptation and mitigation as a priority

-the ability of the private wastewater system to manage the waste water of 600 households onsite without risking the integrity of the lake

-development that would impact any Provincially Significant Wetlands

-the level of affordability that the homes will be available to people in terms of how many units and the due diligence needed to ensure those homes go to the people who need them

-a need for clarity in the accountability for the development phase of the neighbourhood and then the operation of it; e.g., who is responsible for fixing the power or the wastewater systems when they stop working properly; and in general, who is responsible for making sure the intended social and environmental purpose of the development is maintained

(2024-05-05)

Interesting project with a lot of promise in terms of becoming a model for developing other new communities where sustainability, accessibility, affordability and supporting intergenerational needs (for families, seniors, etc.) are priorities.

Currently the land is approved for the development of 20 large residential homes so I am supportive of the proposal to, instead, build a neighbourhood that supports about 500-600 homes with sustainability at top of mind.

I also like that the proposal includes collaborations, and potential collaborations, with Lakeridge Health organizations, Toyota Mobility Foundation, Ontario Tech University, etc.. And it was also reassuring that they were working with many known consultants to ensure they had the necessary expertise for the project/proposal.

They seemed to have thought of a lot of the environmental issues beforehand but did not seem to have many concrete solutions or approaches. Also, one of the biggest issues, in my opinion, was missed completely which was the need to plan and build with climate change mitigation in mind and ensuring that the community is developed to have resilience when it is faced with extreme weather events, especially given that they are building on a lake shore.

But, I suppose this is the key reason they asked to consult with us as an environmental/climate change interest stakeholder - to get our input and feedback that they can use in their planning.

So, in principle, I do support the proposal, especially compared to the alternative (20 luxury homes – do we really need more?) and, conditionally, on that the purpose or intended concept can and is fulfilled as proposed.

Having said that, it was apparent that this proposal is very, very preliminary, and it seemed as though the plans for a more concrete proposal with the details we are interested in as a committee are yet to be put on paper.

For example, I had also asked about responsibility and accountability while the land is being developed and then after the homes are sold or rented – who will be responsible for ensuring that things are being built properly, if they are not done properly who is accountable for it, and likewise when people move in and live there – there was no real answer other than this proposal was still being thought out. I also asked about what their idea of 'affordability' is but they hadn't thought through that either yet.

(2024-04-30)

The 'plans' presented were more like sketches, the presentation included blanket statements like 'this development will use ALL and EVERY sustainable building practice available and be the most 'green'

development in Canada, which is quite concerning to me (ref. greenwashing). I did not hear references to the plans meeting any particular green building standards (Net-zero energy use, Passive-House standard, Above building-code compliance, etc), maybe I missed something though.

The mixed-housing archetypes including mid-rise and low-rise residences, is heading in the right direction from a densification perspective. At least it's not all single-family homes/mansions.

Did they share the slides with us? Maybe I am misremembering, and more info was provided than I am remembering at this time. I am curious to revisit the affordable housing piece that Steve wanted to explore further.

I think that the developer should be providing us w/ a package to review and comment on. After which, our comments get passed along to Council and/or the permit office directly. Would anyone else in the committee be interested in a small working group to do this work?

Perhaps that process will happen at Site Plan Approval Stage, has this been the case in the past?

As an Environmental Advisory Committee, I think we should be asking about:

1. Intentions re. existing tree canopy (is there one?) I know we do NOT have a tree bylaw in Durham Regiopearn for this type of situation
2. Permeability of surfaces, imagine 70% of the existing green space is paved and the runoff that the lake will have to manage.
3. Parks/public amenities including shade planning to encourage the use of outdoor space
4. Has an Environmental Assessment been completed? Can we review a copy? Were any recommendations made for the relocation of habitat for any particular species?
5. Are electric vehicle charging stations being installed or roughed in? How many? Which locations?
6. Will native species of trees and other landscaping be installed into the development, mimicking (and improving) the existing shoreline site?
7. Transit - from what I hear DRT has a terribly unreliable reputation. Assuming (realistically) that this is not a walkable community (where will people walk- to?) imagine 1.5 vehicles for 600 homes, parked and coming in/out of the site. That is 900 vehicles.
8. Building heating/cooling and ghg emissions targets?

(2024-04-26)

I really don't like the idea of that proposed road through the Provincially Significant Wetland (PSW), or their backup plan of going through that existing forest adjacent to the wetland.

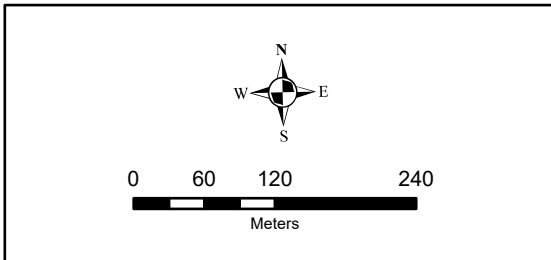
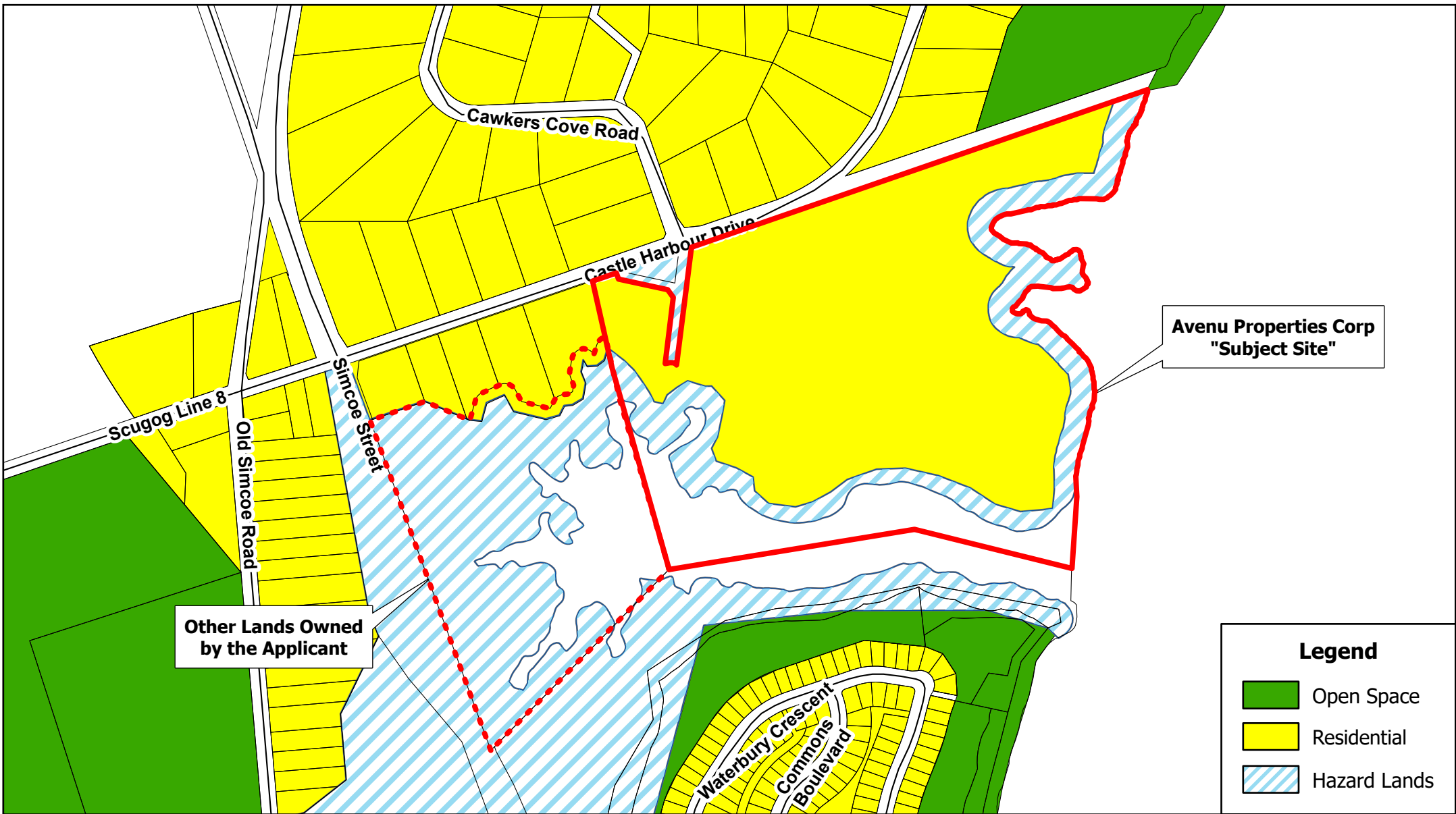
I think their lake enhancement areas will blow budgets with studies to the point where they won't even attempt to start them.

I'm also having a hard time understanding how practical it will be to ship 600+ units of feces off site, plus the carbon footprint that would be (how often, fuel and exhaust for those trucks, etc.). Who is responsible for fixing it if and when it breaks? Would there be protection measures to ensure that if the system fails, it does zero contamination to the land and surrounding environment?

Finally, they estimate the cost being somewhere around \$300,000,000. If there were 600 units, the cost per unit would be \$500,000 per unit to break even. This will not be affordable housing. Plus, those cost estimates are always low. I have a feeling that some of these units will be selling for close to \$2,000,000 or more, and the cheapest units will be selling for close to \$1,000,000. I think the

concept of affordability is a loose term and different for everyone. I believe David mentioned that the average yearly income for Port Perry is double what the overall average is. I think the average Ontario household income is around \$90,000 (please don't quote me on this), which means, according to David, Port Perry would be \$180,000. I interpret this as the average affordable home in Port Perry would be around the \$800,000 mark. I could be very wrong and would love it if any of you have a better understanding on what affordable housing is considered and could explain it a bit better for me. 600 units costing \$300,000,000 (if they keep on budget) is \$500,000 per unit and that is with 0 profit for the builder. Checking on the BMO mortgage affordability calculator, a \$500,000 needs a household income of \$82,500, and that's being house poor! I wonder how many people looking for affordable housing have a household income of \$80,000?

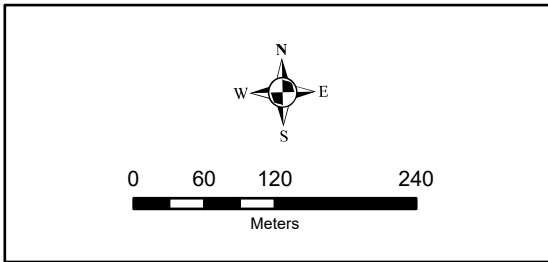
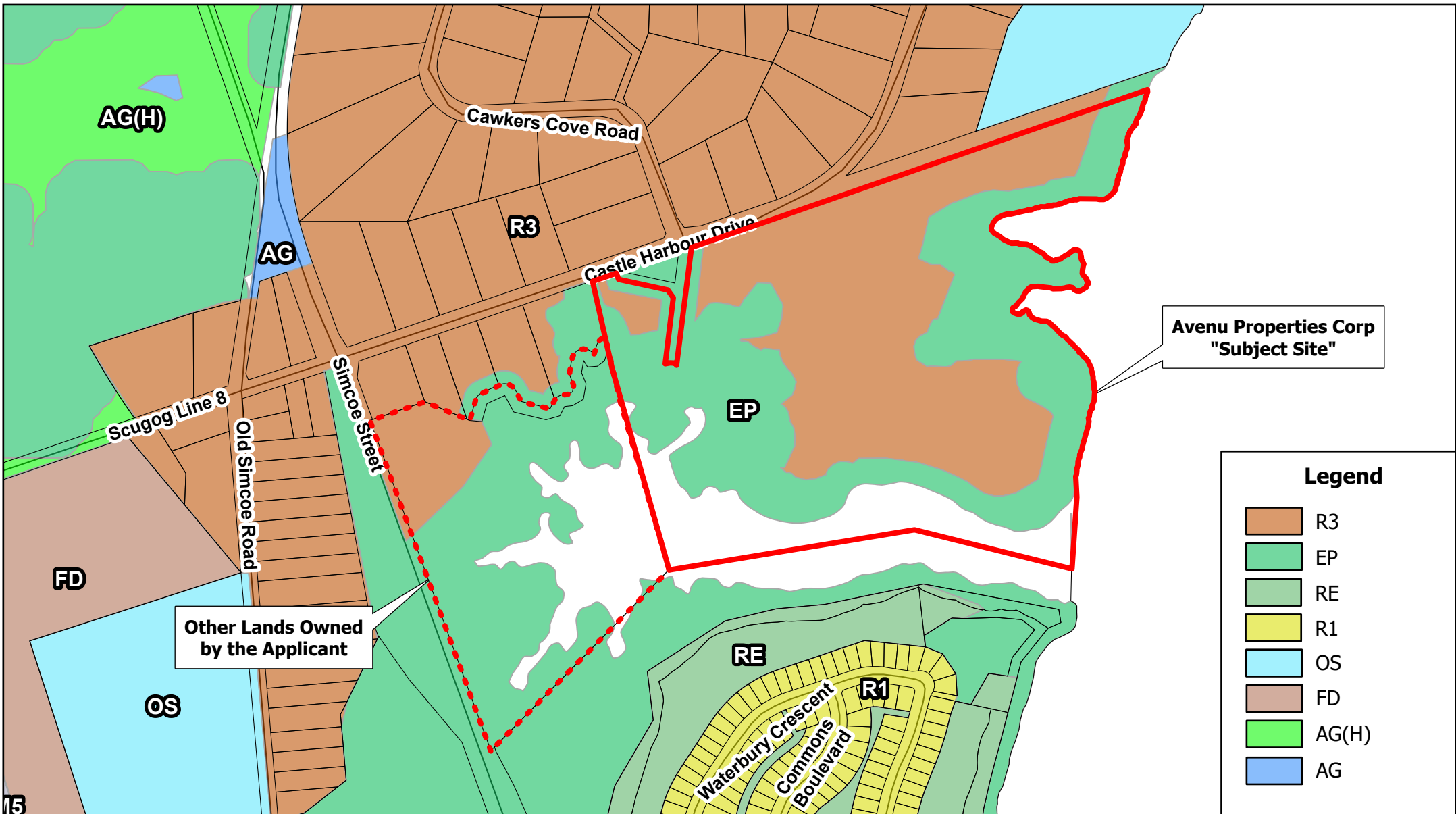
I am all for affordable housing, and affordable to me means far less than \$500,000. I do believe that Port Perry could use more affordable housing. I don't believe that the proposed location is suitable for the 600+ units due to the potential impact on the lake and surrounding ecosystem, and I don't believe that these proposed units will be affordable to those that need it the most. I think that a more suitable location would be the sites beside the Canadian Tire and across the street from there. Does anyone know what is happening with those proposed developments?



**Township of Scugog Official Plan Excerpt
Schedule A-1: Port Perry Urban Area Land Use**

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**Township of Scugog Zoning By-law 14-14
Schedule B, Map 1**

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July 29, 2024

To: Members of the Township of Scugog Planning and Community Affairs Committee
Members of the Township of Scugog Council
Kevin Heritage, Director of Development Services
Valerie Hendry, Manager of Planning
Ralph Walton, Director of Corporate Services/Clerk
Ashley MacDougall, Acting Deputy Clerk

From Peter Swinton

Re: Council Meeting of June 24, 2024
Items 9.3 through 10.2.14 inclusive
Avenu Properties Minister's Zoning Order (MZO) Request for the lands fronting Castle Harbour Drive

Resolution CR-2024-154

That Council refer resolution CR-2024-153 to planning and development staff for study of the proposal and report back to the first PCA meeting in September. (*Planning and Community Affairs Committee September 16, 2024, 6:30 pm*)

I am a retired land-use and urban design planner who has spent half my career working for the cities of Scarborough, then Toronto, and half my career in private sector consulting. I have been qualified to give expert opinion evidence before the OMB/OLT in both land-use planning and urban design matters. I have been a resident of Scugog Township on a property with Lake Scugog frontage since 2015.

I was first made aware of the June 24, 2024 agenda item on June 21st, when I was advised by a friend who is a member of the Scugog Lake Stewards. I did a quick review of the report and forwarded my initial thoughts to my friend. I did not attend the June 24th Council meeting. Subsequent to the motion to refer the matter to staff, I did a further review and passed those further thoughts on to my friend.

While I have had discussions about the matter with people both involved with the Scugog Lake Stewards and not, I have not been asked by any party to provide professional services related to this matter.

This letter is intended as a general discussion. Attached as Appendix A, please find a more detailed discussion with policy references intended to support this letter, and to provide the detailed information Councillors and Planning staff need to understand and investigate the points I'm putting forward.

Can Council even make the Decision to request an MZO?

Scugog Township Official Plan

Scugog Township Official Plan Section 9.5 requires that "*any Amendment to the existing By-law shall be in conformity with this Plan*". As such, in order for the Township to request the Minister of Municipal Affairs and Housing (Minister) to approve an MZO to implement the Proposed Development, the Township would need to satisfy itself that the proposal and Draft MZO order does comply with the Official Plan. It is my opinion that it does not.

Density

While the Township Official Plan allows a maximum density of 50 units per net hectare, the Official Plan goes on to:

- Identify Priority Intensification Areas – (the site is not a Priority Intensification Area)
- State that intensification on other lands shall preserve and protect the character of existing established neighbourhoods
- Require new medium and high density residential to be located on and have direct access to an arterial road – (the block fronting Simcoe Rd is not part of the MZO request, so no development or access is being requested or can be secured on these lands fronting an arterial road)
- Low density (the remaining allowable density) is defined as singles, semis and duplexes up to 15 to 25 units per hectare, based on net area, which excludes roadways, parkland and environmentally protected non-developable areas on a site.

No block areas have been shown on the Block Plan provided by Fausto Cortese to support the MZO request, so it is not possible to assess the net developable area of the 582 unit proposal. The 2004 20-lot draft plan of subdivision shows a net developable area of 11.475 ha, not including roads, the storm water management pond and environmentally protected areas. Applying the Official Plan definitions of low density to this net area results in a maximum of 172 to 287 units, which would be further reduced when the net area of additional roads and parkland needed to serve the increased number of smaller units/lots is removed.

The proposed density of 600 units is at least double to triple the density allowed by the Township's Official Plan. As such, it is my opinion that the proposed development and Draft MZO Order are nowhere close to complying with the Township's Official Plan density policies.

Hazard Lands

The Township's Official Plan designates the waterfront along the east and south side of the lands within the proposed MZO area as Hazard Lands. Permitted uses include passive recreational parks and trails, allowing only essential structural works required for flood and/or erosion or sediment control. The boundaries of Hazard Lands are intended to reflect the limits of flooding of streams and lakes (including Lake Scugog) and wetlands, as well as steep slopes, erosion areas, meander belts and unstable/organic soils. Precise boundaries are to be established through a survey identifying the appropriate elevation wherever development occurs adjacent to Hazard Lands, in consultation with the Conservation Authority.

This assessment has not been undertaken in association with the proposed development. The Regional Official Plan states that the location of *key natural heritage* and/or *hydrologic features* are identified and shown in more detail in area municipal official plans and zoning by-laws. Mapping of the Environmental Protection zone in Scugog Zoning By-law 14-14, mapping of Provincially Significant Wetlands in the Durham Region May 2023 updated Official Plan, and the mapping of the 30 m setback from Provincially Significant Wetlands shown in the GHD Natural Heritage Letter, provided in support of the MZO request all show a relatively consistent location of the line between development lands and a safe setback for wetlands/hazard lands. This line intrudes into the proposed development blocks within Fausto Cortese Block Plan, and as such, it is my opinion that the proposed development does not conform to the Hazard

Land policies of the Township's Official Plan, nor the Environmental Areas policies of the 2020 Durham Region Official Plan, nor the Wetlands policies of the 2023 Durham Region Official Plan.

Parkland

The Township's Official Plan states that neighbourhood parks shall be provided at a standard of 1.0 hectares per 1000 persons. The WSP Wastewater Recycling Report, provided in support of the MZO request, assumes a person equivalent of 2.2 people per unit. As such and based on the 600 unit permission requested in the MZO draft order, it is fair to assume a final population for the development of 1,320 people. This would require a 1.32 ha park on lands that are not Hazard Lands. As no public park dedication is shown in the proposed Site Plan or Block Plan, no minimum parkland requirements are included in the proposed Draft MZO Order, and no specific parkland or open space is shown on the proposed zoning map, no mechanism has been put in place to require the amount of parkland specified by the Official Plan. As such the proposed Draft MZO Order can be reasonably deemed to not comply with the parkland provisions of the Township Official Plan.

Durham Region Official Plan

Bill 23 created the concept of an "*upper-tier municipality without planning responsibilities*" and defined it to include the County of Simcoe as well as the Regional Municipalities of Durham and others. Under the in-force legislation, the upper-tier municipalities of Peel, Halton and York will no longer have planning responsibilities as of July 1, 2024. Durham Region and others will continue to be listed as "*upper-tier municipalities without planning responsibilities*", but the in-force date for their loss of planning responsibilities remains to be determined. The Province has indicated that on and after July 1, 2024, site-specific official plan amendments previously exempted by the upper-tier municipality from its need for approval will be reviewed and adopted by the lower-tier municipality without an additional level of approval.

Subject to legal confirmation, it is reasonable to assume that should the Township choose to request an MZO for the Avenu Development, the Township would be assuming the responsibility to confirm that the proposed MZO order also complies with the Regional Official Plan and that no Regional Official Plan Amendment is required.

Can Council request an MZO – Conclusion

While Section 47 of the Planning Act grants the right for the Minister to grant an MZO creating an unappealable rezoning of lands, nothing has changed regarding a lower tier municipality's need that its actions must comply with its own Official Plan. This responsibility may even be growing with legislative changes currently taking place reducing the planning role of upper tier municipalities, and placing that additional burden on lower tier municipalities.

As no planning application has been filed with the Township, Ontario Land Tribunal (OLT) appeal rules do not currently apply. But as Council is being asked to request the Minister to approve an MZO with a specific draft zoning by-law to implement the Proposed Development, that decision and admission of acceptance of the development and zoning bylaw could be subject to legal processes outside of the OLT.

As an example, any involved party or parties could seek a Judicial Review of the Township's decision to ask the Minister for an MZO. The Judicial Panel would then review the decision against the processes

under which a municipality normally undertakes to study and come to a conclusion on a rezoning application, including circulation, consultation and Official Plan compliance.

It is my opinion that the proposed development and draft MZO order do not comply with significant provisions of the Township and Regional Official Plans, and that as such, the Township does not have the right to request the Minister to approve an MZO for a non-complying rezoning.

What is the Township Giving Up by Requesting an MZO?

Zoning orders are made at the discretion of the Minister. Who the Minister chooses to consult and the level to which the Minister chooses to accept that input is also at the discretion of the Minister. As mentioned above, the Minister's Zoning Order is not appealable by anyone.

A detailed Draft Zoning Order along with a detailed Council Draft MZO resolution were included in the final June 24, 2024 Council agenda. Should the Township approve resolution CR-2024-153 and request the Minister to approve the MZO order, it would be reasonable for the Minister to assume that the Township is satisfied with the entire document package in the agenda, and no further consultation with the Township is required.

Environmental Protection

The current zoning shows a significant Environmental Protection (EP) Zone on the lands, which is tied to Environmental Protection provisions in Zoning By-law 14-14. The proposed zoning map shows no EP Zone but Environmental Protection provisions are included in the draft Zoning By-law which apply to no lands shown on the zoning map. The zoning map only includes a note saying

“Environmental Protection Zone boundary (with none shown) to be confirmed through updated Environmental Impact Study”

- No provision has been put in place to require further input from or consultation with the Township, Region or Conservation Authority;
- No provision has been put in place to ensure that any replacement Environmental Protection zone is even put in place, or if it is, that its provisions and location comply with Zoning By-law 14-14 and the policies of the Township and Regional Official Plans;
- Without underlying zoning in place securing the location or existence of the EP zone, the Planning Act limits what can be later implemented through only Draft Plan of Subdivision and Site Plan Control approval.

Affordable Housing

Both the old and new Regional Official Plans require that at least 25% of all new residential units be affordable to low and moderate income households. The proposed development and Draft MZO Order do not show any affordable housing. Nor do they commit to how any affordable housing could be secured. While the submitted Planning Report acknowledges Regional policies related to affordable housing, the report does not identify affordable units within the proposed development. Nor does it show the required calculations to determine rents or purchase prices which comply with the affordable housing requirements. With no planning vehicles in place to secure affordable housing, the proposed

development and Draft MZO Order can be reasonably deemed to not conform to the affordable housing policies of both the in-force and recently adopted Durham Region Official Plans.

The normal planning vehicle used to secure affordable housing is through an agreement authorized under Section 37 of the Planning Act. The Township has Official Plan policies to allow this to happen, but it must happen as part of a rezoning process.

As no affordable housing provisions or Section 37 agreement requirements are proposed within the Draft MZO By-law, if the Township asks for an MZO as outlined in resolution CR-2024-153, the Township is giving up on its ability to secure the affordable housing required by the Region.

Other Section 37 Benefits

The following types of benefits are allowed within the Township's Official Plan, and are typically secured through Section 37:

- The dedication of additional waterfront open space on hazard lands, as contemplated by the previous 20-unit draft plan of subdivision and Township OP policy 4.8.3 d);
- The construction of and dedication to the Township of the Waterfront Municipal Trail;
- Provision of and funding in perpetuity to maintain and operate the shuttle bus Transit intended to connect the site to downtown as referenced in the Planning Report and Public Consultation documents;
- Public Art

While extra land dedications are typically shown in Draft Plan of Subdivisions, the authority to require them is usually secured through Section 37 agreements processed as part of the associated rezoning. As no Section 37 requests have been included in the MZO as outlined in resolution CR-2024-153, the Minister would understand that to mean that no Section 37 benefits are being requested by the Township.

Public and Private Utilities

Public Supply Water

The Civil Engineering report, prepared by SCS in support of this MZO request stated that:

"The subject site was previously approved to be serviced via an extension of watermain along Simcoe Street, Castle Harbour Drive and the internal local roadways. The Region had previously agreed to service the subject site with a long dead end watermain due to the small number of homes being proposed."

"Due to the number of units in the proposed development, the Region would require a second water feed to service the subject site. To achieve this, two existing watermain extensions are required. It is proposed to extend the existing watermain on Simcoe Street through the West Block and the existing watermain on Scugog Line 8 along Castle Harbour Drive."

“The (Development) project is anticipated to be constructed with advanced water recycling technology from the sanitary treatment plant that can potentially reduce potable water usage by 30%”

“In 2018, a Class EA study for a new water supply and storage facility to service the Port Perry Urban Area was completed by the Region to accommodate the projected 2031 population. The proposed water supply and storage expansion identified in the EA study will not be sufficient to service the projected 2051 population or any future projections.”

The West Block fronting Simcoe Rd is not part of the MZO request, so no water supply line is being requested, or can be secured on these lands. Similarly, no provisions have been included in the MZO, as outlined in resolution CR-2024-153, to require the proposed advanced water recycling technology to ensure the 30% reduction required to make the proposal work.

Holding provisions are a zoning tool that is used when the zoning is otherwise supportable, but certain facilities are required to allow the zoning provisions to occur. Draft Plan of Subdivision conditions can usually deal when typical servicing connections with appropriate capacity available at the property frontage, but when additional facilities are required, these are usually outlined through Holding provisions and Section 37 requirements. No holding or Section 37 provisions have been put in place to ensure that a proper water supply system is constructed to support the development.

The following Holding provisions would normally be secured through a typical rezoning process dealing with these kind of issues:

- Withholding density until all lands required to service the development are incorporated in the application before the Township/OLT;
- Withholding density until necessary water supply improvements have been either financially secured or constructed;
- Withholding density until necessary advanced water recycling technology to ensure the 30% potable water reduction have been either financially secured or constructed;
- Withhold density until provisions have been put in place or financially secured to ensure compliance with the Township and Region Official Plan policies related to long term water supply capacity.

As the supply water improvements only serve this development site and have ongoing active operational cost requirements, it would also be appropriate that the following Section 37 requirements be implemented in association with the rezoning:

- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required water supply improvements;
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required water recycling technology from the sanitary treatment facilities necessary to achieve a 30% reduction in potable water usage.

As none of these holding or Section 37 provisions have been included in the draft MZO order, it would not be unexpected that even if the developer did initially construct these facilities, that purchasers, businesses and residents of the development would resist extra charges for facilities which are normally

operated by the municipalities and covered by taxes. The Township and Region should reasonably expect the residents and business owners to lobby Councils to assume these facilities, downloading their development-specific costs onto the broader tax base.

Private Sanitary Services

The 20 lots approved in 2004 ranged in size from 0.424 to 0.805 ha (1.05 to 1.99 acres). These large lots were intended to have individual private septic systems. No communal private sanitary services were anticipated at that time. To reflect this, the in-force Regional OP labelled the Application Lands as:

“Areas Developable on Municipal Water Systems and Private Waste Disposal Systems” (plural)

The Regional Official Plan also considered granting draft plan of subdivision approval in advance of immediately available services providing capacity was available. Servicing capacity will only be granted at the time a *development* agreement is executed.

The updated Regional Official Plan recognised the site area as being a *“location(s) within the Urban Area in which the provision of municipal water and/or sewage services is not technically or financially feasible”* and allowed development on the basis of ***individual on-site sewage services***. (Emphasis mine) Prior to development on private services, the feasibility of full municipal services must be assessed. The only portion of the updated Regional Official Plan that speaks to “communal systems” relates to rural settlements, not urban like this site, and requires an agreement to connect to regional services when they become available.

The policies in place clearly anticipate the individual private septic systems proposed as part of the 20-unit subdivision. No studies were provided with the new development to assess connecting to municipal services, and no agreements are proposed to secure future connections. Nothing is proposed to ensure no future financial or environmental burden to the Region. As such, it is my opinion that the proposed communal sanitary services were not contemplated by the Regional Official Plans, and the safeguards required by the Region have not been secured. As such, it is my opinion that the proposed communal sanitary service does not comply with the Regional Official Plans.

Again, this is an area where Holding provisions and Section 37 can be used to secure compliance with the Official Plan. Section 37 can be used to:

- Require the studies to justify the proposed communal private services
- Require the agreements necessary to secure financing for and commitment to future municipal connections
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required communal sanitary treatment facilities.

Holding provisions can be used to:

- Withholding density until acceptable sanitary facilities have been either financially secured or constructed
- Withhold density until the ability to accommodate the physical requirements for the communal sanitary service facility has been proven, and its impact on net density lands can be determined.

None of this will be possible if the Township supports the Minister's approval of an MZO that does not include these provisions. Once the Minister has been advised that the Township supports the approval of the MZO, as outlined in resolution CR-2024-153, the opportunity to request any further provisions is only at the Minister's discretion.

What is the Township Giving Up – Conclusion

It must be understood that Planning is a top down process:

1. The Ministry is at the top, and develops and updates broad policy documents such as the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe, which all upper and lower tier governments and private sector operators must comply with.
2. The next step down are upper tier municipalities such as regions, with their Official Plans which they, lower tier governments and private sector operators must comply with.
3. The next step down are lower tier municipalities such as Scugog Township, with their Official Plans, zoning by-law and planning approval processes. Those must be complied with by the lower tier municipality and private sector operators, or go through a Planning Act process to adjust those requirements.

MZOs have existed in the Planning Act for a while, and it is a tool that was generally used to allow for quick action in an emergency situation. Since the change in Provincial government in 2018, MZOs have been used more frequently.

Because an MZO is an order from the Minister, it is a ruling from the top of this process. When issuing an MZO, the Minister is not required to comply with the provincial policy documents nor the upper and lower tier Official Plans, except for the PPS as it applies to the Greenbelt Area. As such, the Minister is not required to have any regard for:

- The Township's density, environmental and parkland policies
- The Region's environmental, affordable housing and servicing policies.

By requesting that the Minister approve resolution CR-2024-153, the Township Council is saying that it supports the development with no ability for the Township or Region to:

- Secure the environmental protection which currently applies to the site
- Reduce the density based on need for any environmental protection
- Achieve any affordable housing
- Secure its required parkland
- Secure any additional parkland, trails, shuttle bus service or public art
- Secure the construction and ongoing operation of the municipal water supply to the site
- Secure the construction and ongoing operation of the communal sanitary services for the site

An MZO applies a zoning by-law to the lands, and it must be understood that zoning applies the rights and obligations that are tied to that land. Today, that land has the right to develop a 20 lot subdivision on the lands currently zoned R3 (approximately 60% of the MZO site, as shown in By-law 14-14). The MZO would provide the right to develop 600 units on 100% of the MZO lands, and a wide range of commercial office and medical uses with the only restriction being that these uses are limited to the

ground floor. Typical restrictions such as built area or unit count on an individual lot, minimum lot area, minimum lot frontage and some setbacks are not applied.

I have heard that some members of Council believe that applying an MZO does not limit the Township's rights through other Planning approval processes. It needs to be understood that zoning applies the rights to the lands, and other processes such as Draft Plan of Subdivision and Site Plan Control approval are used to manage how those rights are implemented or distributed on the lands, within the scope of the zoning.

- Draft Plan of Subdivision or Site Plan Control cannot be used to implement an Environmental Protection Zone, or to compel the dedication of lands which are not otherwise required.
- A draft Plan of Subdivision can show the size location and access for parkland that the developer wishes to provide, but it cannot compel the provision of that parkland unless it is required by the zoning by-law.
- No planning process other than the implementation of a zoning holding provision can compel a land owner to include a parcel of land in an application. If those lands are required to service or provide access to the development site, they must either be included voluntarily, or be compelled through a holding provision tied to the services or access intended on those lands.
- No planning process other than the requirements for a Section 37 agreement implemented through the zoning process can compel the provision of the benefits offered by the developer and discussed above.
- Draft Plan of Subdivision conditions need to be met by the developer before a subdivision can be registered, and are generally not intended to be used to secure the ongoing operation of communal services by some form of residential or owners group. Section 37 agreements, registered to the lands form a much better basis to secure these long term obligations.

Conclusion

In a normal planning process, especially where density is based on net lands after excluding roadways, parkland and environmentally protected non-developable areas on a site, all the considerations discussed above are assessed together by the Township, community and commenting agencies to determine how a site should be developed and the appropriate zoning rights and obligations which should apply to the lands.

Instead Avenu Properties is asking the Township to divorce itself from the planning process and to support an independent and un-appealable approval of zoning which would secure the rights for a development with an arbitrarily high number of units, which does not comply with the Township and Regional Official Plans, and which includes no opportunity to secure significant developer future obligations. With other planning applications such as Draft Plan of Subdivision and Site Plan Control, the Township can move around some roads and planting and play with the architectural treatments, so long as it's done within and does not undercut the underlying right to build 600 residential units and a somewhat unlimited amount of a wide range of commercial secured in the zoning.

A decision by the Township to ask the Minister to approve resolution CR-2024-153 is effectively a decision by the Township to abdicate its planning responsibilities, and to burden future taxpayers with the obligations normally required of a developer.

Appendix A

July 29, 2024

Outline

The purpose of this report is to respond to the direction of council to staff as outlined in the following resolution with the policy references to support my cover letter dated July 29, 2024.

Resolution CR-2024-154

That Council refer resolution CR-2024-153 to planning and development staff for study of the proposal and report back to the first PCA meeting in September. (Planning and Community Affairs Committee September 16, 2024, 6:30 pm)

Does the Avenu Proposal Conform to the Scugog Township Official Plan?

The proposed development and Draft MZO Order do not conform to the following sections of the Township Official Plan:

- Section 4.1.3, Residential Density
- Sections 4.82 & 4.83, Hazard Lands Designation Provisions
- Section 7.2.3, Neighbourhood Parks Requirements
- Section 9.14, Density Bonusing

Section 9.5 of the OP requires “any Amendment to the existing By-law shall be in conformity with this Plan”. For the Township to:

- approve a rezoning application to permit the Proposed Draft (MZO) Order without the associated Official Plan Amendment, or
- support a request that the Minister permit the Proposed Draft MZO Order without the associated Official Plan Amendment,

the Township would be in breach of its own OP Policy 9.5.

Does the Avenu Proposal Conform to the Durham Region Official Plan?

As per Bill 23 and the Province’s proposal to amend O. Reg. 525/97, it is reasonable to assume that should the Township choose to request an MZO for the Avenu Development, the Township would be assuming the responsibility to confirm that the proposed MZO order complies with the Regional Official Plan.

Significant justification exists to argue that the proposed Avenu development and Draft MZO order do not comply with the environmental, affordable housing and servicing policies of the Durham Region Official Plan.

Holding Provisions and Section 37

If, in September, Council chooses to request an MZO process by proceeding with CR-2024-153, Council will be giving up its rights to use Holding Provisions and Section 37 to secure improvements, require agreements and control the implementation process.

Holding Provisions could include:

- Water supply improvements;
- Acceptable sanitary facilities;
- Acceptable transit shuttle services to downtown.

Section 37 Provisions/Agreements could include:

- The dedication of additional waterfront open space;
- The construction of the Waterfront Municipal Trail;
- funding in perpetuity to maintain and operate Transit intended to connect the site to downtown;
- funding in perpetuity to maintain and operate the required water supply improvements;
- funding in perpetuity to maintain and operate the required sanitary treatment facilities;
- funding in perpetuity to maintain and operate the advanced water recycling technology required to reduce potable water usage by 30%;
- Public Art;
- Affordable/Attainable Housing (as discussed in relation to the Regional Official Plan)

No Section 37 Bonus Provisions have been incorporated into the Proposed Draft MZO Order. Without the use of Holding Provisions and Section 37 Provisions/Agreements, planning vehicles will either not exist, or be limited in their abilities to secure the benefits being proposed by Avenu Properties Corp.

Details

Does the Avenu Proposal Conform to the Scugog Township Official Plan?

Density – Residential Designation

4.1.3

- a) Max density 50 units per net hectare
- n) i) new medium and high density residential development is located on and has direct access to a Collector or Arterial road as shown on Schedule C-1 (Simcoe St.)
- n) Schedule I identifies Priority Intensification Areas within the Port Perry Urban Area. **(The site is not a Priority Intensification Area)** Within these areas, intensification is encouraged to occur in a manner that is compatible with the existing development, yet at higher densities in order to provide for more efficient use of infrastructure and services and provide for affordable housing within the urban area.

Intensification is also encouraged within the remainder of the built up area shown on Schedule I. However, outside of the Priority Intensification Areas, intensification shall occur in a manner

that preserves and protects the character of existing Established Neighbourhoods in accordance with the criteria established in this section.

- p) A complete range of housing types shall be provided in the *Port Perry Urban Area*. The optimum housing unit mix is:
- 70 percent low density housing (single, semis, duplex);
 - 15 percent medium density housing (multiple unit, townhouse); and,
 - 15 percent high-density housing (apartments).

For the purpose of this Plan, low density shall be defined as 15 to 25 units per hectare, medium density shall be defined as 25 to 40 units per hectare and high density shall be defined as 40 to 50 units per hectare. The density should be based on net area, excluding roadways, parkland and environmentally protected, non-developable areas on a site.

Density Summary

- The site adjacent to Simcoe St is not included in the MZO request, so it can't be considered part of this development site.
- No lot or block areas are provided on the proposed Block Plan.
- Based on the approved 20-unit Draft Plan of Subdivision, the net area for density calculation is 11.475 ha. This could be reduced pending resolution of the Environmental Protection Zone.
- Based on 11.475 net ha, no Simcoe St frontage so no medium & high density residential, and the maximum allowable density, a maximum of between 172 & 287 single, semis, duplex units would be allowed, subject to layout and meeting lot zoning requirements.
- 600 units are not allowed on this site by the Township OP Density policies.

Hazard Lands Designation

4.8.2 Permitted Uses

- a) Passive recreational parks and trails requiring minimal alteration to the natural landscape.
- b) No buildings or structures, with the exception of essential structural works required for flood and/or erosion or sediment control.

4.8.3 General Development Policies

- a) The boundaries of the *Hazard Lands* designation are intended to reflect the limits of flooding of streams and lakes (including Lake Scugog), wetlands, steep slopes, erosion areas, meander belts and unstable/organic soils. Precise boundaries will be established through a survey identifying the appropriate elevation wherever development occurs adjacent to lands designated *Hazard Lands*.
- b) The Township will consult the Conservation Authority where development occurs adjacent to any lands designated *Hazard Lands*.

- c) Where development occurs adjacent to *Hazard Lands*, the development shall be designed and constructed to preserve the natural function and flow characteristics of the adjacent waterway.
- d) Lands designated *Hazard Lands* shall not be accepted as parkland dedication in the development process. However, the Township will encourage the transfer of these lands to a public authority.

Hazard Lands Summary

- Hazard Lands are shown along the shoreline of the Application Lands, and almost all lands within the Adjacent Lands.
- Hazard Land Mapping is reflected in the location of the Environmental Protection EP zone in By-law 14-14 Schedule B Map 1, and was updated by 30 m Setback from Provincially Significant Wetlands lie in Attachment 2 of the GHD Natural Heritage Letter, provided in support of the MZO request.
- Both lines extend under development lands shown in Avenu's Concept Site Plan and Block Plan, even reducing the net lands shown in the 2004 Draft Plan of Subdivision
- Significant buildings and structures, which don't conform to the permitted uses, are proposed within the Hazard Lands.

Parks Requirements

7.2.3 Neighbourhood Parks

- b) *Size – Neighbourhood Parks* shall be adequately sized to provide a variety of passive and active recreational activities meeting the needs of the surrounding area. These parks shall be provided at a standard of 1.0 hectares per 1000 persons.

Parkland Summary

- The WSP Wastewater Recycling Report, provided in support of the MZO request, assumes a person equivalent of 2.2 people per unit. As such and based on the 600 unit permission requested in the MZO draft order, it is fair to assume a final population for the development of 1,320 people.
- Based on 1.0 hectares per 1000 persons, in keeping with the OP parkland requirement policies, the proposed development should provide 1.32 ha of public parkland, not on Hazard Lands, and as a further reduction in density as parkland is not included as net hectares for the purpose of calculating density.
- No public parkland dedication is proposed in Avenu's Site Plan or Block Plan.
- Open Space use is allowed in both zones contemplated by the Proposed Draft MZO Order, but no minimum parkland requirements are included and no parkland or open space is shown on the proposed zoning map.

Density Bonusing – Section 37 of the Planning Act

Section 9.14 of the OP permits density bonusing for increasing the maximum density and/or height permitted by this Plan for medium and high-density residential development. Even though the proposal includes the following items referenced to in Policy 9.14:

- Hazard/Environmental Protection lands which could be dedicated as additional open space;
- Community Recreational Facilities
- Transit intended to connect the site to downtown
- Public Art
- Affordable/Attainable Housing (as discussed in relation to the Regional Official Plan)
- Any other identified benefit, such as private sanitary services

No Section 37 Bonus Provisions have been incorporated into the Proposed Draft MZO Order.

Township Official Plan Conclusion

The proposed development and Draft MZO Order **do not conform** to the following sections of the Township Official Plan:

- **Section 4.1.3, Residential Density**
- **Sections 4.82 & 4.83, Hazard Lands Designation Provisions**
- **Section 7.2.3, Neighbourhood Parks Requirements**
- **Section 9.14, Density Bonusing**

Section 9.5 of the OP requires “any Amendment to the existing By-law shall be in conformity with this Plan”. For the Township to:

- approve a rezoning application to permit the Proposed Draft (MZO) Order without the associated Official Plan Amendment, or
- support a request that the Minister permit the Proposed Draft MZO Order without the associated Official Plan Amendment,

the Township would be in breach of its own OP Policy 9.5.

Does the Avenu Proposal Conform to the Durham Region Official Plan?

Environmental Areas

The in-place Durham Region Official Plan, approved in 2020, Map B1c shows some Key Natural Heritage and Hydrologic Features on both the Application Lands and Adjacent Lands.

KEY NATURAL HERITAGE AND HYDROLOGIC FEATURES

- 2.3.14 The general location of *key natural heritage and/or hydrologic features* are shown on Schedule 'B' – Map 'B1'. **The individual features and their associated *vegetation protection zones* are to be identified and shown in more detail in area municipal official plans and zoning by-laws.**

The location and extent of *key natural heritage and/or hydrologic features* may be further confirmed through appropriate studies such as a *watershed plan* or an environmental impact study in accordance with Policy 2.3.43.

Schedule B, Map 1 of the Scugog Zoning By-law 14-14 shows the Environmental Protection (EP) Zone on both the Application Lands and Adjacent Lands in much greater detail. Zoning By-law 14-14 states:

2.4 DETERMINING ZONE BOUNDARIES

2.4.1 General Application

When determining the boundary of any Zone as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- (a) A boundary indicated as following a Highway, Road, Lane, railway Right-of-Way, utility corridor or Watercourse shall be the centreline of such Highway, Road, Lane, railway Right-of-Way, utility corridor or Watercourse;
- (b) A boundary indicated as substantially following Lot Lines shown on a Registered Plan of Subdivision, or the municipal boundaries of the Township shall follow such Lot Lines;
- (c) Where a boundary is indicated as running substantially parallel to a Street Line and the distance from the Street Line is not indicated, the boundary shall be deemed to be parallel to such a Street Line and the distance from the Street Line shall be determined according to the scale shown on the Schedule(s);
- (d) Where a Lot falls into two or more Zones, each portion of the Lot shall be used in accordance with the provisions of this By-law for the applicable Zone; and,
- (e) Where none of the above provisions apply, the Zone boundary shall be scaled from the Schedule(s).

In no case is a Zone boundary dividing a Lot into two or more Zone categories intended to function as a property boundary.

4.17 MULTIPLE ZONES ON ONE LOT

Where a Lot is divided into more than one Zone under the provisions of this By-law, each such portion of the said Lot shall be used in accordance with the Permitted Uses in Zone Provisions of this By-law for the applicable Zones established hereunder, as if it were a separate Lot.

The boundary of an Environmental Protection Zone shall be used as a Lot Line for the purpose of determining required Yards.

The 2020 in-place Durham Region Official Plan states:

2.3.15 *Development* or *site alteration* is *not permitted* in *key natural heritage and/or hydrologic features*, including any associated *vegetation protection zone*, *with the exception of*:

- a) forest, fish and wildlife management;
- b) conservation and flood or erosion control projects demonstrated to be necessary in the public interest and after all alternatives have been considered;
- c) infrastructure, subject to the policies of the Greenbelt Plan and this Plan;
- d) minor recreational uses such as trails, footbridges and picnic facilities, and existing uses;
- e) agriculture, in accordance with Policies 2.3.18 and 14.5.4; or
- f) aggregate extraction, in accordance with Policies 9D.2.9 and 9D.2.10.

Durham Region adopted an updated Official Plan in May 2023. It has yet to be approved by the Minister. Map 2a shows a Regional Natural Heritage System on both the Application and Adjacent Lands, the boundary of which very closely replicates the boundary of the Environmental Protection (EP) Zone on Scugog Zoning By-law 14-14. Map 2c shows a Provincially Significant Wetland with virtually the same boundary. Policies include:

- 7.4.27 Prohibit development and site alteration within provincially significant wetlands and wetlands within provincial natural heritage system areas, in accordance with Policies 7.4.10 to 7.4.18.
- 7.4.28 Prohibit development and site alteration within 120 metres of wetlands, unless an approved environmental impact study and wetland water balance risk evaluation demonstrates that there will be no negative impact on the wetland or its ecological functions. Development and site alteration may be permitted within the vegetation protection zone, in accordance with Policies 7.4.10 to 7.4.18.

Environmental Areas Summary

- Both the in-force and recently approved Durham Official Plans show boundaries for *key natural heritage and/or hydrologic features, Regional Natural Heritage System* and *Provincially Significant Wetland* that mimic the *Environmental Protection Zone* in Scugog Zoning By-law 14-14, and prohibit all but the most minor environmental interventions.
- These lines extend under development lands shown in Avenu’s Concept Site Plan and Block Plan, even reducing the net lands shown in the 2004 Draft Plan of Subdivision
- Significant buildings and structures, which don’t conform to the permitted uses, are proposed within these Lands.
- The proposed development and Draft MZO Order do not conform to the listed environmental policies of both the in force and recently adopted versions of Durham Region’s Official Plan.

Affordable Housing

Section 4 of the in-force Regional Official Plan states:

- 4.2.4 Regional Council shall require at least 25% of all new residential units produced within each area municipality, to be *affordable to low and moderate income households*.

Definition:

Affordable [Housing]: means:

- a) in the case of ownership housing, the least expensive of:
 - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for *low and moderate income households*; or
 - ii) housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the Region; and
- b) in the case of rental housing, the least expensive of:

- i) a unit for which the rent does not exceed 30% of gross annual household income for *low and moderate income households*; or
- ii) a unit for which the rent is at or below the average market rent of a unit in the Region.

Section 3 of the recently adopted Durham Region Official Plan states:

It is the policy of Council to:

- 3.1.1 Develop and implement a housing and homelessness plan that supports the goals of ending homelessness, providing affordable rent for everyone, greater housing choice, and strong and vibrant neighbourhoods through the following actions:
 - a) increase the privately funded [affordable rental housing](#) supply;
 - b) increase government-funded [affordable rental housing](#) supply;
 - c) diversify [housing options](#) by type, size and tenure;

Affordable Housing: means:

- a) in the case of ownership housing, the least expensive of:
 - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for [low and moderate income households](#); or
 - ii) housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the Region; and
- b) in the case of [rental housing](#), the least expensive of:
 - i) a unit for which the rent does not exceed 30% of gross annual household income for [low and moderate income households](#); or
 - ii) a unit for which the rent is at or below the average market rent of a unit in the Region.

Low and Moderate Income Households: means:

- a) in the case of ownership housing, households with incomes in the lowest 60% of the income distribution for the Region; or
- b) in the case of [rental housing](#), households with incomes in the lowest 60% of the income distribution for renter households for the Region.

3.1.18 Require an Affordability and Accessibility Analysis as part of a Planning Justification Report for all major residential [development](#) applications, which include 100 units or more, that:

- a) justifies how the [development](#) application will contribute to achieving [affordable housing](#) targets;

- b) identifies opportunities to include a variety of [special needs housing options](#) to accommodate seniors and persons with disabilities; and
- c) identifies how residents would be able to access health care, social services and other amenities in their community.

It is the policy of Council to:

3.1.20 [Require that at least 25% of all new residential units produced throughout the region to be affordable to low and moderate income households.](#)

Affordable Housing Summary

Both the in-force and recently approved Durham Official Plans require 25% of units in the proposed development to be affordable. The proposed development and Draft MZO Order do not:

- Show any affordable housing;
- Commit to how any affordable housing could be secured.

While the submitted Planning Report acknowledges Regional policies related to affordable housing, the report does not:

- Identify affordable units within the proposed development;
- Show the required calculations to determine rents or purchase prices which comply with the affordable housing requirements

The proposed development and Draft MZO Order do not conform to the affordable housing policies of both the in-force and recently adopted Durham Region Official Plans.

Private Services

The Civil Engineering report, prepared by SCS in support of this MZO request stated that:

[“The subject site was previously approved to be serviced via an extension of watermain along Simcoe Street, Castle Harbour Drive and the internal local roadways. The Region had previously agreed to service the subject site with a long dead end watermain due to the small number of homes being proposed.”](#)

The 20 approved lots ranged in size from 0.424 to 0.805 ha (1.05 to 1.99 acres). These large lots were intended to have individual private septic systems. No communal private sanitary services were anticipated at that time. To reflect this, Sch A, Map A3 of the in-force Regional OP labelled the Application Lands as:

“Areas Developable on Municipal Water Systems and Private Waste Disposal Systems”

Policies of the in-force Regional Official Plan state:

WATER AND SEWERAGE SERVICES

5.3.17 Notwithstanding Section 8, limited infilling or minor expansion to existing *development* may take place in Urban Areas with private drilled wells and/or private sewage disposal systems, in accordance with the provisions of this Plan, prior to the availability of municipal services, provided that:

- a) a satisfactory agreement has been entered into with the Region, including the requirement for future connection to the Regional water supply and sanitary sewer system;
- b) the proposed use does not require excessive use of water and appropriate provisions have been included in the zoning by-law to that effect;
- c) the proposed use complies with the standards of the Region and the Ministry of the Environment, Conservation and Parks;
- d) consideration is given to designing the *development* in such a way as to allow for further subdivision of the land upon provision of full Regional services; and
- e) for *development* on partial services, the *development* is within the reserve sewage and water treatment system capacity.

5.3.18 In Urban Areas, draft approval of a plan of subdivision may be granted in circumstances where full municipal services are not immediately available, provided that the draft approval does not over-commit servicing capacity identified through a servicing master plan or an approved Environmental Assessment, and the lands are appropriately designated for *development*.

Servicing capacity for *development* will only be allocated by the Region, in consultation with the area municipality, at the time a *development* agreement is executed with the Region and the appropriate financial securities are in place, in accordance with the Regional Development Control Program.

Policies of the recently adopted Regional Official Plan state:

It is the policy of Council to:

4.1.26 Recognize there are locations within the Urban Area in which the provision of municipal water and/or sewage services is not technically or financially feasible, or may be in process but not yet completed, including but not limited to the areas identified on Figure 5 (*Which includes the Application Lands, but not the Adjacent Lands*). In such circumstances, development on the basis of individual on-site sewage services and individual on-site water services or partial municipal services may be considered, subject to the following:

- a. prior to any development on partial or full private services, the feasibility of providing full municipal services must first be assessed, including consideration of any additional capacity resulting from municipal water supply or municipal sanitary sewage plant expansions, and/or other servicing alternatives, such as communal systems; and
- b. any development on the basis of partial municipal services or full private services shall be in accordance with the relevant provisions of Policies 6.5.6 to 6.5.15, and subject to a regional agreement that the development will be connected by the landowner as soon as Regional services are available. (*Section 6.5 relates to Rural Settlements - Hamlets. It appears that there are no references to Urban Settlements on Private Services*)

- 4.1.33 Prioritize works that implement development which will not place a financial burden on the Region in the consideration of the expansion of capital works within designated Urban Areas.
- 4.1.34 Not support the provision of any Regional infrastructure and services to a development application that would cause significant or undue financial, environmental or other hardship for the Region.
- 4.1.36 Agree to draft approval of a plan of subdivision in Urban Areas in circumstances where full municipal services are not immediately available, provided that the draft approval does not over-commit servicing capacity identified through a servicing master plan or an approved Environmental Assessment, the lands are appropriately designated for development, and other Regional conditions have been satisfied.
- 4.1.37 Allocate servicing capacity for development addressed in Policy 4.1.36, in consultation with the area municipality, at the time a development agreement is executed with the Region and the appropriate financial securities are in place.

Private Systems

It is the policy of Council to:

- 4.1.40 Permit limited infilling or minor expansion to existing development in Urban Areas to proceed on private drilled wells and/or private sewage disposal systems, in accordance with the provisions of this Plan and notwithstanding the policies in Section 5.1, prior to the availability of municipal services, provided that:
- a) a satisfactory agreement has been entered into with the Region, including the requirement for future connection to the regional water supply and sanitary sewer system at the landowner's expense;
 - b) the proposed use does not require excessive use of water and appropriate provisions have been included in the zoning by-law to that effect;
 - c) the proposed use complies with the standards of the Region and the Ministry of the Environment, Conservation and Parks;
 - d) consideration is given to designing the development in such a way as to allow for further subdivision of the land upon provision of full regional services; and
 - e) for development on partial water and/or sewage services, the development is within the reserve sewage and water treatment system capacity.
- 4.1.43 Work with area municipalities to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of Rural Settlement Areas and the feasibility of other forms of servicing.

As per The SCS Civil Engineering report, prepared by SCS in support of this MZO request, the proposed development needs to include:

- “Due to the number of units in the proposed development, the Region would require a second water feed to service the subject site. To achieve this, two existing watermain extensions are required. It is proposed to extend the existing watermain on Simcoe Street through the West

Block and the existing watermain on Scugog Line 8 along Castle Harbour Drive. The two watermain extensions will ultimately connect in front of the East Block to form a looped system.” *(The West Block is not part of this MZO request, and as such, there is no ability to secure a second watermain access through this Block.)*

- “In 2018, a Class EA study for a new water supply and storage facility to service the Port Perry Urban Area was completed by the Region to accommodate the projected 2031 population. The recommendations in the Class EA study were included in the Region of Durham 2023 Development Charge Background Study. The proposed water supply and storage expansion identified in the EA study will not be sufficient to service the projected 2051 population or any future projections.”
- “The (Development) project is anticipated to be constructed with advanced water recycling technology from the sanitary treatment plant that can potentially reduce potable water usage by 30%” *(The Draft MZO order puts nothing in place to require this 30% reduction in potable water useage.)*

The Wastewater Treatment Report, prepared by WSP in support of the MZO request, states:

- “The content and opinions contained in the present report are based on the observations and/or information available to WSP at the time of preparation. If a third party makes use of, relies on, or makes decisions in accordance with this report, said third party is solely responsible for such use, reliance or decisions. WSP does not accept responsibility for damages, if any, suffered by any third party as a result of decisions made or actions taken by said third party based on this report. This limitations statement is considered an integral part of this report.” *(Therefore, if the Township relies upon this report to recommend the Minister proceed with the proposed MZO order, all liability for that recommendation is held by the Township)*
- “In ensuring human safety regarding potential contact with reused water, employing a Canadian technology multibarrier approach for risk management is imperative. This approach involves employing physical-chemical wastewater treatment methods. The typical treatment process involves equalization tank, trash trap, and the screening of raw sewage, followed by biological treatment in successive reactor zones to promote nitrogen reduction, often facilitated by submerged membranes. Additionally, phosphorus reduction can be achieved through chemical precipitation. The equalization tank will be sized for a capacity of 300m3 to meet the cumulative 24-hour flow requirement. In addition to footprint required for the UV and Chlorine disinfection and treated water storage, the estimated footprint of the proposed treatment system is approximately 850 square meters.”
- *(No vehicle has been included as part of the proposed MZO order to ensure this type of facility is incorporated into the development. No vehicle has been provided to ensure that the ongoing operation of this facility in perpetuity remains the responsibility of the communal development)*

Private Services Summary

Understanding the approved 2004 development, and reading the combined Regional policies together, it can be understood that:

- The municipal water supply was intended to serve a very small subdivision;
- The approval for private sanitary services was intended for individual septic systems on large lots;
- The policies are structured around private sanitary services with individual septic systems on individual lots. There is only 1 policy that contemplates combined private services in a rural area.
- No provisions have been included in the draft MZO order to require that satisfactory agreement has been entered into with the Region, including the requirement for future connection to the Regional water supply and sanitary sewer system;
- No holding provisions have been included in the draft MZO order to ensure that the proposed use does not require excessive use of water. No appropriate provisions have been included in the draft MZO zoning by-law to that effect;
- No holding provisions have been included in the draft MZO order to ensure that the proposed use complies with the standards of the Region and the Ministry of the Environment, Conservation and Parks;
- No holding provisions have been included in the draft MZO order to ensure that consideration is given to designing the *development* in such a way as to allow for further subdivision of the land upon provision of full Regional services
- No holding provisions have been included in the draft MZO order to ensure that for *development* on partial services, the *development* is within the reserve sewage and water treatment system capacity;
- No holding provisions have been included in the draft MZO order to ensure that the West Block is included in the MZO order, and that a second watermain be provided through that block;
- No study has been done to show what needs to take place to ensure that the proposed water supply and storage expansion identified in the EA study will be enhance to be sufficient to service the projected 2051 population or any future projections. No provisions have been incorporated into the MZO order to ensure that the developer/purchasers cover whatever capital costs are necessary to implement these required enhancements;
- No provisions have been included in the Draft MZO order to require the 30% reduction in potable water useage, which forms the basis for all other assumptions;
- No vehicle has been included as part of the proposed MZO order to ensure that the 850 m² treatment facility is incorporated into the development. No vehicle has been provided to ensure that the ongoing operation of this facility in perpetuity remains the responsibility of the communal development.

As such, it is reasonable to argue that the proposed private sanitary service, and the proposed expansion of supply water service through lands which do not form part of the proposed MZO, order do not meet the intent of the above listed Regional Official Plan policies.

Durham Region Official Plan Compliance Conclusion

From Aird & Berlis:

“Bill 23 created the concept of an “upper-tier municipality without planning responsibilities” and defined it to include the County of Simcoe as well as the Regional Municipalities of Durham, Halton, Niagara, Peel, Waterloo and York. ... Under the in-force legislation, the upper-tier municipalities of Peel, Halton and York will no longer have planning responsibilities as of July 1, 2024. Simcoe County and the regions

of Durham, Niagara and Waterloo will continue to be listed as “upper-tier municipalities without planning responsibilities,” but the in-force date for their loss of planning responsibilities remains to be determined. ... The Province proposes to amend O. Reg. 525/97 to exempt most official plan amendments of the lower-tier municipalities adopted on or after July 1, 2024, from the need for the Minister’s approval. The Province has further indicated that on and after July 1, 2024, site-specific official plan amendments previously exempted by the upper-tier municipality from its need for approval will be reviewed and adopted by the lower-tier municipality without an additional level of approval.”

Subject to legal confirmation, it is reasonable to assume that should the Township choose to request an MZO for the Avenu Development, the Township would be assuming the responsibility to confirm that the proposed MZO order complies with the Regional Official Plan.

It is reasonable to argue that the proposed Avenu development and Draft MZO order do not comply with the (above referenced) environmental, affordable housing and servicing policies of the Durham Region Official Plan.

Holding Provisions and Section 37

If, in September, Council chooses to request an MZO process by proceeding with CR-2024-153, Council will be giving up its rights to use Holding Provisions and Section 37 to secure improvements, require agreements and control the implementation process.

Holding Provisions

- Withholding density until water supply improvements have been either financially secured or constructed;
- Withholding density until acceptable sanitary facilities have been either financially secured or constructed;
- Withholding density until acceptable transit shuttle services have been either financially secured or provided/constructed.

Section 37 Provisions/Agreements

- The dedication of Hazard/Environmental Protection lands as additional waterfront open space;
- The construction of Community Recreational Facilities such as the Waterfront Municipal Trail, as shown on Township OP Schedule B-1
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate Transit intended to connect the site to downtown
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required water supply improvements
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the required sanitary treatment facilities
- Secure purchaser notification and agreements to ensure funding in perpetuity to maintain and operate the advanced water recycling technology required to reduce potable water usage by 30%
- Secure Public Art, as shown in the Avenu Concept Plan

- Secure purchaser notification and agreements to ensure funding in perpetuity to construct, maintain and operate Affordable/Attainable Housing (as discussed in relation to the Regional Official Plan)

No Section 37 Bonus Provisions have been incorporated into the Proposed Draft MZO Order. Without the use of Holding Provisions and Section 37 Provisions/Agreements, planning vehicles will either not exist, or be limited in their abilities to secure the benefits being proposed by Avenu Properties Corp.

Under an MZO Process

An MZO is regulated, in part, through Section 47 of the Planning Act. Zoning order requests are made or refused at the discretion of the minister. The minister may consider requests submitted by parties such as ministries, municipalities, organizations, businesses, or individuals. If there is a conflict between a zoning order and a municipal zoning by-law, the zoning order prevails to the extent of the conflict. The *Planning Act* does not provide for a right to appeal the minister’s decision to make a zoning order, to the Ontario Land Tribunal.

It’s important to remember that by changing to an MZO, the process to determine the density, scope and scale and design of development, transportation requirements, community benefits (if any), regulations over communal infrastructure, location size and policies for the Environmental Protection Zone, falls solely to the approval of the Minister of Municipal Affairs and Housing with no requirement to comply with local or regional Official Plans or other documents. Any consultation with the Township, Region, Conservation Authority, Stewards, etc. will be at the sole discretion of the Minister, and all abilities to appeal through normal planning processes will be removed.

Consultations with legal counsel could be undertaken to determine other options beyond the Planning Act. One option to consider would be an application for a Judicial Review (JR) of the Township’s Decision to ask for an MZO. This would need to be filed within 1 month of Council making this decision, and would be limited to the scope of the decision.

Avenu could still file its own request for an MZO and use the Council Decision to show support.

Under the Current Process

Bill 185 limits 3rd party appeal rights for OPAs and Rezoning to “public bodies” and “specified persons” who attended and made written or oral submissions.

From the Planning Act:

Section 17 (24) Official Plan Approval

Right to appeal

(24) If the plan is exempt from approval, any of the following may, not later than 20 days after the day that the giving of notice under subsection (23) is completed, appeal all or part of the decision of council to adopt all or part of the plan to the Tribunal by filing a notice of appeal with the clerk of the municipality:

1. A specified person who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.

- 1.1 A public body that, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.2 The registered owner of any land to which the plan would apply, if, before the plan was adopted, the owner made oral submissions at a public meeting or written submissions to the council.
2. The Minister.
3. The appropriate approval authority.
4. In the case of a request to amend the plan, the person or public body that made the request. 2006, c. 23, s. 9 (4); 2017, c. 23, Sched. 5, s. 80; 2024, c. 16, Sched. 12, s. 3 (1).

Etc.

Section 17 (36) Official Plan Amendment Approval

Appeal to Tribunal

(36) Any of the following may, not later than 20 days after the day that the giving of notice under subsection (35) is completed, appeal all or part of the decision of the approval authority to the Tribunal by filing a notice of appeal with the approval authority:

1. A specified person who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.1 A public body that, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.2 The registered owner of any land to which the plan would apply, if, before the plan was adopted, the owner made oral submissions at a public meeting or written submissions to the council.
2. The Minister.
3. In the case of a request to amend the plan, the person or public body that made the request. 2006, c. 23, s. 9 (6); 2017, c. 23, Sched. 5, s. 80; 2024, c. 16, Sched. 12, s. 3 (3).

Etc.

Section 34 (19) Rezoning

Appeal to Tribunal

(19) Not later than 20 days after the day that the giving of notice as required by subsection (18) is completed, any of the following may appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal:

1. The applicant.
2. A specified person who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- 2.1 A public body that, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- 2.2 The registered owner of any land to which the by-law would apply, if, before the by-law was passed, the owner made oral submissions at a public meeting or written submissions to the council.
3. The Minister. 2006, c. 23, s. 15 (10); 2017, c. 23, Sched. 3, s. 10 (4); 2019, c. 9, Sched. 12, s. 6 (4); 2021, c. 4, Sched. 6, s. 80 (1); 2024, c. 16, Sched. 12, s. 5 (7).

Etc.

“public body” means a municipality, a local board, a hospital as defined in section 1 of the *Public Hospitals Act*, a ministry, department, board, commission, agency or official of a provincial or federal government or a First Nation; (“organisme public”)

“local board” means any school board, public utility commission, transportation commission, public library board, board of park management, board of health, police service board, planning board or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or of two or more municipalities or portions thereof; (“conseil local”)

“specified person” means,

- (a) a corporation operating an electric utility in the local municipality or planning area to which the relevant planning matter would apply,
- (b) Ontario Power Generation Inc.,
- (c) Hydro One Inc.,
- (d) a company operating a natural gas utility in the local municipality or planning area to which the relevant planning matter would apply,
- (e) a company operating an oil or natural gas pipeline in the local municipality or planning area to which the relevant planning matter would apply,
- (f) a person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the *Technical Standards and Safety Act, 2000*, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the relevant planning matter would apply,
- (g) a company operating a railway line any part of which is located within 300 metres of any part of the area to which the relevant planning matter would apply,
- (h) a company operating as a telecommunication infrastructure provider in the area to which the relevant planning matter would apply; (“personne précisée”)
- (i) NAV Canada,
- (j) the owner or operator of an airport as defined in subsection 3 (1) of the *Aeronautics Act (Canada)* if a zoning regulation under section 5.4 of that Act has been made with respect to lands adjacent to or in the vicinity of the airport and if any part of those lands is within the area to which the relevant planning matter would apply,
- (k) a licensee or permittee in respect of a site, as those terms are defined in subsection 1 (1) of the *Aggregate Resources Act*, if any part of the site is within 300 metres of any part of the area to which the relevant planning matter would apply,
- (l) the holder of an environmental compliance approval to engage in an activity mentioned in subsection 9 (1) of the *Environmental Protection Act* if any of the lands on which the activity is undertaken are within an area of employment and are within 300 metres of any part of the area to which the relevant planning matter would apply, but only if the holder of the approval intends to appeal the relevant decision or conditions, as the case may be, on the basis of inconsistency with land use compatibility policies in any policy statements issued under section 3 of this Act,
- (m) a person who has registered an activity on the Environmental Activity and Sector Registry that would, but for being prescribed for the purposes of subsection 20.21 (1) of the *Environmental Protection Act*, require an environmental compliance approval in accordance with subsection 9 (1) of that Act if any of the lands on which the activity is undertaken are within an area of employment and are within 300 metres of any part of the area to which the relevant planning matter would apply, but only if the person intends to appeal the relevant decision or conditions, as the case may be, on the basis of inconsistency with land use compatibility policies in any policy statements issued under section 3 of this Act, or
- (n) the owner of any land described in clause (k), (l) or (m);



22521 ISLAND ROAD · PORT PERRY, ON · L9L 1B6 · TEL: 905-985-3337 · FAX: 905-985-8828 · www.scugogfirstnation.com

August 30th, 2024

Valerie Hendry, MCIP, RPP
Manager of Planning Township of Scugog
181 Perry Street, PO Box 780
Port Perry, ON L9L 1A7
Email: vhendry@scugog.ca

Re: Submission to the Township of Scugog Council: Opposition to the Proposed Ministerial Zoning Order (MZO) for Development Along the Western Edge of Lake Scugog

Aaniin,

When the Township of Scugog Council returns from its summer break, one of the first orders of business will be to consider supporting a Ministerial Zoning Order (MZO) for a large-scale development along the western edge of Lake Scugog. This proposal seeks to rezone land to permit 600 multi-residential units, commercial spaces, a long-term care facility, a lakefront marina and dock facility, and infrastructure that would disrupt and devastate the Lake Scugog watershed that is fundamental to the treaty rights confirmed by Ontario and Canada in the 2018 Williams Treaties First Nations Settlement Agreement. We strongly oppose this proposal, as it threatens the overall health of the lake, Provincially Significant Wetlands, and their watershed – an important Indigenous Cultural Landscape for the Mississaugas of Scugog Island (MSIFN) - poses severe environmental risks, and undermines our treaty rights.

We are in receipt of the Township's letter of June 30, 2024 addressed to Chief LaRocca to engage with MSIFN on the proposed MZO, which provided MSIFN with a copy of the submission materials for MSIFN's review. We understand that Township staff have also been asked to review the proposal and a report will be presented to the Scugog Planning and Community Affairs Committee on September 16, 2024 to consider passing a resolution and request the Minister of Municipal Affairs and Housing to enact the MZO to implement the proposed development. We expect to be further consulted by the Township on the report to the Scugog Planning and Community Affairs Committee as soon as that report is available and to

be able to provide additional comments on the planning report before the Township makes any decision on the proposal to support an MZO for these lands.

MZOs are provincial orders that allow developers to bypass significant planning approvals, including environmental assessments and public consultations. This fast-tracking mechanism is deeply concerning, as it prioritizes development over environmental protection and community input. MSIFN's recent experience with an MZO in Durham Region did not inspire confidence in this process. That MZO sought to shortcut planning approvals to benefit developers, eliciting public outrage over a plan to build one of the largest warehouses in North America on a Provincially Significant Wetland (PSW). The outcome demonstrated that MZOs can lead to reckless and harmful development decisions without proper oversight. Now, another developer, Avenu Properties, is proposing to use an MZO to fast-track a housing development on a significant wetland located along the shores of Lake Scugog, on our traditional and treaty lands. This proposal follows a troubling pattern of using MZOs to bypass environmental safeguards, further eroding our trust in the planning process.

Per the Provincial government's guidance, *zoning orders shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982*. MSIFN asserts rights associated with the waters and lands surrounding Lake Scugog, especially given our community's reliance on the health of these waters for fishing, harvesting, and other cultural activities. Impacts on these waters have generational consequences for our members' ability to practice their rights and responsibilities associated with Lake Scugog.

In Table 1 below, we provide detailed commentary and requests for further information as part of this letter. Key issues that substantiate our opposition include the following:

Consequences of Ignoring Indigenous Rights and Environmental Protections

Allowing this development to proceed without proper consultation and environmental review will have far-reaching consequences. These consequences include, but are not limited to:

- **Loss of Trust:** The failure to engage with MSIFN in a meaningful way erodes trust between our community and the Township. Reconciliation requires more than words; it demands actions that respect Indigenous rights and acknowledge the importance of our traditional lands.
- **Environmental Degradation:** The destruction of wetlands, increased noise pollution, inadequate sewage management, and the resulting impacts on Lake Scugog will not only harm the local environment but will also undermine efforts to address broader environmental challenges, such as climate change and biodiversity loss. Lake Scugog has already become a eutrophic (i.e., nutrient-loaded) lake through the cumulative impacts of human activities following colonization. MSIFN members rely on the health of Lake Scugog for the practice of our rights, and we are deeply concerned about the

additional negative impacts that this proposal will have on the Lake, including further nutrient loading that could cause toxic algal blooms and kill fish.

- Legal Challenges: Ignoring the Duty to Consult and failing to consider the environmental impacts of this development could lead to legal challenges, further delaying the project and creating additional costs for all parties involved.
- Archeological Concerns: Ignoring the Duty to Consult risks the destruction of sites of archeological significance to MSIFN and the Anishinabek people of this area. In the spirit of reconciliation and with respect to the Constitutional Duty to Consult, we expect the Township of Scugog to meaningfully engage on the archaeological studies given that the proponent and its consultant have provided no evidence of a desire to engage with MSIFN or other rights-holding First Nations on archaeological studies.

Communal Sewage System Risks and Wastewater Discharge

The proponent proposes an unplanned and uncoordinated private communal sewage system. This presents risks to the Municipality of Scugog Township and its ratepayers, the Mississaugas of Scugog Island First Nation, and the Lake Scugog Watershed. The malfunctioning of sewage services is a public health and environmental threat that requires immediate action. The Ontario Ministry of the Environment, Conservation and Parks (MECP) advises that municipalities should have oversight of communal sewage systems. While the Durham Region Official Plan allows for private utility wastewater sewage systems, there is no agreement in place with the Regional Municipality of Durham or the Municipality of Scugog Township for long-term oversight, maintenance, and upkeep of the proposed communal sewage system.

The MZO package provided by the proponent is silent on any approach to communal sewage system agreements with responsible municipal authorities. As such, there is no credible way for the Minister to approve the desired site density without serious risks to public health, the environment, and municipal ratepayers who would be forced to cover the costs of any communal sewage system failures. Is the Township of Scugog prepared to step in to cover the costs of a future malfunctioning sewage system with impacts on public health and the environment?

Impacts on Provincially Significant Wetlands and Species at Risk

Wetlands are among the most critical and threatened ecosystems in southern Ontario, yet well over 72% have already been lost due to development and other human activities. The proposed lands contain a Provincially Significant Wetland and associated wetland pockets that are threatened by this proposal. The wetlands surrounding Lake Scugog provide essential ecosystem services that, if impacted, will have lasting consequences for the entire ecosystem and the people who rely on it, including MSIFN members. These services include:

- Flood Mitigation: Wetlands act as natural sponges, absorbing excess rainwater and reducing the risk of flooding in nearby areas. Removing or altering these wetlands for

development will increase the likelihood of flooding, especially as extreme weather events become more frequent due to climate change.

- Water Filtration: Wetlands naturally filter water, trapping pollutants and sediments that would otherwise flow into the lake. Developing these lands will not only destroy this filtration system but also introduce new pollutants from paved surfaces, vehicles, and construction activities, directly impacting the water quality of Lake Scugog.
- Carbon Sequestration: Wetlands serve as carbon sinks, helping to mitigate the effects of climate change by storing carbon dioxide. Destroying wetlands contributes to greenhouse gas emissions, further exacerbating climate impacts.
- Biodiversity: Wetlands are vital habitats for a wide range of species, including many that are threatened or endangered. The PSW and associated lands proposed for development contain Species at Risk (SAR) habitat, including for SAR turtles (e.g., Blanding's turtle, snapping turtle, Midland painted turtle). The proposed development would severely disrupt their habitat and threaten their populations.

There is local precedent through the Stoney Lake OMB decision (see Table 1 - Species at Risk Habitat) for the denial of development adjacent to PSWs with SAR habitat impacts. The proponent has not adequately examined the potential impacts of their proposal on the PSW and SAR habitat, meaning that sufficient evidence does not exist to support an MZO at this stage. By supporting the MZO request, the Township would be acting contrary to local precedent and knowledge surrounding the impacts of development on PSWs and SAR.

Upholding the Duty to Consult and the Honour of the Crown

The legal obligation to consult with Indigenous communities, as outlined in *Section 35 of the Constitution Act, 1982*, is clear. Governments, and by extension developers, must engage with potentially affected Indigenous communities to prevent or mitigate any impacts that a proposed project may have on Aboriginal or treaty rights. The Ministry of Municipal Affairs and Housing (MMAH) has reiterated this in a presentation given to lower-tier municipalities across Ontario earlier this year. MMAH has shared the contents of this presentation with MSIFN, making it clear that proper consultation is required for this matter. Moreover, Ontario released the 2024 Provincial Planning Statement on August 20, 2024. This document sets the rules for land use planning in Ontario and directs "Planning Authorities" (i.e., the Township and Durham Region) to engage early with Indigenous communities, recognizing the unique relationship we have with land and the importance of consultation on planning matters that affect section 35 Aboriginal and treaty rights.

On this specific proposal, we are deeply disappointed by the lack of meaningful consultation and engagement from both Avenu Properties Inc. and the Township of Scugog. Key documents were shared with us only days before an important Town Council meeting, leaving us insufficient time to adequately prepare or respond. Moreover, Avenu Properties has refused to fund MSIFN's costs for reviewing its proposal and associated documentation and refused to fund MSIFN's costs for a third-party review of the technical and engineering elements of its proposal, further limiting our ability to assess the full extent of the potential impacts. This approach is not only disrespectful but will also result in direct negative impacts on MSIFN's

rights and practices, is contrary to the principles of reconciliation, and is contrary to the direction set forth in the 2024 PPS.

Supporting an MZO for a developer who is proposing to impact a critically important wetland sends a clear message that treaty rights and environmental protections are secondary to development interests. It also raises serious questions about the Township's commitment to upholding the Honour of the Crown.

A Call for Meaningful Consultation and Sustainable Development

We are not opposed to development in principle. However, any development must be approached with respect for the land, the environment, and Indigenous rights. The current proposal fails to meet these criteria. We urge the Township of Scugog to pause this development and engage in meaningful discussions with MSIFN.

The developer and the municipality must sit down with us to address our concerns, explore alternatives, and ensure that any development is conducted in a way that respects both the environment and our treaty rights. This is not only a matter of legal obligation but also of moral responsibility. If the Township chooses to support this MZO they will be acting in contravention of available evidence and MSIFN's constitutionally protected rights.

Sincerely,



Chief Kelly LaRocca, MSIFN

cc:

Mayor Wilma Wotten - wwotten@scugog.ca
Regional Councillor, Ian McDougall - imcdougall@scugog.ca
Ward 1 Councillor, David Le Roy - dleroy@scugog.ca
Ward 2 Councillor, Janna Guido - jguido@scugog.ca
Ward 3 Councillor, Robert Rock - rrock@scugog.ca
Ward 4 Councillor, Harold Wright - hwright@scugog.ca
Kevin Heritage, Director of Development Services - kheritage@scugog.ca
Don Gordon, Interim CAO - dgordon@scugog.ca
Lori Bowers, Director of Community Services and Communications - lbowers@scugog.ca
Paul Lowes, SGL Planning - plowes@sglplanning.ca
MSIFN Councillor Sylvia Coleman - sylvia.coleman@msifn.ca
MSIFN Councillor Jeff Forbes - jeff.forbes@msifn.ca
Cathy Richards, Executive Assistant to Chief and Council - cathy.richards@msifn.ca
MSIFN Consultation - consultation@scugogfirstnation.ca

Table 1. Detailed commentary - Mississaugas of Scugog Island First Nation - Submission to the Township of Scugog Council: Opposition to the Proposed Ministerial Zoning Order (MZO) for Development Along the Western Edge of Lake Scugog

Reference	Issue	Request
<p>First Nation Consultation and Accommodation</p>	<p>The proponent’s MZO package provides no evidence that all Williams Treaties First Nations treaty rights holders have been consulted by the Township of Scugog and/or Durham Region and/or Ontario (Planning Authorities) concerning the project and its impacts, including impacts on the Lake Scugog Watershed and downstream to the Scugog River, Sturgeon Lake, and beyond.</p> <p>The recently released Provincial Planning Statement (2024) contains direction on early engagement and the recognition of Aboriginal and treaty rights that the mentioned Planning Authorities are not in compliance with, including the following:</p> <p><i>6.1.2. The Provincial Planning Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982.</i></p> <p><i>6.2.2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.</i></p>	<p>Please provide evidence of early engagement by responsible municipal and Crown authorities with respect to consultation and accommodation with all potentially impacted First Nation treaty rights-holders, including the Mississaugas of Scugog Island First Nation, Alderville First Nation, Beausoleil First Nation, the Chippewas of Georgina Island First Nation, Curve Lake First Nation, Hiawatha First Nation, and Rama First Nation.</p> <p>Please provide evidence of early engagement, consultation, and accommodation with respect to the specific aspects of the communal sewage system management and risks, wastewater discharge, Species at Risk (SAR), and sensitive environmental issues with respect to the proposal and MZO application.</p>
<p>Cultural Heritage</p>	<p>As mentioned above, Planning Authorities are required to</p>	<p>As discussed above, please provide</p>

Reference	Issue	Request
<p>Landscapes and Archaeology</p>	<p>engage early and consult with Indigenous communities. This includes engagement on Cultural Heritage issues, with guidance provided by the following:</p> <p><i>4.6.5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.</i></p> <p>Cultural Heritage Landscapes include “aboriginal landscapes¹”, or more appropriately, Indigenous Cultural Landscapes. MSIFN lives in relationship with the lands and waters of Lake Scugog and its watershed, yet MSIFN has not been engaged or consulted on the potential for Indigenous Cultural Landscapes to be impacted by this proposal.</p> <p>MSIFN considers the Lake Scugog watershed to be an Indigenous Cultural Landscape. In consideration of the multi-generational importance of this Indigenous Cultural Landscape to MSIFN, MSIFN has pledged \$1.5 million to the Lake Scugog Enhancement Project (LSEP). The Project purpose is to improve the recreational function of Port Perry Bay, create a healthy wetland habitat and improve water quality.</p>	<p>evidence of early engagement, consultation, and accommodation with respect to the identification, protection, and management of archeological resources and cultural heritage landscapes.</p> <p>Given that MSIFN has not been consulted on this item, please do not proceed with the support of an MZO before meaningful consultation and accommodation occurs, especially given the potential for impacts to Aboriginal and treaty rights.</p>

¹ <https://www.heritagetrust.on.ca/pages/tools/tools-for-conservation/cultural-heritage-landscapes-an-introduction>

Reference	Issue	Request
	<p>The overall objectives of the LSEP project are to address the following issues that dovetail with this Indigenous Cultural Landscape:</p> <ul style="list-style-type: none"> ● Reduced depth of water; ● Accumulation of sediment and organic matter; ● Non-native aquatic vegetation; ● Water quality in the bay; ● Shoreline habitats and fisheries; and ● Aesthetics and tourism-based activities. <p>The LSEP Project offers the following opportunities:</p> <ul style="list-style-type: none"> ● To increase the navigable depth; ● To increase boating access and other recreational uses such as paddling and angling; ● To enhance stormwater treatment; ● To reduce invasive macrophyte biomass; ● To increase tourism; and ● To increase fisheries productivity in Lake Scugog. 	
<p>Archaeology - Stage 1 to 3 Archaeological Assessments</p>	<p>The proponent reports that Archaeological Assessments Ltd. conducted Stage 1 to 3 archaeological resource assessments of the Subject Site. The proponent further reports that background research determined there had been no previous assessments carried out on the Subject Site, and given its location adjacent to the creek and Lake Scugog suggested it had a high potential for containing archaeological remains.</p>	<p>Please provide a description of the Indigenous engagement and a copy of any documentation arising from the Indigenous engagement process with respect to the Archaeological Assessments Ltd. Stage 1 to 3 archaeological resource assessments, including identifying the Indigenous communities engaged, dates, comments</p>

Reference	Issue	Request
	<p>The proponent reports that The Stage 2 field assessment identified five archaeological sites corresponding with indeterminate pre-contact native campsites. Stage 3 test excavations were carried out in October 2003. The proponent states that results of the Stage 3 assessment indicated that none of the five sites are significant archaeological resources, nor do any of the identified sites require any additional archaeological investigations and are no longer a planning concern.</p> <p>The Archaeological Assessments Ltd. provides no evidence of consultation with Indigenous rights-holders.</p> <p>Ontario's Standards and Guidelines for Engaging Aboriginal Communities in Archaeology https://www.ontario.ca/document/engaging-aboriginal-communities-archaeology-draft-technical-bulletin-consultant/1) state:</p> <ul style="list-style-type: none"> ● <i>"If your archaeological project is in Ontario, you must engage Aboriginal communities at the following stages:</i> <ul style="list-style-type: none"> - <i>in Stage 3, when you are assessing the cultural heritage value or interest of an Aboriginal archaeological site that is known to have or appears to have sacred or spiritual importance, or is associated with traditional land uses or geographic features of cultural heritage interest, or is the subject of Aboriginal oral histories.</i> 	<p>received, and the professional archaeologist's disposition of those comments.</p>

Reference	Issue	Request
	<p style="text-align: center;"><i>(Standards and Guidelines for Consultant Archaeologists, Section 3.4)</i></p> <ul style="list-style-type: none"> ● <i>“When you have engaged Aboriginal communities as part of an archaeological project, you must provide a description of the engagement and a copy of any documentation arising from the process to the Ministry. Submit this information as part of the supplementary documentation included in the Project Report Package. (Section 7.6.2)”</i> <p>Ontario’s Standards and Guidelines for Engaging Aboriginal Communities in Archaeology also state:</p> <p><i>“Engaging Aboriginal communities at the following additional stages constitutes wise practice, which you are encouraged to follow. You should engage Aboriginal communities:</i></p> <ul style="list-style-type: none"> ● <i>In Stage 1, when conducting the Background Study, in order to identify information sources in local Aboriginal communities (for example, for information on traditional use areas, sacred sites, and other sites) when available and relevant to the property). (Standards and Guidelines for Consultant Archaeologists Section 1.1)</i> ● <i>In Stage 1, when evaluating archaeological potential and making recommendations to exempt areas meeting the criteria for low archaeological potential from further assessment, in order to ensure there are no unaddressed Aboriginal cultural heritage interests. (Section 1.4)</i> 	

Reference	Issue	Request
	<ul style="list-style-type: none"> ● <i>In Stage 2, when assessing a property and determining archaeological sites that require Stage 3 fieldwork, in order to determine interest (general and site-specific) in the Aboriginal archaeological sites and ensure that there are no unaddressed Aboriginal archaeological interests connected with the land surveyed or sites identified. (Section 2.2)</i> ● <i>In Stage 3, when making recommendations regarding the excavation or preservation of Aboriginal archaeological sites of cultural heritage value or interest (other than those identified in the standards), in order to review the recommendations with the relevant, interested Aboriginal communities. (Section 3.5)”</i> 	
Private Communal Sewage System	<p>The developer has proposed an un-planned and uncoordinated private communal sewage system, which comes with immense risks to the Township of Scugog and its ratepayers, the Mississaugas of Scugog Island First Nation, and the Lake Scugog Watershed.</p> <p>The malfunctioning of sewage services is a public health and environmental threat that requires immediate action. The Ontario Ministry of the Environment, Conservation and Parks (MECP) advises that municipalities should have oversight of communal sewage systems. While the Durham Region Official Plan allows for private utility wastewater sewage systems, there is no agreement in place with the Regional Municipality of Durham or the Municipality of Scugog Township for long-term oversight, maintenance and upkeep of the proposed</p>	<p>Please provide the Municipality of Scugog Township’s and/or Durham Region’s agreements to provide long-term oversight, maintenance, and upkeep of the proposed communal sewage system.</p> <p>Both the Township of Scugog and Durham Region should comment on MECP’s guide for land use planning authorities on how to decide when a municipality should take responsibility for on-site communal drinking water and sewage systems: D-5-2 Application of Municipal Responsibility for Communal Water and Sewage Services - https://www.ontario.ca/page/d-</p>

Reference	Issue	Request
	<p>communal sewage system. The MZO package provided by the proponent is silent on any approach to communal sewage system agreements with responsible municipal authorities, and as such there is no credible way for the Minister to approve the desired site density without serious risks to public health, the environment and municipal ratepayers who would be forced to cover the costs of any communal sewage system failures.</p> <p>The proponent states that <i>“Wastewater services will be provided through a private communal sewage system and will not require any additional servicing capacity from the municipal wastewater system.”</i> The proponent also states that the <i>“Proposed Development requires a private communal sewage treatment facility, requiring MECP approval and a responsibility agreement with the Region.”</i></p> <p>The proponent does not explain how a responsible municipal authority such as Durham Region or the Township of Scugog will assure a high level of protection of the environment and public health, nor how responsible municipal authorities and their ratepayers will be responsible for the costs of such protections, or the costs of system failure.</p> <p>The proponent points to a single example of Durham Region entering into a long-term maintenance and upkeep agreement in 2007 for a private wastewater treatment system for what MSIFN understands is the “Estates of Wyndance”, a “exclusive” gated single family home community of 125 units</p>	<p>5-2-application-municipal-responsibility-communal-water-and-sewage-services#section-0 - with respect to the:</p> <ol style="list-style-type: none"> 1) Desire on the part of each municipal government to provide oversight, maintenance, and upkeep of the proposed communal sewage system through agreements with the proponent. 2) Requirements for entering into such agreements with the proponent, including consultation with impacted First Nations. 3) Details on the contractual arrangements required between the responsible municipal authority and the proponent with respect to the responsible public authority providing regular operational monitoring and maintenance of communal services and identifying maintenance needs before malfunctions can take place. 4) Details on the contractual arrangements required between the responsible municipal authority and the proponent with respect to assuring a high level of protection

Reference	Issue	Request
	<p>on an 18 hole golf course, with typical lot sizes of 50' x 200'. With 125 units, the Estates of Wyndance is about 80% smaller by unit number than the proponent's proposal for 600 units.</p> <p>The proponent does not explain how an MZO for approximately 600 units of new density can be supported, without MECP approval for the significant and complex communal wastewater system.</p> <p>The PPS requires that the planning for infrastructure be coordinated with land use planning and growth management in order to ensure that infrastructure is financially viable over its life cycle and is available to meet current and projected needs.</p>	<p>of the environment and public health.</p> <p>5) Details on the technical management oversight and maintenance program that the responsible municipal authority will assume to assure a high level of protection of the environment and public health.</p> <p>MECP should comment on how an MZO for approximately 600 units of new density can be supported without an agreement in place with a responsible municipal authority such as Durham Region or the Township of Scugog to ensure a high level of protection of the environment and public health, and agreement mechanisms for the responsible municipal authority to be responsible for the costs of such protections, or the costs of system failure.</p> <p>Please comment on how the Township has attended to the PPS requirement that the planning for the proposed wastewater infrastructure is being coordinated with land use planning and growth management in order to ensure that the infrastructure is financially viable over its</p>

Reference	Issue	Request
		life cycle and is available to meet current and projected needs.
Cumulative Impacts on Lake Scugog and MSIFN Rights	<p>The mentioned lack of oversight of the communal wastewater system is of utmost concern to MSIFN. We are also concerned about the potential for this proposal to introduce nutrients to Lake Scugog through stormwater runoff through the creation of roads, parking lots, and other impervious surfaces will increase stormwater runoff, carrying pollutants like oil, heavy metals, excess nutrients, and chemicals into Lake Scugog. This runoff will degrade water quality, harm aquatic life, and contribute to the ongoing decline of the lake's health.</p> <p>MSIFN members rely on the health of Lake Scugog for the practice of our constitutionally protected rights, including fishing. MSIFN's pledge of \$1.5 million for the Lake Scugog Enhancement Project is evidence of the value we place on the Lake and its functions. Our constitutionally protected practices are threatened by the proposal as, for example, additional nutrient loading can exacerbate the growth of invasive species and toxic algae (cyanobacteria) blooms², which can lead to the death of fish. These impacts on the already impacted Lake Scugog could have generational impacts on the ability of our members to practice rights in one of the few areas that remain available to us, exacerbating the overall cumulative impacts of development on our rights and practices.</p>	<p>Please provide rigorous evidence that this proposal will not exacerbate cumulative negative impacts on Lake Scugog, including nutrient loading.</p> <p>As a Planning Authority, the Township must not support this MZO given the negative impacts of this proposal on the exercise of Aboriginal and treaty rights.</p>

² https://www.kawarthaconservation.com/en/resources/Lake-Management-Plans/LSEMP_May2010_FINAL.pdf

Reference	Issue	Request
	<p>Legal precedent for the consideration of cumulative impacts in project approvals exists through <i>Yahey v. British Columbia</i> (2019), where the BC Supreme Court determined that the development permitted by the Province led to an infringement of Blueberry River First Nation’s Treaty Rights. This decision is relevant to the previously mentioned Planning Authorities, including the Township, who are directed to consider impacts on Aboriginal and treaty rights by the 2024 PPS.</p>	
<p>Provincially Significant Wetland</p>	<p>The proposed lands are adjacent to the Port Perry North Provincially Significant Wetland, while there are additional wetland pockets throughout the site. The evaluation report for this PSW (April 2014, available from the OMNRF) states that adjacent uplands are used by wetland species including nesting waterfowl, turtles, and amphibians. This report recommends that forest cover should be increased in and around the PSW, the currently proposed development is not consistent with this direction.</p> <p>Avenu’s conceptual drawing appears to ignore the PSW almost completely, with no regard for impacts on this important feature. The concept shows forested areas overlapping and adjacent to the PSW being converted to “<i>new waterfront sand beach</i>”, while a north-west pocket of the PSW appears to overlap with a proposed four-storey building.</p>	<p>Please provide an evidence-based assessment of the proposed development’s impacts on the PSW and associated upland habitats. This must include mapping of the proposal alongside the PSW boundaries, buffers, and the assessment of potential SAR habitat (see following comment).</p> <p>The overall development density must not be approved as proposed given potential overlaps with the PSW and SAR habitat. Density must be re-examined in light of actual developable area following an assessment of impacts.</p>
<p>Species at Risk Habitat</p>	<p>Avenu has not adequately considered the risk of this development on Species at Risk (SAR). Given the presence of a Provincially Significant Wetland, there is a particular risk to</p>	<p>Given the impacts of this proposal on PSWs and associated SAR, the Township must recognize that the MZO request is</p>

Reference	Issue	Request
	<p>wetland species, including turtles, that may use the subject lands for various life stages (e.g., nesting). Per the Natural Heritage Information Centre and assessments of other proposals on Lake Scugog, SAR turtles potentially present in the area include the following. Note that provincial risk status is denoted beside “ESA” (<i>Endangered Species Act</i>), federal risk status beside “SARA” (<i>Species at Risk Act</i>) or “COSEWIC”.</p> <ul style="list-style-type: none"> ● Blanding’s turtle (ESA: Threatened, COSEWIC: Endangered) ● Midland painted turtle (SARA: Special Concern) ● Snapping turtle (ESA/SARA: Special Concern) <p>Potential impacts of the proposal on these species are numerous, including the destruction and disturbance of nesting habitat. Per the provincial Blanding’s turtle recovery strategy, these turtles nest in relatively open areas in the general vicinity of a wetland³, such as the open areas that Avenu is proposing for development.</p> <p>Developing these areas is contrary to legislation, and local precedent in the area: in 2017 the former Ontario Municipal Board (OMB, now Ontario Land Tribunal) decided to not allow housing development on Stoney Lake⁴ in the Kawarthas due to the location of the development in and around Provincially Significant Wetlands. This site contained habitat for many species, including the Blanding’s turtle. The decision also</p>	<p>premature. By supporting the MZO without prior consideration of impacts on these species, the Township of Scugog would be facilitating potential destruction and degradation of SAR habitat. By choosing to not support the MZO, the Township will be consistent with the Stoney Lake OMB decision and will be acting in respect of MSIFN’s rights and practices.</p>

³ <https://files.ontario.ca/mecp-rs-blandings-turtle-2019-12-05.pdf>

⁴ <https://anishinabeknews.ca/2017/10/11/ontario-municipal-board-decision-saves-blandings-turtle-habitat-on-stoney-lake/>

Reference	Issue	Request
	respected the rights of Williams Treaties First Nations, including MSIFN, Alderville, and Curve Lake.	

From: [Janice Hamilton-Dicker](#)
To: [Mayor and Council](#); [Wilma Wotten](#); [Ian McDougall](#); [David LeRoy](#); [Janna Guido](#); [Robert Rock](#); [Harold Wright](#); [Terry Coyne](#); [Kevin Heritage](#); [Scugog Clerks](#); [Valerie Hendry](#); [Scugog Planning](#)
Subject: MZO request for Avenu Properties letter
Date: September 6, 2024 3:23:04 PM

Dear Mayor and Council, Clerk's Department, Planning Department

This is our formal request to have our letter be included in the agenda for the September 16, 2024 meeting.

We are requesting that Council not endorse the Minister's Zoning Order (MZO) for Avenu Properties.

After going to numerous homes throughout the Port Perry area and talking to the residents about the proposed development, the overwhelming comments are that the location for this development is wrong and that the proposal is too large in size for the Port Perry area.

This significant provincial wetland must be preserved for future generations. Countless species will be disturbed and killed. Migratory birds are disappearing at an alarming rate and by building on this property which is known for its use by the migratory birds will make the situation even worse.

Even the Scugog Lake Stewards and the Mississaugas of Scugog Island are not in agreement with this proposal.

Voters are 100% against any road being built across the marshland and it is not possible for Castle Harbour Drive to handle any more traffic. This development would significantly increase traffic volume, therefore causing major safety issues.

Voters are extremely worried of any soil being brought in to either build the road or the development. They are worried that it could be contaminated and therefore polluting our lake and our wells.

This development will put more stress on our infrastructure. People in our community have been waiting for years for a doctor, our emergency responders will have a hard time coping with the influx of people. Our schools are over crowded now. At S.A. Cawker P.S., their library had to be cut in half to create a classroom. At Cornish P.S. the teacher's lounge was turned into a classroom so now the teachers have the stage as their lunchroom. At the Port Perry high school the Education Assistants room was turned into a classroom.

There is a lot of concern for the private sewage system that the developer is proposing. What happens if it breaks down, who will be responsible for the repairs and cleanup?

This proposed development is not compatible with the surrounding existing land uses and will not conform to the existing neighbourhood of single-family dwellings.

There is no benefit to advancing this project by a Minister's Zoning Order, but there will be problems if it is. This proposal must go through the proper channels of investigation.

The voters are trusting our Mayor and Council to listen to them and not endorse the MZO.

Thank you.

Janice and Selwyn Hamilton-Dicker



September 7, 2024

To the Mayor and Members of Council
Township of Scugog
181 Perry Street
PO Box 780
Port Perry, ON L9L 1A7

via email at clerks@scugog.ca

Re: Avenu Properties Corp. request for MZO, CR-2024-153

Written submission for inclusion in the agenda of the September 16, 2024
Planning and Community Affairs Committee meeting

Dear Mayor and Councillors:

I am writing to object to the use of a Minister's Zoning Order (MZO) to facilitate construction of a residential and commercial development by Avenu Properties Corp. at Simcoe St. and Castle Harbour Drive.

The use of an MZO in this instance is not warranted, as there is no extraordinary urgency which would justify such action. Moreover, the MZO language proposed by the proponent would give them license to build virtually anything without regard for the principles of Scugog's Official Plan (OP) and without meaningful restrictions on built form, layout or use as per Section 9 of our Zoning By-law 14-14. The MZO as contemplated by Avenu is precedent-setting and undermines local guidelines which have been established through extensive consultation with the community and qualified administrators and planners.

The Township of Scugog should not consider surrendering control of the planning process as defined by the Planning Act, which recognizes the importance of local authorities in managing development. Construction of any development should still proceed in an orderly fashion through careful review of a proposal which is thoroughly backed up by factual studies. Despite the understandable—if aggressive and problematic—intentions of the Province to increase the housing supply (e.g., Bills 23 and 185), doing so must not come at the expense of overriding principles of safety, sustainability or community involvement.

We are bound, as per our OP, to "...provide for the protection and preservation of the natural environment throughout the Oak Ridges Moraine Conservation Plan, Greenbelt Plan and *within the settlement areas* in the Township..." [my emphasis.] Despite any suggested intent on the part of the proponent to construct a "green" community, there

are no guarantees that this will ultimately come to pass, and it is mere hyperbole when the site in question is a Provincially Significant Wetland on a sensitive and stressed lake. Whatever the merits of the proposed development itself may be, the proposed location is simply, indisputably, not the place for it. Again quoting our OP, “The significant natural heritage features ... and wetlands provide habitat for a wide range of fish, wildlife and vegetation. *There is sufficient land available for development in the Township without the need to disturb these environmentally sensitive areas.*” [My emphasis.]

It should also be noted that this Council’s Strategic Plan (Strategic Direction #4, Natural Environment) emphasizes the need to, among other things:

- Protect, enhance, and restore the natural environment,
- Improve water quality, aesthetics for Lake Scugog which will improve the health of Lake Scugog and recreational opportunities,
- Mitigate environmental impacts by managing them through appropriate consultation, legislation and action.

Covering a sensitive wetland with hardscaping and intensive building does not serve these important principles. A better path must be found.

I note that there are many areas where the proponent’s plan does **not** conform to the guidance of our OP, despite their highlighting areas where it possibly does. For example, the OP states:

- new development in the Township will reflect the existing built form and historic character of the community.
- development in the Port Perry Urban Area [will be] ...sequential and phased to provide for the continuous and orderly development of the community
- targeting an employment to population ratio of 1 job for every 2 people
- protecting, and enhancing wherever possible, the shoreline areas adjacent to Lake Scugog...by designing development to minimize and reduce the impact of human activity on the lake ecosystem...and encouraging stewardship of the abutting lands that recognizes the sensitivity of the lake

- ensuring that the infrastructure required to serve the urban area is built as necessary prior to, or coincident with, urban development

To address the last point, note that Avenu proposes to construct the development in phases, starting with approximately 230 units, and that well(s) may be used to supply potable water on an interim basis. The water and wastewater infrastructure for the site seems to be a vulnerable bottleneck, and I am concerned that any well use might compromise the water supply for the neighbouring established residential areas, and that delays in providing water main supplies could render the development untenable.

There are many other considerations in our OP (especially Sections 3 and 4) which have not been adequately addressed by the proponent's preliminary studies or their enthusiastic but very subjective reports. Suffice it to say that most of these concerns, such as soil conditions, drainage, stormwater management, utilities, traffic, waste and recycling management, shoreline integrity, natural habitats, watershed management and others would be properly dealt with through the normal, rigorous planning process.

Avenu has documented several meetings it has had with stakeholders, I note that they have included dozens of questions that were asked of them at these meetings. They have not, however, provided answers.

Given the lack of clarity on the specifics of their proposal and the preliminary nature of the limited studies they have provided, it is again clear that the MZO is not an appropriate means of approval for any stage of this development.

It is also important to the Township, as part of the planning process, that there is assurance that the developer will be responsible for ensuring the ongoing maintenance and repair of the on-site infrastructure. Scugog cannot afford to be burdened with a malfunctioning wastewater system or any other structural, electro-mechanical, waste removal or traffic management issues. There must be ironclad agreements in place to protect the Township from liability for any such matters, while also ensuring the prospective residents of any such development have safe, sustainable accommodations. There is no such clear undertaking at this stage, and the MZO as written does not address this concern. Nor, for that matter, are MZOs the tools by which such things as affordability, upkeep, and related matters are enforced. However, an MZO *may* obviate obligations which would normally be incumbent upon a developer.

In summary, there are many very significant concerns with the proposed Avenu development, and their request for the Township of Scugog to support an MZO to accelerate their project is absolutely not in the community's best interest. Avenu has indicated it is important to their reputation as a developer to succeed with this project quickly, but Scugog is not responsible to Avenu on that front. Rather, Scugog is

responsible to its residents and businesses—its taxpayers—to meet the objectives of sustainable, environmentally sound and orderly development where the rights and obligations of our Official Plan and Zoning By-law are respected and upheld.

I urge Council to refuse the Avenu MZO request, and proceed with a robust, objective planning process for this environmentally sensitive property.

Sincerely,

A handwritten signature in black ink that reads "Ray Smith". The signature is written in a cursive, slightly slanted style.

Ray Smith

A solid black rectangular redaction bar.A solid black rectangular redaction bar.

From: [Catherine Lyons](#)
To: [Wilma Wotten](#); [Jan McDougall](#); [David LeRoy](#); [Janna Guido](#); [Robert Rock](#); [Harold Wright](#); [Terry Coyne](#)
Cc: [Scugog Clerks](#)
Subject: Avenu Proposal - Port Perry
Date: September 8, 2024 9:33:12 PM

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dear Madame Mayor and Members of Council,

RE: Avenu Proposal for a Minister's Zoning Order ("MZO")

My sister and I own a property on Regional Road 57 near Caesarea. I am a lawyer specializing in municipal and environmental law and have just retired from a large law firm where I was head of the environmental practice. In August of 2024, I completed a 9 week hearing before the Ontario Land Tribunal regarding a proposed 200 unit subdivision in Niagara Region. Over my thirty year career, I have worked with numerous MZO's and have been involved in drafting and implementing them.

If Council supports the MZO, Scugog will be leaving critical decisions regarding this development to negotiations between the applicant and the province. These lands represent a key waterfront site in the community. The MZO hands the planning of these lands over to the province and the applicant. The municipality's powers under the site plan provisions of the *Planning Act* will not remedy this. The heights, setbacks, unit count, and most other defining features will be established through the MZO.

Although the provincial land use planners are highly skilled, the provincial planning administration was neither created nor staffed to review development applications. They do NOT review transportation and servicing studies; they do not have an urban design group; they do not have a Port Perry perspective on such matters as built form, parking ratios, private open space or indoor amenity requirements.

If this application were being pursued through the usual process, the municipality would be responsible for reviewing and commenting on all of the studies. A typical process in Ontario would require that the applicant fund the municipal cost of hiring experts to review the application. If Scugog does not have internal capacity to review the application, then the municipality is able to retain consultants to conduct peer reviews. The applicant is by-passing this detailed review and adding cost burdens to the municipality by seeking support without paying any application fees or peer review costs. A detailed review of the supporting studies by the municipality is the most appropriate "diligence". The province will not do this for the Township.

The MZO process is not the appropriate process for the development of these lands.

CATHERINE A. LYONS
[REDACTED]

From: [Ryan Walker](#)
To: [Wilma Wotten](#); [Ian McDougall](#); [David LeRoy](#); [Janna Guido](#); [Robert Rock](#); [Harold Wright](#); [Terry Coyne](#); [Mail Box](#); [Scugog Planning](#); [Office of the CAO](#)
Subject: NO to Avenue Properties Development - Save the Wetlands
Date: September 9, 2024 10:21:13 AM

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Good morning,

I am writing to you as a concerned local resident. I am happy to call Port Perry home and appreciate all you do for our community.

My concern is simple and stems from the location of this proposed development. I completely agree that we need more housing in southern Ontario and importantly more affordable housing. My concern is centered around the location and scale of this proposed development. Impacting important wet lands, displacing wildlife and rapidly increasing the deterioration of water quality on our lovely lake but more importantly the Trent lakes system.

I am urging all of you to consider the greater impact of this VERY important decision. Lets not put the future at risk. There are other options to solve this important issue and not sacrifice our environment.

Ryan

September 9, 2024

Madam Mayor Wilma Wotten

Councillors David Leroy, Janna Guido, Robert Rock, Harold Wright,
Ian McDougall & Terry Coyne

As a long-time resident, builder and developer in this community, I felt I could not sit back, be silent and not speak my mind while the impending storm clouds approach. I have watched many a Council and staff come and go over the years, sat on our Housing Advisory Committee for 8 years and am now watching an upheaval in our community that I have never witnessed before with any of the past developments that have taken place here.

I am writing not to preach for or against the MZO for the Avenue Development proposal but for what you, our town Council, was elected to do. You took an oath to represent the public and to consider the well-being and interests of the municipality as a whole based on the current laws and policies of the day. We constituents sit out here and throw “stones” for and against the proposal, but we do not have all the facts that are available to you, our elected officials, to make those decisions. You have the tools available to you to make informed decisions based on the facts, what is allowed in the PPS, the current zoning and what our by-laws of the day permit or do not permit.

You are being challenged by very complex issues with this project, laden with controversial policies, new technology and inundated with comments for and against from your constituents. We look to you, our Council along with staff to work together towards the common goal of serving the long-term needs of those who live in our municipality.

I do not envy your role, but I will respect the decision you take to guide us forward, as you have been elected to do. You know, **you will not win either way**, as there are those that will continue to cast stones with whatever your decision may be. I only trust that you will consider all the facts available to you, seek sound professional advice and make a decision, “yea or nay”, based upon the facts alone and not political pressure. I trust in your judgement and will respect your decision as I hope others will follow suit.

I wish you the courage to make an informed decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Lucyk', with a large, stylized flourish at the end.

John Lucyk

██████████
Port Perry, Ont.

From: [Julianne Lyons](#)
To: [Wilma Wotten](#); [Ian McDougall](#); [Harold Wright](#); [Terry Coyne](#); [Robert Rock](#); [Janna Guido](#); [David LeRoy](#)
Cc: [Scugog Clerks](#)
Subject: Proposal for a Minister's Zoning Order
Date: September 10, 2024 9:36:22 PM

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From: Juli Lyons
To: wwotten@scugog.ca; imcdougall@scugog.ca; dleroy@scugog.ca; jguido@scugog.ca; rock@scugog.ca; hwright@scugog.ca; tcoyne@scugog.ca
Cc: clerks@scugog.ca
Subject: Proposal for a Minister's Zoning Order

Dear Madame Mayor and Members of Council,

RE: Proposal for a Minister's Zoning Order ("MZO")

My name is Juli Lyons and I am a newcomer to Scugog Township. My sister and I bought a small patch of land here three years ago, just outside of Caesarea, and we love it. We have experienced every day what a special place this is.

One of the things that has really struck me during my short time here is the many, many people who grew up here and stayed. They didn't leave to find greener pastures somewhere else. They stayed, and raised their own families here. I imagine all of you, or many of you, were born here, raised here and you, too, chose to build your life and raise your families here. It is a remarkable thing, and all too rare. So many communities are not like this. Young people leave.

With that in mind, I can fully understand why you would want to build affordable housing. You're hoping that the next generation and the generation after that will continue the tradition and stay where the roots are deep and the sense of community is strong.

When the plans for the Avenu housing project started to unfold last spring, I could understand the why of it.

But, what really surprised me, in a place with such a strong sense of community, was the lack of communication between the municipality and the people who live here. You are all of this place, and have deep roots here. I couldn't understand why there was no conversation going on. Hats off to Avenu who did extensive consultation, but that is not the same and shouldn't replace the conversation between the leadership of this community and the people who live here.

I was also quite dismayed that council didn't themselves reach out to the MSIFN. Again, in a place where community is important, it was antithetical to community to not reach out and to instead rely on the proponent to be the ones to consult with them.

Consequently, cracks have developed between the leadership here and the citizenry.

I asked a friend who has lived here for decades, what it was like to experience the commotion that has resulted these past few months. As a new kid, I had no context for what was going on. They said, it's like a bomb's gone off. That's how tumultuous and difficult it's been, in their view.

In a community where there is a strong sense of place, where people here can tell the stories of the generations who came before them, and know the history of the land, and the joy of the lake, it feels as though something big is at stake right now. When a bomb goes off, the reverberations are huge, and things get broken.

At a time like this, there needs to be way more dialogue with the community, including the MSIFN, not less. There needs to be more respect not less for the land and water, especially in a place where people remember what the land and the lake were like, and can still tell the stories.

All to say that I believe the MZO will only make things worse for the community - and the land, not better.

If you are going to build something, build the legacy of your leadership: build and strengthen the community, honour the land and the water. Future generations will thank you for it.

Housing - and affordable housing, can be created in other ways and in other places. And, with due respect to Avenu, who have worked hard to create something cutting edge and imaginative, the price is too high to build it using an MZO.

Please don't pursue an MZO application. Do the due diligence, and build a future that future generations will thank you for.

Juli Lyons
Nestleton Station

Sent from my iPhone

FAQ Regarding Project EQUUS

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MORE INFORMATION: www.EquusPortPerry.com

FAQ Regarding Project EQUUS

JUNE 24 COUNCIL MEETING QUESTIONS & ANSWERS			
ITEM	QUESTIONS	ANSWERS ON JUNE 24	FACTS & FURTHER RESPONSE
1	Why is MZO being requested?	<p>David Medhurst’s answer for the Proponent in this section (Q 1 - Q10)</p> <ul style="list-style-type: none"> - MZO is to settle the issue of what kind and the number of units that can be built. - MZO takes away the appeal process associated with the Ontario Land Tribunal (OLT). - Avenu is not asking for special consideration, nor asking to waive or lift any dispensation from any environmental study, or license approval from the Provincial government or authority. We are not asking for any approval on environmental. - Avenu is asking the Township of Scugog to ask for a Minister’s order for the size of the project. 	<ul style="list-style-type: none"> - MZO is a tool available to municipalities to reduce Red Tape and accelerate housing. - Empowers municipalities and is used by many municipalities to accelerate needed and wanted housing projects. - Part of Provincial Objectives “Cut Red-Tape To Build More Homes Built Faster Act” to help deliver 1.5 new homes by 2031. - The Proponent is looking to develop a ‘first-of-kind’ model community designed on principles of accessibility and integrated sustainable technologies. - Scugog needs multi-unit housing, proceeding with certainty in an accelerated manner is necessary.
2	What will be the next steps?	<ul style="list-style-type: none"> - Finalizing the project parameters MZO briefing report with necessary updates and will be submitted to Hon. Minister Paul Calandra for the consideration of the Order. Planning staff and advisors of the Ministry of Housing and Affairs will do their own due diligence and consider the request within their consideration framework. 	<ul style="list-style-type: none"> - Scugog will make the request to the Minister. - Minister makes own decision based on own assessment. - Minister may ask for additional information or studies at his discretion.
3	Will public consultation be needed?	<ul style="list-style-type: none"> - The Minister can attach any condition to the approval, for example: if they feel there is a need to have public consultation, the approval might come with the requirement of a public meeting. 	<ul style="list-style-type: none"> - Scugog will have had 3 meetings at Council/ Committee with public input. - Minister can impose conditions as the Minister wants, including further consultation. - Equus has undertaken exclusive consultation.
4	Will there be approval and review process to be done by local municipality?	<ul style="list-style-type: none"> - Yes. All the approvals still needed to be granted by the local municipality. 	<ul style="list-style-type: none"> - Detailed site level be approvals follow in normal course. - See MZO Flow Chart Appendix 1 page 19.
5	Will the motion of tonight’s meeting give carte blanche to the start of the Project?	<ul style="list-style-type: none"> - No. It’s not carte blanche. 	<ul style="list-style-type: none"> - Detailed site level approvals will follow. Conditions may be applied. See MZO Flow Chart Appendix1.

FAQ Regarding Project EQUUS

6	<p>Can Scugog Council make the final decision on whether to allow the development even after an MZO is granted?</p>	<ul style="list-style-type: none"> - Yes, but not on density. 	<ul style="list-style-type: none"> - Zoning will establish scale of development. - Detailed site level approvals are required before building permit. - See MZO Flow Chart Appendix1.
7	<p>If the Council voted yes, does MZO give the ability to appeal and increase density?</p>	<ul style="list-style-type: none"> - Not to our knowledge. - If the minister gives the MZO, it sets the density and the type of housing and it's not appealable. Avenu cannot change within these frameworks. 	<ul style="list-style-type: none"> - Only the Minister has the power to vary. - Requires new MZO from Council. - AVENU is asking the Township of Scugog to lead the MZO request. MZO is a municipal tool and Township can stipulate to Minister to approve what is regulated in the Motion request.
8	<p>Why need for the MZO?</p>	<ul style="list-style-type: none"> - AVENU is not asking for relief from other approvals or asking for more than what can be permitted. - The ask for MZO is to get the parameters for servicing technology studies. 	<ul style="list-style-type: none"> - Cut Red Tape, Build More Homes Faster. - Permit wastewater treatment technology and water recycling, which requires accurate parameters for design; then all applications can be made for provincial environmental approvals and licenses. - Minister could determine Castle Harbour Dr as the sole access road.
9	<p>What if (“net-buildable”) area is less than anticipated?</p>	<ul style="list-style-type: none"> - If it is not buildable, the project cannot be built. 	<ul style="list-style-type: none"> - Project can be adjusted. - Site Plan Approval and other approvals will govern the extent of developable area and environmental limitations
10	<p>What is the minimum number of housing units to make the project feasible?</p>	<ul style="list-style-type: none"> - There is flexibility in the number of units as the project will go on for a long time, but the development will bring a new sewer system for the residents. 	<ul style="list-style-type: none"> - Project needs 490 units to make wastewater treatment technology viable and economically affordable to end-users.
<p>Delegations To Council</p>			
11	<p>Delegation</p>	<ul style="list-style-type: none"> - There was not sufficient time to look at the MZO request. - Doubts the capability of avenue properties to fast track the project through MZO. - Questions explicit permission of sewage system. 	<ul style="list-style-type: none"> - Project has been in discussion since fall 2022. - Site plan unchanged.

FAQ Regarding Project EQUUS

12	Delegation	<ul style="list-style-type: none"> - The Mississaugas of Scugog Island First Nation (MSIFN), Lake Stewards and the local residents are opposed of the MZO. - Doubts AVENU can further financially without a MZO. - States that the sewage system would not be capable to handle the amount of wastewater for 582 units. 	<ul style="list-style-type: none"> - MSIFN have not communicated any formal decision. - Lakes Stewards have not communicated any formal decision. - MSIFN and Scugog Landing Resort own their own private wastewater treatment system. - Additional time for review and consolidation has now been granted with the deferral of Motion.
13	Delegation	<ul style="list-style-type: none"> - Request that the MZO of Avenu Properties not to be endorsed. - The new road and parking lot will damage wetland habitat and impact wildlife. 	<ul style="list-style-type: none"> - Natural heritage features will be further studied, and evaluated and limits defined before construction in consultation will KRCA. - There will be wetland enhancement and 8+ hectares of parkland. - No residential construction in any Provincially Significant Wetland (PSW).
14	Delegation	<ul style="list-style-type: none"> - Forming an ad hoc committee between AVENU properties and Scugog planning, conservation authority, Scugog Lake Stewards, Mississaugas of Scugog, and Castle Harbor neighborhood. 	<ul style="list-style-type: none"> - Good idea. AVENU is receptive. We will continue to consult and work with stakeholders through the subsequent approval process.
15	Delegation	<ul style="list-style-type: none"> - There has not been enough consultation with MSIFN. MZO should respect the opinions of the First Nations. 	<ul style="list-style-type: none"> - AVENU has made considerable efforts. Written outreach cannot mandate the involvement of responses.
Questions From Council Members Before Voting on MZO for EQUUS Project			
16	<p>What are the thoughts of planning staff? (ie. Kevin Heritage and Valarie Henry)</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Staff have not paid a lot of attention due to other priorities. One of the first-time staff appear and speak to Council that have not reviewed the materials. It's too premature to comment. 	<ul style="list-style-type: none"> - AVENU has been communicating with the Director of Development and Planning staff for more than 18 months. - Director of Development engaged in a multi-party strategy meeting on May 5, 2023 to examine the MZO option. Township of Scugog shared its experience with their previous MZO application for another development project, Port Perry Southbridge Long Term Care. - Key Stakeholder Meetings including with Durham Region on May 9, 2024 during which the project was discussed in important detail. - Pre-Application Consultation (PAC) was made July 2023, planning staff attended.

FAQ Regarding Project EQUUS

			<ul style="list-style-type: none"> - Meetings with former CAO, planning staff and AVENU on project matters some of formal scope and content. - As a result of CIHA Dec. 4, 2023 motion, technical feasibility reports provided to planning in advance as they become available prior to the September 2024 Council Meeting. - Planning staff have engaged with MHBC (external planners as planning advisors to Scugog Township) on the following dates: <ul style="list-style-type: none"> o Dec. 7, 2023 Review project and planning o Dec 8, 2023 Review Background material o Dec 11, 2023 Meet with Planning Staff o Dec. 18, 2023 MHBC Site Review on site o Dec. 19. 2023 MHBC report to Kevin Heritage o Jan 2, 2024 MHBC status and review with Kevin Heritage o Jan. 4, 2024 MHBC report with Kevin Heritage o Jan. 8, 2024 CIHA discussions with Kevin Heritage & staff o Jan 30, 2024 Discussion with Kevin Heritage and with AVENU o April 22, 2024 Review strategy - At least \$3,761.88 in fees have been charged to AVENU (and paid by AVENU). - Director of Development attended a meeting with Durham Region with Regional Councillor Ian McDougall in attendance on May 9, 2024. Kevin Heritage confirmed potable water allocation is available.
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FAQ Regarding Project EQUUS

17	<p>Does the Minister consult with local Municipal staff on their comments during the consideration of an MZO request?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Yes, they will consider local staff and do not make a decision in isolation. 	<ul style="list-style-type: none"> - Agreed. Minister will consider municipal requests and input and can undertake and request further engagement and participation of the local municipality at his discretion.
18	<p>Will local municipal staff share comments and opinions to Minister staff before yet shared with the Council?</p> <p>Will local planning staff provide a report to Scugog Council before providing it to the Minister?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Depends on the request for information. - If it's a factual piece of information, it will be provided directly to Minister. If it's an opinion, that could be treated differently. - It's solely at the discretion of the Ministry and their staff. 	<ul style="list-style-type: none"> - Agreed. A complete record of materials will likely be included at the request of the Minister.
19	<p>Does the result of Scugog Council voting whether to endorse the MZO request influence the recommendation of the local planning staff in consideration of an MZO application?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - It will not prevent staff from providing an opinion in whether an MZO will be an appropriate action. 	<ul style="list-style-type: none"> - MZO request is utilizing a provincially provided tool. - It is an economic and development decision tool for municipalities based on Official Plan guidelines.
20	<p>Why haven't staff done any review or studies?</p> <p>Do studies have to come after an application?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Local staff review or work typically come through a rezoning application. Studies are required to be submitted in conjunction with an application. Staff hold a pre consultation meeting and identify that requirement of the applicant when they are considering submitting an application. 	<ul style="list-style-type: none"> - An MZO is not like a typical planning application made at the municipal level. - Discussed at length on May 5, 2023 Meeting in context of MZO. - A PAC Meeting was held in July 2023 and a further pre-consultation meeting was held with Durham Region on May 9, 2024, until planning staff attended and confirmed water allocation from Scugog - Scugog staff have sought external advice from MHBC. - More detailed studies will follow the MZO for the Site Plan approval which will be a municipal responsibility.

FAQ Regarding Project EQUUS

21	<p>Since staff have had meetings and discussions with the proponent, are requirements clarified to AVENU?</p> <p>What have been submitted be part of the local staff expectation?</p>	<p>Valerie Hendry:</p> <ul style="list-style-type: none"> - Staff have not reviewed anything therefore they cannot confirm. - Staff have outlined in the pre-consultation in summer 2023, the full environmental studies still to be undertaken, therefore it would not be a complete application. Planning department will still need the full studies to be considered as a full application for zoning bylaw. 	<ul style="list-style-type: none"> - Staff have had ample opportunity to review and make consultation with external parties. See Response in Item 16 (page 4 & 5). Reports were provided to staff as they became available in advance of the September 2024 Council meeting. - MZO is a tool for municipal planning application and approval process, the goal of the MZO is to deliver on provincial objectives: accessible housing, senior housing, and affordable housing, faster.
22	<p>Is the environmental study missing after a quick review of the submitted documentation?</p>	<p>Valerie Hendry:</p> <ul style="list-style-type: none"> - It's from the information from tonight (the addendum) and the quick review of the large book. 	<ul style="list-style-type: none"> - Agreed. Environmental Impact Study (EIS) (2017) has been provided. Previous Plan of Subdivision based on EIS provided in MZO Briefing. More detailed environmental work will follow through the site plan approval process at the local level with local appraisal. - Natural Heritage Feasibility Letter was provided in MZO Briefing (Addendum). - KRCA has provided an opinion letter 'no major concerns' dated June 7 2024, in MZO Briefing.
23	<p>Is it correct that MZO addresses only zoning of the site?</p> <p>It doesn't provide an approval for construction, downstream approvals, environmental approval and building permits?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Yes, that's what on the website. 	<ul style="list-style-type: none"> - Agreed. All other approvals follow in due course.
24	<p>Can the public rest assured that even Council were to support the MZO, the approval and requirement will still remain within the local municipality?</p>	<p>Valerie Hendry:</p> <ul style="list-style-type: none"> - Site plan and subdivision are delegated to staff before coming to the Council for approval, but they do not require public meeting. - MZO outlines there is no public commenting or consultation available once it goes to the province. - There is a 30 day consultation window the Ministry makes it available on the environmental registry before a decision is made. 	<ul style="list-style-type: none"> - Agreed. See MZO Flow Chart. The Council can undertake further consultation on part of the Site Plan approval at their discretion. - Minister Housing and Affairs will provide a 30-day consultation window. - Council-mandated public engagement as part of CIHA requirements, AVENU held numerous meetings (see box below).

FAQ Regarding Project EQUUS

<p>25</p>	<p>Is it correct that staff didn't hold a meeting because we didn't have an application?</p>	<p>Valerie Hendry:</p> <ul style="list-style-type: none"> - Correct. The planning staff understand from the request for CIHA application endorsed in Dec 2023, the council direction was that once an application was received and planning staff review documents including a planning justification with agencies, staff would host a public open house because it's not statutorily required for CIHA, and staff will make a recommendation before Council to make a decision whether they support the CIHA. - A similar process would happen perhaps with the MZO 	<ul style="list-style-type: none"> - Council passed a resolution on Dec 4, 2023 requiring public engagement and consultation. - CIHA was replaced by the Provincial government mid-process/ with MZO. - MZO does not formally require public meetings. - AVENU has hosted numerous meetings, including: <ul style="list-style-type: none"> o Public meeting (May 7), o Canterbury Common meeting (May 6) o Castle Harbour Meeting (April 30) o 5+ larger stakeholder meetings - Scugog can hold meetings at their discretion during the Site Plan review process to solicit public input on decisions.
<p>26</p>	<p>Planning department received the planning justification but did not hold a public meeting, is that correct?</p>	<p>Valerie Hendry:</p> <ul style="list-style-type: none"> - Yes. The planning department has not held a public information session for this request. 	<ul style="list-style-type: none"> - Agreed. Not required for MZO. - See prior answer. Numerous meetings were held. - By the time the decision is made on whether to proceed with the MZO, the Township will have had 3 meetings at the Committee or Council where public input is provided.
<p>Questions on Motion to Referral</p>			
<p>27</p>	<p>When the referral report comes in September, will the debate still be about using the MZO?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - The issue of the MZO would come forward in September. A few things to be considered: <ol style="list-style-type: none"> 1) Staff would engage in a public consultation and get comments back from MECP and the region of Durham, etc. 2) Consider if another public consultation is required (topic is on MZO specifically) 	<ul style="list-style-type: none"> - Yes. - MZO is the request. - Staff has had comments. PAC meeting was July 2023. The project has not changed in master-plan concept since it was first presented to the Mayor and Deputy Mayor in Dec 2022, save and except the Proponent purchased ~25 acres to acquire 550 meters of frontage on Durham Region arterial road (Simcoe St) in order to satisfy requirements of Township of Scugog Official Plan for road access. - Land is in a residential urban settlement area. Multi-unit housing is badly needed in Port Perry where 80% of housing stock is detached homes. The usual average in Ontario is 54% detached. Port Perry needs multi-unit housing for young people as well as down-sizing seniors.

FAQ Regarding Project EQUUS

<p>28</p>	<p>Further public consultation with the community, will that be specific on the MZO topic and not other topics of concerns?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - To their own understanding, it will be specific to the MZO and whether to bring it further. 	<ul style="list-style-type: none"> - Minister to decide if MZO request meets provincial housing objectives.
<p>29</p>	<p>Does the September timeline allow sufficient time for the planning staff to do what is required and meet the deadline for return back to Council?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Staff can bring a report back to Council in September. - However, it might be missing a number of replies from the agencies that they intend to circulate on the request for comments. 	<ul style="list-style-type: none"> - YES. Not a normal planning application but staff will have had about 3 months to prepare a request to assist the Council.
<p>30</p>	<p>What questions should we ask the agencies? Will they be focused on density and land use?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - The questions that will be focusing are density and land use, communal servicing. Servicing is a major issue for this project. - If there is no servicing, then this project cannot proceed. - Other issues that need to be addressed and are being requested in the MZO includes housing forms, performance standard, zoning bylaws, building height, lot coverage, setbacks. It's far more than just the density. The development will not proceed without these questions being asked. 	<ul style="list-style-type: none"> - MZO determines density, built form and other performance standards. Draft MZO provided to Township with MZO booked in June for their review. - Private communal wastewater utilities exist elsewhere in Durham Region. Several large systems within 10km radius of the EQUUS site. Ontario Municipal Board (OMB) ordered Durham to permit private communal wastewater and potable water at the Wyndance Project, in 2007. - MSIFN on Scugog Island has a private wastewater treatment system. Scugog Landing Resort has private wastewater treatment for 344 RV sites, 174 cottages, 435 boat slips. - Wyndance Corp. has had both private wastewater system and potable water system since 2007. Upkeep agreement with Durham Region (see MZO Briefing Book). - Director Heritage confirmed potable water allocation is determined by the Township (May 9, 2024) at a meeting with Durham Region.

FAQ Regarding Project EQUUS

31	<p>Tonight (June 24) vote is to deal with specifically density and land use. Are the rest of the concerns to be dealt with in downstream processes as site plan and development plan are available for local planning staff for review?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Partially. Planning department is looking at density, housing form, all performance standards that are included in the MZO, landscape, commercial development, max gross floor area for commercial development, parking requirement, buffer areas; because the entire developable portion of the area is unknown, it's subject to further review and they have to ultimately be included in the MZO. 	<ul style="list-style-type: none"> - MZO settles only density and other performance standards. - All other matters subject to further Township approvals. See MZO flow chart Appendix 1.
32	<p>What part would local staff not review if an MZO is granted? What authority/control would local planning staff lose?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - "I think I have indicated that in terms of what would be included in the MZO, it goes that far, I will be just repeating everything in terms of individual or density, housing form, we would not specify them, they would be included in MZO". 	<ul style="list-style-type: none"> - See MZO flow chart Appendix 1.
33	<p>If an MZO is granted, will the proponent be required to come back before Council?</p> <p>Will the planning department ultimately be reviewing the documentation which proved that they were reasonable, feasible and achievable?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Staff will be reviewing documents as part of site plan or subdivision application. 	<ul style="list-style-type: none"> - Many approvals required downstream. - See MZO flow chart Appendix 1.
34	<p>Is it correct that local staff will have control of this development, but the project will be moving further to gather required information with a definitive number in mind?</p>	<p>Kevin Heritage:</p> <p>One of the considerations Staff would like to have is to have consultation with their legal counsel to see what actual commitments are being made through the MZO process and what local municipality would lose.</p>	<ul style="list-style-type: none"> - MZO is a tool created to empower municipalities to cut red tape and accelerate needed housing.
35	<p>There are submission expectations of an MZO, should this be referred to staff if the MZO is submitted by the township of Scugog?</p> <p>Can you read out the MZO submission expectations?</p>	<p>Kevin Heritage:</p> <ul style="list-style-type: none"> - Yes. The submission expectations are outlined on the ministry's website. (reading out each submission expectations). - Avenu properties is requesting support for the application of an MZO. 	<ul style="list-style-type: none"> - AVENU is asking Scugog Township to endorse and lead the MZO request to the Minister. - AVENU will not make an independent application.

FAQ Regarding Project EQUUS

36	For clarification, Avenu is requesting the Township of Scugog to make an MZO application on behalf of Avenu Properties, is that correct?	<p>Kevin Heritage:</p> <p>To their understanding, the applicant is requesting support for their application to MZO.</p>	<ul style="list-style-type: none"> - Proponent IS NOT requesting support. The MZO request to come from the Town. MZO is designed to empower municipalities.
37	Are we content with all of the requirements in the applicant's submission?	<p>CAO Ken Nix:</p> <ul style="list-style-type: none"> - I cannot comment on whether it or not. 	<ul style="list-style-type: none"> - The MZO Briefing Book and all of the supporting work that went into it needs and exceeds the MZO Framework requirements.

COMMON QUESTIONS & ANSWERS			
ITEM	QUESTIONS	ANSWER	FURTHER RESPONSES
38	Is MZO proposal and rezoning application the same thing?	<ul style="list-style-type: none"> - See MZO Flow Chart Appendix 1. 	<ul style="list-style-type: none"> - An MZO is not a rezoning application under the Planning Act. - MZO is a tool to cut Red Tape and deliver more homes faster. - MZO will put in place various forms of housing (mostly multi-unit) and increase density in conformance with OP guidelines and provincial objectives.
39	How much Provincial Significant Wetland (PSW) will be affected?	<ul style="list-style-type: none"> - See KRCA maps on watershed boundary (2023) in Appendix 3. 	<ul style="list-style-type: none"> - NONE. - Total site is ~42 Hectares. Net-buildable is ~13 Hectares or more. Residential buildings are NOT IN CONFLICT with PSW boundary. Wetlands and other open space will be enhanced naturalist features for the community.

FAQ Regarding Project EQUUS

<p>40</p>	<p>Is 600 units exceeding the allowable density in the Official Plan?</p>	<ul style="list-style-type: none"> - No. 	<ul style="list-style-type: none"> - NO. An MZO is not necessarily required to adhere to the Official Plan density requirements. - The combined land site stretching from Simcoe Street west to the Lake (~42.2 Hectares) and has ~ 13 Hectares of net-buildable land. - The land area provides sufficient flexibility to accommodate the 600 units anticipated and within the 50 units per Hectare net buildable permitted in OP of Scugog Township.
<p>41</p>	<p>Does the project allow enough parkland, a requirement in the Official Plan?</p>	<ul style="list-style-type: none"> - Yes. - Plans for green and open spaces exceed 1.32 Hectares raised by certain community members. 	<ul style="list-style-type: none"> - Project proposes wetland enhancement of close to 20 acres (8+ Hectares), consisting of bird and nature sanctuary, and open waterfront trail and sand beach area. - Project is intended to be open access community for everyone.
<p>42</p>	<p>From a community flyer: “the zoning does not require the 25% low to low to moderate income housing required by the OP” Is this correct?</p>	<ul style="list-style-type: none"> - NO requirement for low to moderate income housing on every single specific site in the Township. - Affordable means “housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality” -- new Provincial Planning Statement 2024 	<ul style="list-style-type: none"> - By increasing the density and introducing more compact built forms, the intent is to deliver housing that is more cost-effective to build and deliver. - Site is intended to be “intergenerational” with multiple types of ownership and rental accommodation. Full scale of housing from affordable to upscale: <ul style="list-style-type: none"> o Young professionals – ‘live-work remote’ spaces o Seniors looking to stay in Port Perry and ‘age-in-place’. - A ‘PACE’ healthcare services centre is proposed to assist aging-in-place, promoting down-sizing. - Certain parts of the project up-market pricing. Certain parts very affordable. One integrated community.

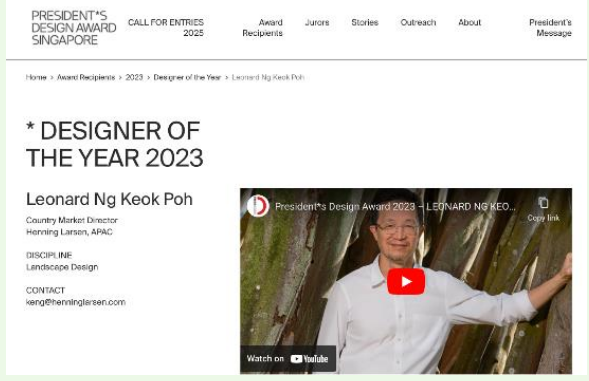
FAQ Regarding Project EQUUS

<p>43</p>	<p>Why proposing private wastewater treatment?</p>	<ul style="list-style-type: none"> - Model for leading sustainable development in Canada. Opportunities for water recycling, heat harvesting, and reducing environmental impact. - There is no capacity in municipal wastewater treatment for the Castle Harbour community until 2051. - Toilets are better flushed with recycled wastewater than using expensive fresh municipal-supplied drinking water. - This is building a better future. 	<ul style="list-style-type: none"> - This type of servicing is permitted and anticipated for this property under the Regional Official Plan. - Best technology outcome, top sustainability and carbon reduction. Leading in Canada. - A modern sustainable world is moving towards water recycling. This will be the first project in Canada to use water recycling in combination with other advanced technologies. - No effluent from EQUUS will be discharged directly into the lake.
<p>44</p>	<p>Does the project comply to the Durham Region and Township’s Official Plans?</p>	<ul style="list-style-type: none"> - Yes. - See Durham Official Plan Schedule “A” Map (A3) in Appendix 4. Note: the site is approved for communal private wastewater treatment. 	<ul style="list-style-type: none"> - Inside “Urban Area Boundary” “Living Area” and permits “private wastewater treatment”. - Durham Region OP states “Newer sewage treatment systems may also be considered”. This will be newest, best, leading. - Scugog Township OP supports intensification in the urban area.
<p>45</p>	<p>Does MZO Application apply to the adjacent lands on Simcoe Street?</p>	<ul style="list-style-type: none"> - No. The MZO is for the original Site of 62 acres. 	<ul style="list-style-type: none"> - AVENU has committed to developing the project as one whole. However, lands (~25 acres) fronting Simcoe Street are to be incorporated into the whole, as one total site, one master planned community.
<p>46</p>	<p>How will the operation and upkeeping of infrastructure be guaranteed?</p> <ul style="list-style-type: none"> - water supply line - wastewater treatment - community transit 	<ul style="list-style-type: none"> - Developer builds the infrastructure and enters into long-term guarantees for up-keep, a typical procedure. 	<ul style="list-style-type: none"> - Guaranteed financial sufficiency for 50 years of future upkeep. Durham Region policy. - A secured system that is self-sustainable. - Drinking Water supply is the responsibility of Durham Region.

FAQ Regarding Project EQUUS

<p>47</p>	<p>What are the social and public benefits in this project?</p>	<ul style="list-style-type: none"> - MANY: - More housing, needed mix of housing options - PACE – new leading healthcare to support aging-in-place. Private and public funding. - Family Doctor Residents’ Residence (for 24 new graduate Family Doctors) - Healthcare services that include PSW, specialists (for senior care), office space for medical care and services, structured care programme. - Wetland enhancements and preservation into sanctuary with naturalist trails and incorporated into waterfront amenity space for public enjoyment. - Waterfront trails connected to Scugog Waterfront trail and northeastern unused municipal parkland to the north; expanding access to the “trailhead”. - Public sand beach and new waterfront amenity space. - Transportation shuttle to provide private public transportation option. 	<ul style="list-style-type: none"> - No impact on existing sewage treatment which has limited capacity. Frees up capacity to use for other development in Port Perry. - Less impact on potable (drinking) water, also scarce in Port Perry. By using recycled water to flush toilets and in cooling towers for air-conditioning, EQUUS will use 30% less water than any size-equivalent residential development. - Water recycling is necessary for a sustainable future. EQUUS in Port Perry will be a first in Canada. - Water recycling is used 100% in Australia and in USA extensively.
<p>48</p>	<p>What are the economic benefits?</p> <p>How does this project enhance the municipalities’ financials?</p> <p>Will the site burden municipal services and what are the effects on local taxpayers?</p>	<ul style="list-style-type: none"> - Estimated Development Fees directly to Township of Scugog: over \$6.15 Million. - No. Zero cost to Township, Region and taxpayers. 	<ul style="list-style-type: none"> - New development costs are not passed onto existing residents and taxpayers, they are covered by fees and levies specific to new development. - Net Present Value (NPV) of Estimated property tax on 600 residences will grow the assessment and tax base: \$37.5 - \$45.0 Million for Scugog Township and more for Durham Region. - No impact on regional sewer services, allowing Port Perry to allocate sewer capacity to other projects to stimulate further economic development.

FAQ Regarding Project EQUUS

<p>49</p>	<p>Is it true the site already has site-plan approval for 20 large Estate Homes?</p> <p>Could more residential units be added and built under this approval?</p>	<ul style="list-style-type: none"> - YES. Approved in 2018. - YES. 20 Garden suites. 20 Basement apartments as separate units. 60 residences in total. 	<ul style="list-style-type: none"> - The site now has planning permission site-plan approval for 20 large, 12,000 to 15,000 square foot, 4 to 5 car garage, Estate Homes, all on septic tanks. - All single family lots in Scugog Township are now able to add and build separate “garden suites”. All homes as a right now may also have separate residential basement apartments.
<p>50</p>	<p>Is it true that the project is drawing international attention and introducing world-leading technologies?</p> <p>Is Council aware of initiatives and participating?</p>	<ul style="list-style-type: none"> - YES. YES. 	<ul style="list-style-type: none"> - A Memorandum of Understanding (“MOU”) has been formally signed with Toyota Mobility Foundation to assist with enhanced mobility designs for the project, if approved. Scugog, AVENU and Toyota are signatories. - Award winning and world-recognized landscape architect Leonard Ng (of Henning Larsen, in Singapore) is interested to be designer for the wetlands and waterfront enhancements. He is world famous for his approach to significant wetland projects. (https://pda.designsingapore.org/presidents-design-award/award-recipients/2023/leonard-ng-keok-poh/) 

FAQ Regarding Project EQUUS

SOCIAL MEDIA QUESTIONS & ANSWERS			
ITEM	Questions	Answer	Response
51	<p>What is the ‘duty to consult’ with MSIFN?</p> <p>What is AVENU doing?</p> <p>What engagement with MSIFN been done?</p>	<p>There is no duty at the municipal level to consult. The duty to consult is the sole obligation of the Crown.</p> <p>AVENU has made numerous attempts at outreach, including attending personal presentation to Chief Kelly LaRocca and Councillor Jeff Forbes.</p> <p>MSIFN through their wholly-owned entity, Minogi Group, have asked AVENU for the following:</p> <ol style="list-style-type: none"> 1) To sign a NDA (<i>Non-Disclosure Agreement</i>), which would restrict AVENU from disclosing any discussions “or negotiations” concerning the Project. 2) To provide money as “<i>financial capacity</i>” to MSIFN. Under the NDA, AVENU would not be able to publicly discuss how much money is being asked for. 3) As of year-end 2022, MSIFN has Total Financial Assets of \$144,263,510.00; an Accumulated Surplus of \$190,891,791.00 and on-hand cash of \$11,855,532.00. 4) In 2016 Census there are 85 Indigenous people in MSIFN. 55 identifying as non-indigenous. 140 in total. 	<div style="border: 1px solid #ccc; padding: 5px; margin-bottom: 10px;"> Lawyers profile Canada 2024: Aboriginal Law, Environment Robin Junger Lawyer Rankings <u>About</u> Chambers Review Similar Lawyers </div> <p>Practice Areas</p> <p>Robin’s practice focuses on environmental, administrative and Aboriginal law. He acts for a broad range of mining, energy, infrastructure, forestry and industrial companies, as well as property developers, governments and First Nations. In addition to more than 20 years of legal practice, Robin has served as British Columbia’s: Deputy Minister of Energy, Mines & Petroleum Resources; Deputy Minister of Energy and Clean Technology; Head of the Environmental Assessment Office; Chair of the Oil & Gas Commission and Chief Provincial Treaty Negotiator. He has also acted as legal counsel to numerous statutory decision-makers, administrative tribunals and independent Officers of the Legislature, and was integrally involved in the development of some of British Columbia’s most significant legislation including the Environmental Management Act, the Clean Energy Act and the Public Health Act. Robin is a Harvard Law School graduate and a former law clerk to the BC Court of Appeal. He has taught both private and public international law as a sessional instructor at the University of Victoria faculty of Law.</p> <ul style="list-style-type: none"> - Robin Junger has provided a written memorandum on the subject of ‘duty to consult’ (Appendix 2) . - AVENU’s position is that it is inappropriate and not necessary to provide financial capacity or to be restricted by an NDA for consultation and interaction. - AVENU has no obligation to provide “Financial Capacity” or pay money or special fees to speak with MSIFN. - AVENU has offered on numerous occasions to hold open consultation for MSIFN on Reserve. No offer has been accepted. - MSIFN has had full access to consultation during the Scugog Township Official Plan process.
52	<p>Have other special efforts been made with MSIFN?</p>	<p>- YES.</p>	<ul style="list-style-type: none"> - AVENU invited MSIFN to participate in a proposed shuttle bus development and routing study, together with Township of Scugog, Ontario Tech University, and Toyota Mobility Foundation.

FAQ Regarding Project EQUUS

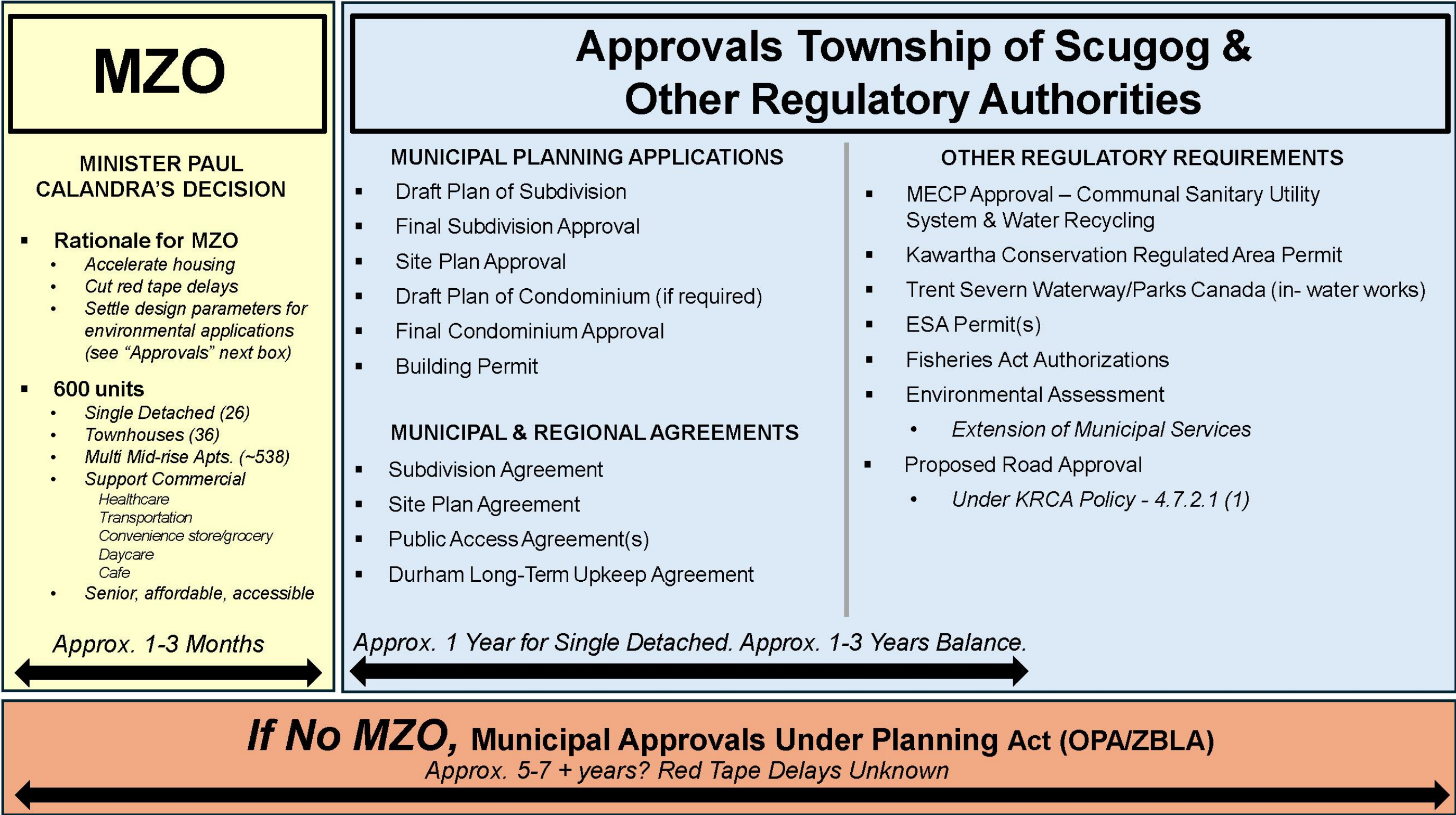
53	<p>Has the site had Archeological assessment?</p>	<ul style="list-style-type: none"> - YES. - Full archeological reports Stage 1, 2 & 3. - No significant findings. No archeological matters of interest 	<ul style="list-style-type: none"> - Site fully cleared by all authorities for development in 2018. - Report is in MZO Briefing.
54	<p>Is it true MSIFN has private wastewater treatment on Scugog Island?</p> <p>Where does the effluent of MSIFN private wastewater treat discharge to?</p>	<ul style="list-style-type: none"> - YES. MSIFN has its own private wastewater treatment that services their offices, residential community, Casino and Hotel. - To environment directly. 	<ul style="list-style-type: none"> - Water effluent is monitored and reported to the Province. - Quality and location of effluent discharge not disclosed. - MSIFN have refused requests for tour of their waste treatment facility.
55	<p>Has Durham Region opined on private wastewater treatment in the development?</p>	<ul style="list-style-type: none"> - YES. - Durham provided on Aug 8, 2024 letter acknowledging private communal waste water treatment is possible. 	<ul style="list-style-type: none"> - Durham Region has many communal private wastewater treatment systems and private potable water systems now, including MSIFN and at Goreski’s Landing Resort. - MSIFN has private wastewater system and private potable water system.
<p>END OF FAQ</p>			

APPENDICIES TO FAQ

FAQ Regarding Project EQUUS

APPENDIX 1

MZO FLOW CHART



FAQ Regarding Project EQUUS

APPENDIX 2

'Duty To Consult' Indigenous Q & A

Stephanie Tsang

From: Robin Junger <Robin.Junger@mcmillan.ca>
Sent: Wednesday, July 24, 2024 4:54 PM
To: Lorne Gross; lornegross
Cc: 'David Medhurst'; Stephanie Tsang
Subject: RE:

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Updated – second last point added.

- The duty to consult flows from s. 35 of the Constitution Act, 1982 which recognizes and affirms aboriginal and treaty rights across Canada. The duty to consult applies when the Crown (i.e., federal or provincial government) is contemplating a decision or action that could affect the exercise of aboriginal or treaty rights. (Haida Nation v. British Columbia (Minister of Forests), 2004 SCC 73)
The duty to consult does not apply to private parties or local governments.
The absence of a local government "duty to consult" was first stated by the BC Court of Appeal in Neskonlith Indian Band v Salmon Arm (City), 2012 BCCA 379, [2012] B.C.J. No. 1959 and subsequently affirmed by the Ontario Superior Court in McClung v Haudenosaunee, 2016 ONSC 1733, where it stated:

[36] I further find that there is no constitutional duty in these circumstances for the Corporation of Haldimand County to consult with Men's Fire. In the case of Neskonlith Indian Band v Salmon Arm (City), 2012 BCCA 379, [2012] B.C.J. No. 1959, the court in detailed reasons articulated the principle that municipal governments do not have a duty to consult even if it may in certain circumstances be in the best position to provide an "effective remedy" (para. 66).

- In the present case, a duty to consult First Nations would attach to the province's pending decision as to whether to issue a ministerial zoning order, if there is any reason to conclude the order could impact the exercise of asserted aboriginal or treaty rights (and the threshold for this trigger is low)
Where the province has a duty to consult, it is allowed to delegate "procedural aspects" of the consultation work to a proponent or a local government. This does not delegate the duty itself - it just means the Crown can rely on the discussions those parties undertake with Indigenous groups as counting towards, and factored into, the fulfillment of the Crown's consultation duties.
At the end of the day, when making a decision to which a duty to consult attaches – and upon considering all the information gathered and shared through the consultation process (whether by the Crown itself or those delegated procedural aspects of the work) and any measures taken to accommodate aboriginal interests - the government must "reasonably balance" aboriginal and non-aboriginal interests. The duty to consult does not give aboriginal groups a veto. (Haida Nation v. British Columbia (Minister of Forests), 2004 SCC 73).
First Nation do not get to determine the consultation processes to be undertaken, or to make the determination as to when consultation is adequate (though any such views and concerns should be considered in good faith by the party that holds a duty to consult). Indeed, it is quite common for a decision maker to which the duty to

consult attaches to conclude consultations have been adequate, even though one or more First Nations argues consultations must continue further.

- The delegation of procedural aspects of consultation by the federal or provincial governments does not require any formal statements or documentation, though government do at times give written directions through policies, guidance materials or case specific direction.
There is no legal requirement that a proponent accede to First Nation requests for financial benefits, capacity funding, engagement agreements or non-disclosure agreements.
In short, in the present case neither the company nor the local government have a "duty to consult" but, to the extent they have made efforts to engage First Nations, that is useful and such information and records should be shared with the province, as that can and should be relied upon by the province as it determines whether and when it's own duty to consult has been met.



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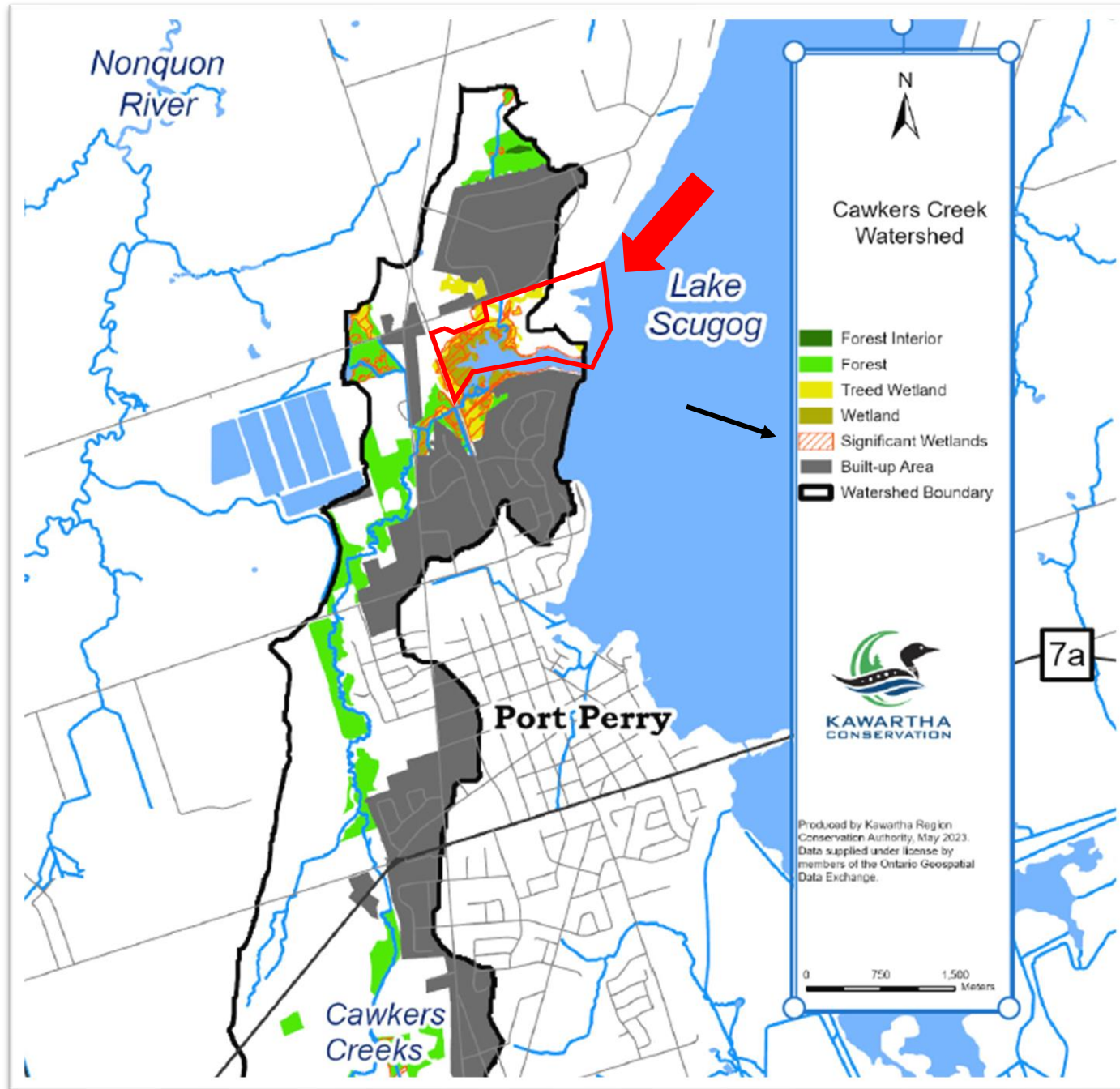
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FAQ Regarding Project EQUUS

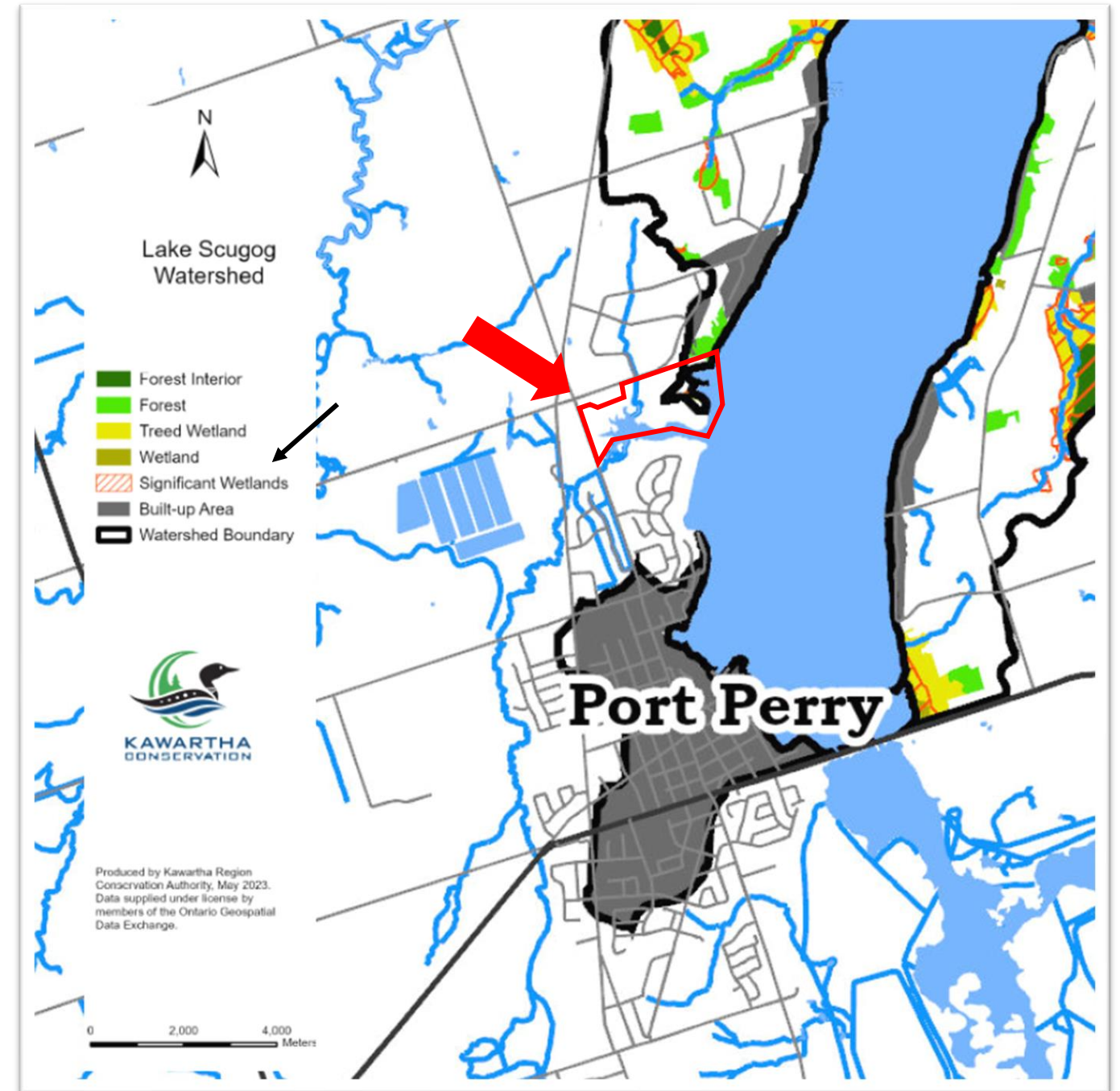
APPENDIX 3

KRCA Watershed Maps (2023)

[ONLY A LIMITED PORTION OF DEVELOPMENT IS WETLAND]; subject site indicated by arrow is bordered in red



Source: https://www.kawarthaconservation.com/en/environmental-sciences/resources/Images/watersheds/CawkersCreek_Watershed.jpg

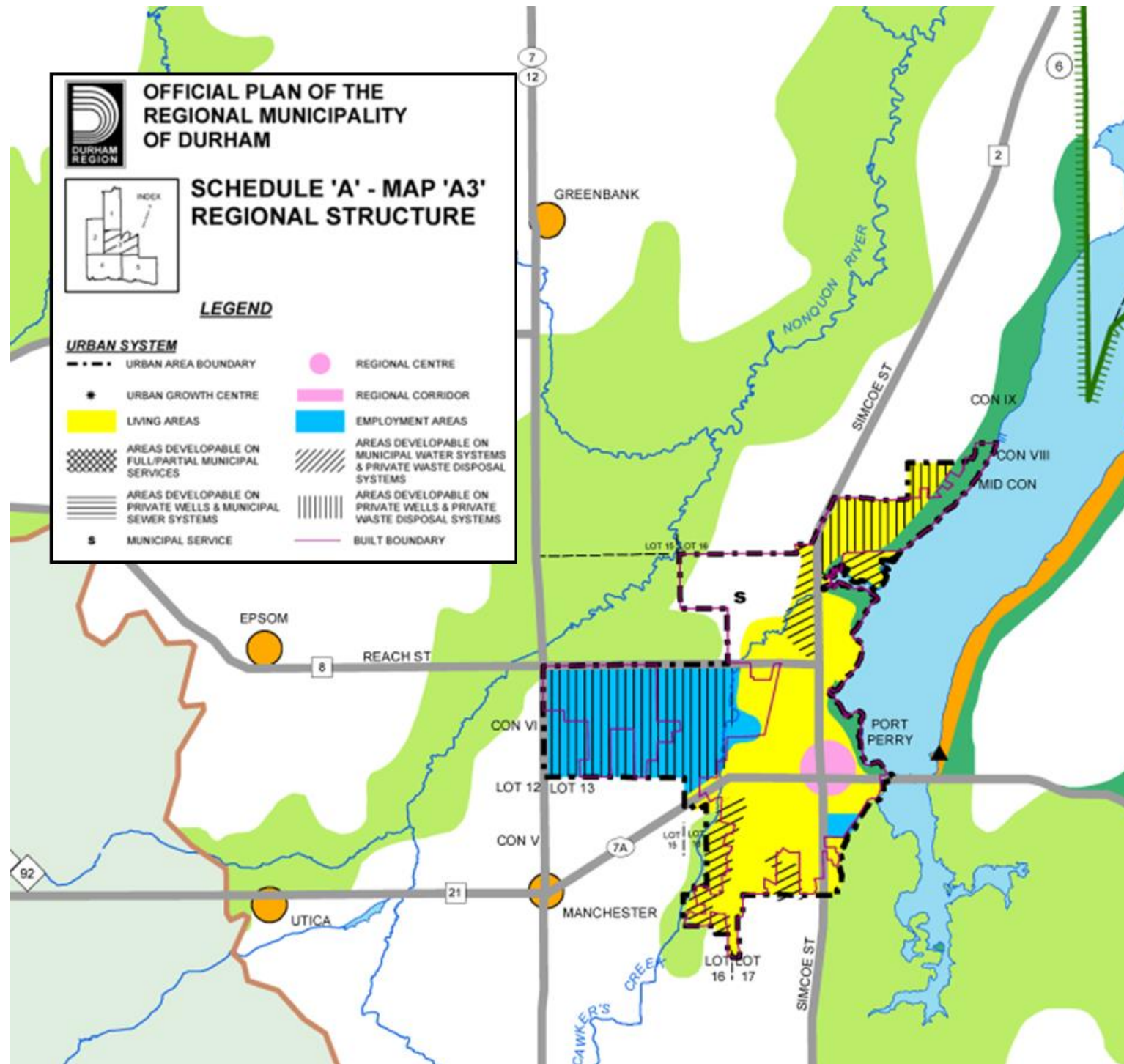


Source: https://www.kawarthaconservation.com/en/environmental-sciences/resources/Images/watersheds/LakeScugog_Watershed.jpg

FAQ Regarding Project EQUUS

APPENDIX 4

Durham Region Official Plan (Schedule A – Map 'A3' Scugog)



Source: <https://www.durham.ca/en/doing-business/resources/Documents/PlanningandDevelopment/Official-Plan/Schedule-A.pdf>

From: Julie Kapyrka [REDACTED]

Sent: Tuesday, September 10, 2024 1:11 PM

To: Valerie Hendry <vhendry@scugog.ca>; Wilma Wotten <wwotten@scugog.ca>; Kevin Heritage <kheritage@scugog.ca>; Ian McDougall <imcdougall@scugog.ca>

Subject: MZO - Large scale development - Lake Scugog - Duty to Consult and Accommodate - Indigenous rights

Aaniin,

It has come to Alderville First Nation's attention that the Township of Scugog is considering a Ministerial Zoning Order (MZO) for a large-scale development along the western edge of Lake Scugog. This proposal seeks to rezone land to permit 600 multi-residential units, commercial spaces, a long-term care facility, a lakefront marina and dock facility, and infrastructure.

This is a massive development proposal that has the potential to have negative impacts to our Treaty rights and Indigenous rights.

We have not been consulted by either the Township of Scugog, or the Ministry of Municipal Affairs and Housing regarding how this development may impact our rights. There seems to be a significant breach of the duty to consult and accommodate process here.

Alderville First Nation is requesting to be engaged and consulted on this project. Can you please immediately send us any and all information regarding this zoning proposal.

Miigwech,

Dr. Julie Kapyrka
Consultation Manager

Administration Office
11696 Second Line Rd.
Roseneath, ON K0K 2X0
Office: 905-352-2662
[REDACTED]

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Gary Stone
Date: September 5, 2024 2:28:01 PM

Gary Stone



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Gary Stone

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Bernadette Fleury
Date: September 6, 2024 11:47:26 AM

Bernadette Fleury



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.


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Thank you.
Bernadette Fleury

From: [Save Port Perry Wetlands](#)
To: [Valerie Hendry](#)
Subject: Save Port Perry Wetlands - sent on behalf of Meagan Eickmeier
Date: September 6, 2024 4:21:04 PM

Meagan Eickmeier


I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Meagan Eickmeier

From: [Save Port Perry Wetlands](#)
To: [Valerie Hendry](#)
Subject: Save Port Perry Wetlands - sent on behalf of Colleen Spicer
Date: September 7, 2024 7:50:12 PM

Colleen Spicer



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Colleen Spicer

From: [Save Port Perry Wetlands](#)
To: [Valerie Hendry](#)
Subject: Save Port Perry Wetlands - sent on behalf of Joan Young
Date: September 7, 2024 2:40:41 PM

Joan Young



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Joan Young

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Sarah Kingdon-Benson
Date: September 7, 2024 8:41:08 AM

Sarah Kingdon-Benson



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Sarah Kingdon-Benson

From: [Save Port Perry Wetlands](#)
To: [Valerie Hendry](#)
Subject: Save Port Perry Wetlands - sent on behalf of Marilyn Miljure
Date: September 8, 2024 5:44:34 PM

Marilyn Miljure



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Marilyn Miljure

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Catalina Bannigan
Date: September 9, 2024 2:12:32 PM

Catalina Bannigan



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Catalina Bannigan

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Tara Laidley
Date: September 9, 2024 10:03:04 AM

Tara Laidley



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Tara Laidley

From: [Save Port Perry Wetlands](#)
To: [Scugog Clerks](#)
Subject: Save Port Perry Wetlands - sent on behalf of Joy McDonald
Date: September 10, 2024 3:31:30 AM

Joy McDonald



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Joy McDonald

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Max Heard
Date: September 10, 2024 2:11:23 PM

Max Heard



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Max Heard

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Katie Wallace
Date: September 10, 2024 1:24:05 PM

Katie Wallace



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Katie Wallace

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Kimberley Rogers
Date: September 10, 2024 11:27:26 AM

Kimberley Rogers



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

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Thank you.
Kimberley Rogers

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Kirsten Ryfa
Date: September 10, 2024 1:16:25 PM

Kirsten Ryfa



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Kirsten Ryfa

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Mackenzie Otter
Date: September 10, 2024 10:32:44 AM

Mackenzie Otter



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Mackenzie Otter

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Robin Wakelin
Date: September 10, 2024 10:48:59 AM

Robin Wakelin



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Robin Wakelin

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Sara Pogue
Date: September 10, 2024 11:50:06 AM

Sara Pogue



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Sara Pogue

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Shawna Habeth
Date: September 10, 2024 11:18:19 AM

Shawna Habeth



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

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Thank you.
Shawna Habeth

From: [Save Port Perry Wetlands](#)
To: [Scugog Planning](#)
Subject: Save Port Perry Wetlands - sent on behalf of Janet McConnach
Date: September 10, 2024 10:02:41 PM

Janet McConnach



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Janet McConnach

From: [Save Port Perry Wetlands](#)
To: [Scugog Clerks](#)
Subject: Save Port Perry Wetlands - sent on behalf of Brian Roach
Date: September 11, 2024 11:20:54 PM

Brian Roach



I am writing to express my strong concerns about the impacts of the proposed Avenu Properties development on sensitive and important Port Perry wetlands, and our overall community.

These wetlands are an important part of our ecosystem providing habitat for birds, wildlife, and plants. They provide critical filtration, erosion control, climate support and recreation. We've lost far too much of our southern Ontario wetlands to development and need to preserve what little we have left for future generations. Once gone, it can never be recaptured or replaced.

I also have concerns about the impact of thousands more people living in such a huge development on our medical system, emergency services including police and fire, traffic congestion and parking which is already challenging, as well as on other services. Will the developer also pay for the cost of these upgrades or will that fall to us taxpayers?

I would like much more information about this proposal, and solid technical information about how the developer would make sure this for-profit project does not negatively impact existing residents and our children and grandchildren beyond today. I expect community meetings and other opportunities where we can learn more, ask questions, express our concerns and then hear back from the township and the developer about other concerns and interests and how they will be addressed.

A big decision like this that will impact our future should not be rushed and should not be made or influenced by Queen's Park – it should be made here locally by taxpayers and voters. I do not want this approved and call on our elected Mayor and Council to say “no” to Avenu Properties, so you and the developer can take proper time to listen to and respect our concerns and interests.

Thank you.
Brian Roach

June Kinniburgh



Township of Scugog
181 Perry Street
Port Perry, ON
L9L 1A7

Mayor and Members of Council;

Lake Scugog and the surrounding area has been a favorite holiday area since the late 1960's . My late parents owned a cottage on the lake Scugog, Palmer Park and water front were regular areas to bring my daughter when she was younger and more recently, since 2015; May - October I spend a significant amount of time enjoying Lake Scugog, the Town of Port Perry and the beautiful water front.

It is true, housing (townhouses, apartment, condos, semi-detached, single living, garden suites and such) are needed, Port Perry is a desirable area especially for individuals seeking to make the area their home into retirement. That said, please take time to review other options. Please be encouraged; Mayor and Members of Council to consider building denser neighborhoods, expanding within and around neighborhoods that already exist; seek other options for growth And, vote against the MZO which will one day lead to building on or near precious Port Perry wetlands / shore lines.

It seems to me that all people considering moving to Port Perry certainly don't want to move into homes that have been highly contentious. New residents will want to know their new town will be amicable to them moving to Port Perry and would want the community to be welcoming.

An MZO is intended for use in cases of extraordinary urgency. When it's invoked, it overrides local planning authority, doesn't require expert analysis or public input, and includes no chance of appeal. There are other viable areas to build in Port Perry, many which are viable, density could be built, there are many other options. There is no extraordinary urgency to enact an MZO which would start the process toward removing safeguards that protect the Lake Scugog wetland area in the zoning request.

It is well known; the wetland provides essential natural services, like cleaning the water, helping prevent flooding in the community and providing critical habitat for wildlife, plants, bugs, fish, birds; these are no small things in the bigger picture. This habitat supports the natural environment, the ecosystem is a system. One essential part of it cannot be overlooked without climate issues increasingly being greater risks. Once essential parts of the ecosystem are removed no rerouting of water and other usual pitched solutions will replace what the ecosystem was doing effortlessly. This development threatens to destroy the sensitive wetland and add to the burdens that Lake Scugog carries. These include: increased polluted runoff, shoreline erosion and increased risk of flooding. This development will make all of these issues worse.

With an MZO, there is no criteria for technical competency. More study is needed on the impacts to the health of the lake and the feasibility of the project, including the private communal wastewater facility. For example, what infrastructure and water volumes the site can bear, how long repairs would take if/when the facility malfunctions, and what would happen to wastewater during periods of shutdown, and who will pay infrastructure costs.⁷

Thank-you for the work you do for the Town of Port Perry and Scugog.

Please say "no" to Avenu's request for a Minister's Zoning Order (MZO) from the provincial Minister of Municipal Affairs and Housing.

Kindly,
June Kinniburgh
Durham Region Resident

From: David Medhurst [REDACTED]
Sent: September 13, 2024 1:13 PM
To: Ralph Walton [REDACTED]; Scugog Clerks <clerks@scugog.ca>
Cc: Jim Meng [REDACTED]; David Medhurst
[REDACTED]; Bruce Hall [REDACTED]; Andrew Biggart
[REDACTED]; Thorne Gary [REDACTED]; Chris Ellingwood
[REDACTED]; Robert Rock <rrock@scugog.ca>
Subject: Delegation Material For File

Dear Ralph Walton:

The following documents are part of our official delegation material/record. Should be added to the record of public documents re application file and material for review of public and Councillors:

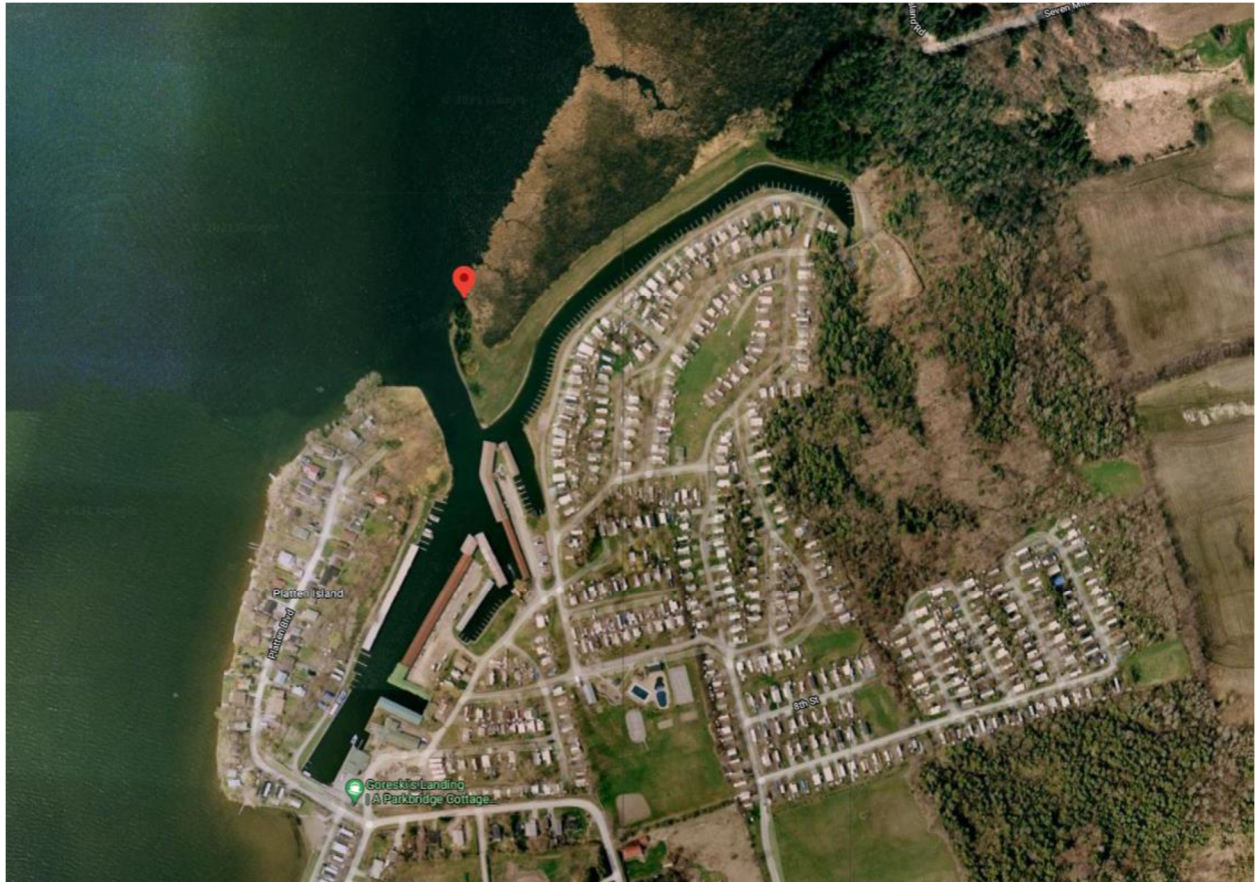
1. Environmental Compliance Approval, Goreski's Landing Resort; Ontario Ministry of Environment, January 31, 2020. For permission upgrade and disposal sanitary sewage to Lake Scugog - 197,600 Litres/Day discharge
2. Basic Impact Assessment Outfall Pipe, Scugog Landing (formerly Goreski's Landing) Lake Scugog, Parks Canada, July 2022. FINAL REPORT. Includes Indigenous Consultation 2022. **MSIFN approve.**
3. Township of Scugog Staff Report, Revisions to Draft Plan Approval for Subdivision S-S-2004; Township of Scugog. September 17, 2018

David Medhurst BA, MBA (IMD)
EQUUS/SCUGOG Project Director



Basic Impact Assessment

Outfall Pipe, Scugog Landing Resort (formerly Goreski's Landing Resort), Lake Scugog, Scugog Township



July 2022



Environmental Impact Assessment Version Control

This section serves to control the development and distribution of revisions to the Environmental Assessment.

Document Number	Amendment Number	Date	Brief Description of Change
1	0	2021-06-15	Original Draft
1	1	2021-11-04	Revised Draft
1	2	2022-03-04	Revised Draft
1	3	2022-05-20	Revised Draft
1	4	2022-07-26	Final

Basic Impact Assessment

Parks Canada
Version IAA 2019

1. PROJECT TITLE & LOCATION

1.1 Background

Goreski's Landing Resort, recently renamed Scugog Landing Resort (the 'Resort') is located on the shoreline of the western basin of Lake Scugog at 225 and 226 Platten Boulevard, approximately 10 km north of Port Perry in the Township of Scugog. The Resort is a seasonal campground operating from May to October and consisting of 518 RV sites and recreational amenities including: 406 covered and non-covered boat slips, a restaurant and store, a beach, two comfort stations, and a recreational area with swimming pools, splash pad and a change room. A new sewage treatment plant (STP) with a treated effluent discharge pipe and outfall to Lake Scugog are proposed to replace the existing tile beds, which are failing.

Project Location: 44.1661600234251, -78.91161169126671

The following studies have been completed in support of the new STP including:

1. Goreski's Landing Environmental Impact Study – Proposed Sewage Treatment Plant and Associated Infrastructure was completed by Hutchinson Environmental Sciences Ltd. (HESL) in 2019 and is included in Appendix 6. This Environmental Impact Study (EIS) is focused on the characterization of natural heritage features and functions on the property, determination of impacts from the proposed development and recommendation of mitigation measures to minimize negative impacts. It was conducted through a review of background documents and field investigations undertaken in the 2019 field season. The data collected was used to identify significant natural features and functions present and requirements for protection, in accordance with the relevant environmental policy framework.
2. Goreski's Landing Cottage and RV Resort – Receiving Water Assessment for Surface Discharge of Treated Wastewater Effluent to Lake Scugog completed by HESL in 2017 and is included in Appendix 7. The Receiving Water Assessment was completed to assess the impacts of treated effluent on the water quality in Lake Scugog. Recommendations were made for wastewater treatment and the objectives will be enforced through an Environmental Compliance Approval (ECA). The report concluded that the servicing upgrade is an improvement from a nutrient loading perspective.

1.2 Land Ownership

Lake Scugog is part of the Trent Severn Waterway (TSW) and is federal lands under the jurisdiction of Parks Canada (PCA).

The land on which the sewage treatment plant is proposed is owned by Parkbridge Lifestyle Communities Inc.

2. PROPONENT INFORMATION

Lachlan MacLean
Senior Vice President, Property Operations
Parkbridge Lifestyle Communities Inc.
70 Huron St, Collingwood, Ontario L9Y 4L4
(705) 429-6142

3. PROPOSED PROJECT DATES

Outfall Pipe Installation within Parks Canada Jurisdiction:

Planned commencement: 2022-07-18

Planned completion: 2022-08-12

4. NOTICES ON REGISTRY

Title for Registry: Outfall Pipe, Lake Scugog, Scugog Township

Project notice posted on Registry:

2021-04-30

BIA or any permits approval cannot be taken before:

2021-05-30

5. PROJECT FILE NUMBER (internal /Registry)

Fisheries and Oceans Canada: 21-HCAA-00123

Transport Canada: NPP 2021-403652

Parks Canada: IA # TS-2020-28, Realty # TSW 190213

6. NOTE ON BASIC IMPACT ASSESSMENT DOCUMENT:

The environmental constraints, best management practices and mitigation measures outlined within this Basic Impact Assessment (BIA) shall be adhered to and implemented accordingly. The information presented within this document may be appended to subsequent future BIA(s) for similarly-scoped projects, or for possible future amendments to this BIA to address changes in the scope of work of this project. Additional prescribed mitigation within the future BIA(s) are to be adhered to and implemented in conjunction with that of this (the Initial) BIA, with the exception of mitigation measures which are detailed to supersede specific mitigative measure outlined within (this) the Initial BIA.

7. PROJECT DESCRIPTION

7.1. General Scope:

The Resort is a seasonal trailer park campground with a marina and boat docking services. The overall intent of this project is to install a new STP outfall pipe into Lake Scugog as part of sewage system upgrades at The Resort in Scugog Township.

7.2. Project Components:

Parks Canada and Transport Canada's jurisdiction is limited to shoreline area below the high-water mark and the waterbody of Lake Scugog. For this project, this includes installation of the

outfall pipe within the limits of Lake Scugog and the outfall diffuser. Other on land components of the STP project as a whole fall outside of Parks Canada and Transport Canada's jurisdiction, and are therefore not included as part of the scope of this BIA. For completeness, terrestrial components of the work on land which could potentially impact Lake Scugog, and work components directly related to the works within federal jurisdiction (i.e. Horizontal Directional Drilling [HDD]) have been included in the BIA in addition to the in-water work.

7.2.1. Primary works:

Proposed 75 mm diameter HDPE effluent pipe extending from the STP to an outfall diffuser located 200 m offshore, north of the marina entrance. See Drawing SS-1 in Appendix 3 for location details. The 200 m long outfall pipe is to be installed by HDD at a minimum depth of 1.5 m below the lakebed. The outfall structure at the end of the outfall pipe will consist of a 3.5 m long diffuser pipe mounted to a precast concrete slab which will rest on the lake bed. The diffuser pipe and precast concrete slabs shall be lowered into place via a crane on a floating barge and installed with the assistance of divers. See Drawing PP-1 in Appendix 3 for additional details.

7.2.1. Secondary works:

In order to limit adverse impacts to the surrounding environment, erosion and sediment control (ESC) and tree protection measures are proposed as shown on Drawing SS-1 in Appendix 3.

The construction access route on land to the HDD pit is identified on Drawing SS-1 in Appendix 3. Construction access will be contained within existing manicured lawn and existing gravel road surfaces. Construction access in water will be provided by a barge to facilitate the installation of the outfall pipe and outfall diffuser.

Shallow pits will be dug at HDD sending locations (as indicated on Dwg. SS-1, Appendix 3). In order to contain any excess boring fluid, a hydrovac truck will be present during drilling operations to remove any excess boring fluid. All boring fluid will be disposed of offsite at a licensed facility. Any dewatering required will be done by hydrovac truck and disposed of offsite at a licensed facility.

7.3. Schedule:

The duration of the outfall pipe installation within the limits of Lake Scugog is approximately 25 days from August 8, 2022 to September 2, 2022. The outfall pipe installation by HDD is to occur within the first two (2) weeks, followed by in-water work to complete the installation of the outfall pipe and outfall diffuser in the following two (2) weeks. A more detailed construction schedule is provided in Appendix 4.

Work activities shall be scheduled and conducted in accordance to environmental timing restriction windows:

- In-water works, which may occur, must be timed to adhere to appropriate fisheries timing windows (restriction from March 15th to July 15th) of any year to protect fish, including their eggs, juveniles, spawning adults and/or the organisms upon which they feed. Plan to minimize duration of in-water works wherever possible.



- Construction in areas of potential turtle habitat(s) during the turtle nesting season from May 15th to August 15th of any year shall be avoided to best extent possible in order to protect potential local turtle residents.
- In compliance with the *Migratory Bird Convention Act (MBCA)*, no removal of trees or other vegetation during the breeding bird window from April 1st to August 31st is to take place of any year.
- Removal of snag trees and structure providing potential bat roosting habitat is to be avoided to greatest extent possible during bat breeding and roosting season (April 15th – August 30th).

8. VALUED COMPONENTS LIKELY TO BE AFFECTED

8.1. Navigability and Public Safety:

The project site includes a marina and the project has the potential to affect navigation in the area during construction. Current use of the waterway includes recreational power boating (pleasure craft), fishing, swimming and canoeing.

The proposed diffuser pipe structure at the STP outfall has a footprint of 5.4 m x 1.8 m and will extend approximately 0.475 m above the lakebed in 2.5 m deep water. This exceeds 5% of the water depth and is therefore not considered a minor work under the *Canadian Navigable Waters Act (CNWA)*.

The proposed outfall structure is not expected to interfere with a maximum vessel draft of 1.2 m. To facilitate the installation of the outfall pipe and outfall diffuser, a barge will be in place at the location of the outfall diffuser as shown on Drawing SS-1 in Appendix 3. In accordance with the construction schedule provided in Appendix 4, the maximum duration that the barge will be present at the location of the outfall diffuser is two (2) weeks.

8.2. Water Quality

Lake Scugog is a large, shallow lake formed by the damming of the Scugog River in 1837. Scugog Island separates the lake into two distinct basins, the western basin and the eastern basin, that flow north and east to the lake's single outlet to the Scugog River. The Lindsay Dam on the Scugog River controls the water depth, area and volume of the lake. There are two major inlets to the lake (the Nonquon River discharges to the western basin and Blackstock Creek discharges to the eastern basin) and numerous other small inlets around the lake.

Aquatic vegetation is abundant throughout much of the lake and, in particular in the area of the proposed STP outfall pipe. The lake bottom and shoreline near the Resort marina have been historically altered by dredging, shoreline stabilization with cobbles/boulders, water level control and boating.

Water quality in Lake Scugog is characteristic of a productive, shallow lake located in southern Ontario. General chemistry, major ion content, and nitrogen and metal concentrations are generally similar between the east and west basins, but phosphorus concentrations were typically higher in the west basin reflecting high nutrient loads from Port Perry and the Nonquon River. All measured parameters were within applicable Provincial Water Quality Objectives (PWQO) and Canadian Environmental Quality Guidelines (CEQG) for the protection of aquatic life, with the exception of total phosphorus.

Water quality data was analyzed in the Receiving Water Assessment (HESL2017), included in Appendix 7. Further details regarding the background water quality of Lake Scugog is available in Section 2.2.2, Table 2, Page 62/105 of the Receiving Water Assessment report.

8.3. Fish and Fish Habitat

Fish habitat and fish species present in Lake Scugog were identified through the EIS process completed by HESL, 2019, and is contained within Appendix 6. Details regarding the fish habitat and fish community in Lake Scugog are summarized below.

Lake Scugog is a large (8,256 ha), shallow (mean depth - 1.5 m) lake that supports a warmwater fish community (NDMNR 2019). Aquatic habitat was characterized on July 10, 2019 along the littoral environment of Lake Scugog where the effluent outfall pipe is proposed to be located. Habitat features were compared to the habitat requirements of resident fish species to determine the presence of any habitat that supports critical life stages such as spawning.

An aquatic habitat assessment was completed in the vicinity of the proposed effluent outfall where it will cross the marina basin, along the Lake Scugog shoreline and the nearshore littoral environment. Information collected included water depths, substrates, aquatic vegetation, in-situ cover, and riparian vegetation.

The aquatic habitat in the littoral environment was relatively similar along the shoreline within the project site and throughout the study area. Maximum water depths were relatively shallow (i.e., <2 m) throughout the study area and extended >20 m from the shore. Substrates were predominantly unconsolidated organics, while cobble/boulders were abundant along the shoreline of the marina basin where they have been placed to support the shoreline and minimize wave-induced erosion. Aquatic vegetation was abundant throughout the study area and included the following species: Sago Pondweed (*Stuckenia pectinate*), Common Waterweed (*Elodea canadensis*), Richardson's Pondweed (*Potamogeton richardsonii*), Large Leaved Pondweed (*Potamogeton amplifolius*), Pondweed spp., White Water Lily (*Nymphaea alba*), Water Celery (*Vallisneria spiralis*), Eurasian Milfoil (*Myriophyllum spicatum*), Milfoil spp., Common Frogbit (*Hydrocharis morsus-ranae*), Duckweed (*Lemnoideae* spp.), and filamentous algae. Other cover habitat such as large woody debris was generally absent. In-water slopes were steepest (1:1, where 1 m of water depth was located 1 m from shore) near the edges of the marina basin where previous dredging has likely occurred, and rocky substrates were present, while lesser slopes were observed elsewhere.

A total of 15 fish species were identified (Table 1) in Lake Scugog through Land Information Ontario (NDMNR, 2019). All of the species recorded are common, tolerant fish species found throughout Ontario. One non-native species, Common Carp (*Cyprinus carpio*), was identified in Lake Scugog and is widespread throughout the western arm of the lake. No aquatic Species at Risk (SAR) were identified through the background review.

Included in the table below is a list of fish species present in Lake Scugog.

Table 1: Fish Species in Lake Scugog (NDMNR2019)

Common Name	Scientific Name
Black Crappie	<i>Pomoxis nigromaculatus</i>
Bluegill	<i>Lepomis macrochirus</i>
Brown Bullhead	<i>Ameiurus nebulosus</i>
Common Carp	<i>Cyprinus carpio</i>
Golden Shiner	<i>Notemigonus crysoleucas</i>
Largemouth Bass	<i>Micropterus salmoides</i>
Muskellunge	<i>Esox masquinongy</i>
Pumpkinseed	<i>Lepomis gibbosus</i>
Rock Bass	<i>Ambloplites rupestris</i>
Smallmouth Bass	<i>Micropterus dolomieu</i>
Spottail Shiner	<i>Notropis hudsonius</i>
Walleye	<i>Sander vitreus</i>
White Sucker	<i>Catostomus commersonii</i>
Yellow Bullhead	<i>Ameiurus natalis</i>
Yellow Perch	<i>Perca flavescens</i>

Aquatic habitat in the study area has been altered by a wide variety of anthropogenic activities such as dredging, shoreline stabilization, water level control and boating. Abundant aquatic vegetation provides both spawning and nursery habitat for a variety of warmwater fish species listed in Table 1, but it is important to note that this type of littoral habitat is ubiquitous throughout Lake Scugog and is found in a more naturalized setting in many other areas. Nearshore conditions are similar even out to the outfall diffuser location.

The outfall pipe will be horizontally directional drilled (HDD) 1.5 m below the lake bed and the outfall diffuser will be located approximately 200 m from the Lake Scugog shoreline. The outfall diffuser will sit on top of concrete slabs placed on the lake bed. These slabs collectively measure 5.4 m x 1.8 m for a total area of approximately 10 m².

8.4. Erosion and Sediment Control

Terrestrial Soils and landforms consisting of, and immediately surrounding, the marina and resort have been historically disturbed by development. Additionally, in-water areas within the marina and shoreline adjacent to the marina have been historically altered by dredging, shoreline stabilization with cobbles/boulders, water level control and boating.

Erosion and sediment control (ESC) measures are required where there is surface disturbance due to construction activities. Due to the outfall pipe installation by HDD, it will be critical to implement erosion and sediment controls at the following locations:

- Outfall diffuser due to lakebed disturbance during HDD operations.



July 2022

- HDD pit locations where construction equipment will be present and isolated excavations are required to contain drilling fluid and make pipe connections.

Details of the proposed ESC measures are provided in Section 9 and within drawing SS-1 in Appendix 3.

8.5. Vegetation

HESL conducted plant surveys to characterize vegetation communities using standard Ecological Land Classification (ELC) techniques (Lee et al. 1998) on July 10, 2019 as part of the EIS (HESL 2019, Appendix 6). All vascular plant species encountered were documented, taking note of rare or sensitive species. ELC units were mapped on aerial photography in the field and a plant species list compiled from observations. The extent of the Seven Mile Island Provincially Significant Wetland (PSW) was delineated following the protocol of the Ontario Wetland Evaluation System (Government of Ontario 2014). Vegetation communities relative to the project site are detailed below.

The Seven Mile Island PSW extends into the northwest portion of the property and is defined as a key natural heritage feature under the Durham Region and Township of Scugog Official Plans. The Seven Mile Island PSW is bordered by a manicured lawn along the edge of the property and by Lake Scugog to the west.

Vegetation communities located within the project site were mostly anthropogenic in nature with manicured lawn. Immediately adjacent to the project site, vegetation communities consisted of the following:

- Reed-Canary Grass Graminoid Mineral Meadow Marsh Type
- Speckled Alder Organic Deciduous Thicket Swamp Type
- Fresh-Moist White Cedar Coniferous Forest Type

Part of the PSW on the property is dominated by two invasive plant species: Reed Canary Grass (*Phalaris arundinacea* subspecies *arundinacea*) and Common Reed (*Phragmites australis* subspecies *australis*), both of which are fast-growing species that outcompete native wetland plants and destroy associated wildlife habitat (HESL 2019; Photo 4). No rare vegetation species were observed, however three (3) Butternut (*Juglans cinerea*), an endangered SAR in Ontario, were observed. These individuals are well removed from the project site and will not be impacted by the proposed works.

No trees will be removed as part of the proposed works. Some vegetation disturbance and removal is anticipated, however this is restricted to manicured lawned areas, as indicated in the project's Drawings (see Appendix 3, Drawing SS-1).

8.6. Wildlife

The area surrounding the construction area is likely utilized by a variety of aquatic and terrestrial wildlife.



Migratory birds utilize the vegetation adjacent to the site, and waterfowl can also be found on the water as well and on the surrounding lands. Furthermore, it is possible that there is turtle nesting habitat along the embankments, and terrestrial areas within and adjacent to the to the construction area.

Due to that some vegetation may be disturbed, there is potential to affect birds and other wildlife species, both aquatic and terrestrial. Migratory birds, their nests and eggs are protected under the MBCA (1994). Project works that are potentially disruptive activities to nesting birds, such as vegetation clearing, shall be avoided during the nesting period.

8.6.1 Amphibians

Review of the Ontario Reptile and Amphibian Atlas (ORAA) recorded nine (9) amphibian species in the 10 km² square 17PJ69 that encompasses the subject property, none of which are SAR (Ontario Nature 2018). These species are listed in Appendix 15.

Amphibian surveys were completed following protocol outlined in the Marsh Monitoring Program (Bird Studies Canada et al. 2009). HESL completed surveys on May 16, June 11 and July 6, 2019 between 20:10 and 22:00 h. Temperatures during surveys ranged from 13° to 23°C, with gentle breezes, and clear to overcast skies. Light rain fell during part of the May 16 survey, otherwise there was no precipitation. Each station was surveyed for 3 minutes on each visit and amphibian species, abundance and location were recorded.

Two amphibian species were heard calling during amphibian surveys, both associated with the PSW: Spring Peeper (*Pseudacris crucifer*) and Green Frog (*Lithobates clamitans*). Neither of these frogs are SAR. No amphibians were recorded calling on the June 11 survey date.

8.6.2 Birds

The Ontario Breeding Bird Atlas (OBBA) recorded 106 bird species in the 10 km² square 17PJ69 that encompasses Goreski's Landing Resort, including seven SAR (Bird Studies Canada et al. 2006).

HESL conducted two early morning breeding bird surveys to document the bird communities in habitats on and adjacent to the property that might be impacted by the proposed works. Habitats were surveyed by slowly traversing the area (or adjacent area in the case of the PSW) and recording all birds heard or seen during our visits on aerial photo maps of the site, in the approximate location where they were detected (except birds obviously in transit between other locations, which were not recorded). Birds were assumed to be breeding if in suitable habitat and displaying breeding behaviour (e.g., singing male, pair observed together, adult visiting probable nest site, adult nest- building, adult carrying food for young). The unit of observation was an assumed pair (i.e., a single bird, mated pair or family of parents and chicks would all be recorded as a single unit). HESL noted any species designated at risk federally and/or provincially, as well as species considered area sensitive. Surveys were carried out on May 27 and June 21, 2019, between 06:45 and 08:45 h. Weather conditions during this time ranged from 0-80% overcast,



with no wind to light breezes, no precipitation, and temperatures between 9^o-17^oC. The results of the breeding bird surveys as they relate to the project site are detailed below.

A total of 31 bird species, (HESL 2019, Appendix 6 - Appendix B – Sites 2 & 4) were documented on or adjacent to the project site during field surveys. This included five area-sensitive species (Common Loon, (*Gavia immer*); Hairy Woodpecker, (*Picoides villosus*); Veery, (*Catharus fuscescens*); Black-and-white Warbler, (*Mniotilta varia*); and American Redstart, (*Setophaga ruticilla*)). The habitat requirements of area-sensitive birds vary by species. For example, American Redstart requires a minimum of 100 ha of continuous forest (NDMNR 2000).

Two SAR were recorded on the property: Eastern Wood-pewee (designated as special concern federally and in Ontario) and Barn Swallow (designated as threatened federally and in Ontario) (HESL 2019, Appendix 6). Further details on SAR birds are provided in Section 8.7.1 below.

The full list of breeding birds species identified on the Goreski's Landing property is provided in Appendix 2, Page 51/53 of the EIS (HESL, 2019), contained within Appendix 6.

8.7. Species at Risk

As detailed in the EIS (HESL, 2019), contained in Appendix 6, a thorough background review was completed to identify potential species of conservation concern in the area. Background sources included:

- Email and telephone correspondence with the Ontario Ministry of the Environment, Conservation and Parks, Kawartha Conservation and the Township of Scugog;
- Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR), Natural Heritage Information Centre (NHIC) records of SAR and natural areas (NDMNR 2014a);
- NDMNR's Natural Heritage Reference Manual and SWH resource material (NDMNR 2000, 2010; NDMNR 2015);
- Federal Species at Risk Public Registry (Government of Canada 2018);
- ORAA (Ontario Nature 2018);
- OBBA records for the area (Bird Studies Canada et al. 2006);
- eBird (eBird 2012)
- iNaturalist (iNaturalist 2019);
- Ontario Butterfly Atlas (iNaturalist 2021); and
- DFO Aquatic SAR Mapping (DFO 2021).

In addition to the list above, Parks Canada also provided a list of additional SAR from their internal NHIC database to be included in the screening (Table 2).

Through background review, three SAR have been recorded in proximity to the property: Least Bittern (*Ixobrychus exilis*), Bobolink (*Dolichonyx oryzivorus*) and Eastern Wood-pewee (NDMNR 2014a) and two SAR were observed in the study area (Barn Swallow and Eastern Wood-pewee).

Review of the OBBA in the 10 km² square 17PJ69 that encompasses the entire Goreski's Landing property, identified seven SAR (Bird Studies Canada et al. 2006). Four of these SAR have potential habitat in the forest or open areas on site: Red-headed Woodpecker (*Melanerpes erythrocephalus*), Eastern Wood-pewee (*Contopus virens*), Wood Thrush (*Hylocichla mustelina*) and Barn Swallow (*Hirundo rustica*).

In addition, iNaturalist has a record of endangered Butternut less than 1 km south of Goreski's Landing (iNaturalist 2019).

Three SAR were detected during field surveys (i.e. vegetation community and breeding bird surveys) on the property by HESL and include: Butternut, Eastern Wood-pewee and Barn Swallow.

Furthermore, field investigations identified suitable potential habitat for Least Bittern, Midland Painted Turtle (*Chrysemys picta marginata*) and Snapping Turtle (*Chelydra serpentina*) in the PSW to the north of the property.

Section 8.7.1 to 8.7.6 below discusses SAR that were identified through background review and through field investigations completed by HESL.

8.7.1. Birds

Barn Swallows were observed foraging over the canal and manicured lawn beside the PSW and appeared to be using the boat houses for nesting during the breeding bird assessment. Barn Swallow breed in open country, typically near water. It often relies on human structures for nest sites, such as ledges and walls of old barns, culverts and bridges. Barn Swallow is designated as threatened in Ontario and Canada, meaning that the species may become endangered if action is not taken to address threats to its populations. The main factors affecting populations appear to be loss of nesting sites (e.g., open barns) and foraging habitat (e.g., open farmland) due to changing agricultural practices, as well as large scale declines in insect prey likely due to pesticide use (COSEWIC 2011; NDMNRF 2018b).

Black Tern were identified by Parks Canada. Black Terns build floating nests in loose colonies in shallow marshes, especially in cattails (MECP 2021). The species is designated as special concern in Ontario, meaning that the species is not currently endangered or threatened, but may become so due to a combination of biological traits and conservation threats. Possible factors threatening the Black Tern include habitat loss and degradation due to urban development, water pollution and human disturbance in nesting colonies.

Bobolink were identified through the background review of the NHIC in adjacent areas. Bobolink prefer habitat such as tallgrass prairies and open meadows, but in the absence of these habitats will use hayfields for nesting. Bobolink is designated as threatened in Ontario and Canada, meaning that the species may become endangered if action is not taken to address threats to its populations. The main factors affecting populations appear to be potential issues along migration route, mowing of hay in the spring during the breeding season and in July when young birds are still in the nest (MECP 2021).

Eastern Meadowlark were identified by Parks Canada. Eastern Meadowlark prefer habitat such as tallgrass prairies and open meadows, but in the absence of these habitats will use hayfields for nesting. Eastern Meadowlark is designated as threatened in Ontario and Canada, meaning that the species may become endangered if action is not taken to address threats to its populations. The main factors affecting populations appear to be potential issues along migration route, mowing of hay in the spring during the breeding season and in July when young birds are still in the nest (MECP 2021).

Eastern Wood-pewees were heard singing within the forest on the property during the breeding bird assessment. Eastern Wood-pewee breed in deciduous and mixed forests and woodlands, as well as along forest edges. The species is designated as special concern in Ontario and Canada, meaning that the species is not currently endangered or threatened, but may become so due to a combination of biological traits and conservation threats. Possible factors threatening the Eastern Wood-pewee include habitat loss and degradation due to urban development, declines in availability of insect prey, and increased predation on eggs and fledglings by species such as Blue Jays and Red Squirrels (*Tamiasciurus hudsonicus*) (COSEWIC 2011, NDMNRF 2018a).

Least Bittern were identified through the background review of the NHIC in adjacent areas. Least Bittern is typically found in a variety of wetland habitats but prefers cattail marshes near open water. Least Bittern is designated as threatened in Ontario and Canada, meaning that the species may become endangered if action is not taken to address threats to its populations. The main factors affecting populations are the destruction of wetland habitat including shoreline development, wetland loss and drainage (MECP 2021).

Red-headed woodpecker was identified through the background review of the OBBA. Red-headed Woodpecker prefers open woodland and woodland edges and is often found in parks, golf courses and cemeteries which often have dead trees used for nesting and perching (MECP 2021). The species is designated as special concern in Ontario and endangered in Canada. Possible factors threatening the Red-headed Woodpecker include the decline in forested habitat due to forestry and agriculture, and the removal of dead trees (MECP 2021).

Wood Thrush were identified through the background review of the OBBA. The Wood Thrush live in mature deciduous and mixed forests with well developed undergrowth and tall trees for perches. The species is designated as special concern in Ontario and as threatened in Canada. Possible factors threatening the Eastern Wood-pewee include habitat loss and degradation due to urban development, parasitic behaviour from Brown-headed Cowbirds and in some cases over browsing by White-tailed Deer decreasing the number of saplings (MECP 2021).

8.7.2. Herpetiles

Midland Painted Turtle were identified through the background review of the ORAA in the 10 km² atlas square (17PJ69) that includes the property. Midland Painted Turtle are typically found in waterbodies such as ponds, marshes, lakes and slow-moving creeks that include soft bottoms and abundant basking areas with aquatic vegetation (Ontario Nature, 2022). Midland Painted



Turtle is designated as special concern in Canada, meaning that the species is not currently endangered or threatened, but may become so due to a combination of biological traits and conservation threats. The main factors affecting populations are the destruction of wetland habitat.

Snapping Turtle were identified through the background review of the ORAA in the 10 km² atlas square (17PJ69) that includes the property. Snapping Turtle are typically found in shallow waters in waterbodies with soft mud and leaf litter (Ontario Nature, 2022). Snapping Turtle is designated as special concern in Ontario and Canada, meaning that the species is not currently endangered or threatened, but may become so due to a combination of biological traits and conservation threats. The main factors affecting populations are the destruction of wetland habitat.

8.7.3. Insects

One SAR insect, Monarch Butterfly (*Danaus plexippus*) was identified by the Ontario Butterfly Atlas. The Monarch Butterfly is listed as Special Concern in Ontario and in Canada. The Monarch Butterfly requires different types of habitat depending on its life stage, caterpillars require milkweed plants (*Asclepias syriaca*) to feed on in meadows and open areas and adults are found in areas with wildflowers often in more diverse habitats (MECP 2021).

8.7.4. Mammals

Four SAR bat species were identified through the background review Eastern Small-Footed Myotis (*Myotis leibii*), Little Brown Myotis (*Myotis lucifugus*), Northern Myotis (*Myotis septentrionalis*) and Tri-Coloured Bat (*Perimyotis subflavus*).

Eastern Small-Footed Myotis are found in a variety of habitats including in or under rocks, in rock outcrops, in buildings, under bridges, or in caves, mines, or hollow trees (MECP 2021). The species is designated as endangered in Ontario. Possible factors threatening the Eastern Small-Footed Myotis include white-nose syndrome, and possibly wind turbines (MECP 2021).

Little Brown Myotis are found in trees and buildings (attics, abandoned buildings and barns) during the summer months and hibernate in caves or abandoned mines (MECP 2021). The species is designated as endangered in Ontario and Canada. The main factor threatening the Little Brown Myotis is a disease known as white-nose syndrome (MECP 2021).

Northern Myotis are found in the boreal forests, roosting under loose bark and tree cavities (MECP 2021). The species is designated as endangered in Ontario and Canada. The main factor threatening the Northern Myotis is a disease known as white-nose syndrome (MECP 2021).

Tri-Coloured Bats are found in a variety of forest habitats as well as barns and other structures (MECP 2021). The species is designated as endangered in Ontario and Canada. The main factor threatening the Tri-Coloured Bats is a disease known as white-nose syndrome (MECP 2021).



8.7.5. Fish

Historical records of Lake Sturgeon (*Acipenser fulvescens*) in Lake Scugog were identified by Parks Canada, however no recent records were identified through the background review. In addition, Lake Sturgeon were not flagged or identified as a concern while the project was undergoing a Project Review by the Department of Fisheries and Oceans (DFO) because habitat is not appropriate. Lake Sturgeon require a variety of habitats to carry out its lifecycles. Spawning habitat is found in fast-moving water, rapids or dams. Habitat requirements are not well understood, but may not be as strict as previously understood. The main factor threatening the Lake Sturgeon harvesting, habitat alterations, barriers to migration, entrainment losses, invasive species and pollution (COSEWIC 2017).

8.7.6. Vegetation

One vegetation SAR was identified: endangered Butternut tree (*Juglans cinerea*). Butternut is a member of the walnut family, native to central and eastern North America. It grows in deciduous forests, in forest gaps or along the forest edge, since it is intolerant to shade. Butternut prefers moist, well-drained soil and is often found close to streams (Government of Ontario 2019a). In Ontario it occurs south of the Canadian Shield. The species is threatened by Butternut Canker (*Sirococcus clavigignenti-juglandacearum*), an introduced fungal disease that has decimated Butternut populations in the province (Forest Gene Conservation Association undated).

HESL identified three Butternut trees on the property, but they are well removed from the proposed infrastructure and will not be impacted by the proposed works, two in FODM5-6: Dry – Fresh Sugar Maple – Basswood Deciduous Forest Type and one in FOMM6-1: Fresh – Moist Sugar Maple – Hemlock Mixed Forest Type (Appendix 5). All Butternut trees were assessed to be Category 1 (non-retainable), meaning that they are in the advanced stages of disease and do not contribute toward the species' recovery (Government of Ontario 2019b).



A summary of potential and known SAR on the property identified through background review, field investigations and additional NHIC database information from Parks Canada, along the lakeshore or in the adjacent PSW is provided in Table 2 below.

Table 2: Federally and Provincially Ranked Species with Potential to be found within the Project Area.

Common Name	Scientific Name	COSEWIC	SARA Status	ESA Status	Preferred Habitat	Habitat Potential on Project Site**	Likelihood to be Found on Project Site**
BIRDS							
Barn Swallow	<i>Hirundo rustica</i>	Special Concern	Schedule 1, Threatened,	Threatened	Farmland and open country near water for foraging, buildings, bridges etc. for nesting	Habitat available along shoreline, canal and in marina	Likely - Barn Swallow may use project site for foraging but not nesting
Black Tern	<i>Chlidonias niger</i>	Not at Risk	No Schedule, No Status	Special Concern	Shallow marshes especially in cattails	Habitat available in wetland adjacent to project site	Possible – species may be present in adjacent wetland.
Bobolink	<i>Dolichonyx oryzivorus</i>	Threatened	Schedule 1, Threatened	Threatened	Hay fields, meadows and tallgrass prairies	Habitat not available in project site	Unlikely
Eastern Meadowlark	<i>Sturnella magna</i>	Threatened	Schedule 1, Threatened	Threatened	Hay fields, grasslands, roadsides and orchards	Habitat not available in project site	Unlikely
Eastern Woodpecker	<i>Contopus virens</i>	Special Concern	Schedule 1, Special Concern	Special Concern	Open deciduous, mixed or coniferous forest, forest clearings and edge, farm woodlots	Habitat not available in project site	Unlikely
Least Bittern	<i>Ixobrychus exilis</i>	Threatened	Schedule 1, Threatened	Threatened	Marshes, swamps and bogs, as well as marshy borders of lakes in dense cattails	Habitat available in wetland adjacent to project site	Possible – species may be present in adjacent wetland.
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	Endangered	Schedule 1, Endangered	Special Concern	Open deciduous forest and forest edge, fields and pasture lands with scattered trees	Habitat not available in project site	Unlikely
Wood Thrush	<i>Hylocichla mustelina</i>	Threatened	Schedule 1, Threatened	Special Concern	Deciduous or mixed forest and hardwood forest edges, often near ponds or swamps	Habitat not available in project site	Unlikely



Common Name	Scientific Name	COSEWIC	SARA Status	ESA Status	Preferred Habitat	Habitat Potential on Project Site**	Likelihood to be Found on Project Site**
HERPETILES							
Midland Painted Turtle	<i>Chrysemys picta marginata</i>	Special Concern	Schedule 1, Special Concern	No Status	Ponds, marshes, lakes and slow-moving creeks	Habitat available in Lake Scugog, wetland and anthropogenic areas	Possible – species may be present in Lake Scugog, adjacent wetland and manicured lawn area
Snapping Turtle	<i>Chelydra serpentina</i>	Special Concern	Schedule 1, Special Concern	Special Concern	Wetlands, ponds, lakes and rivers	Habitat available in Lake Scugog, wetland and anthropogenic areas	Possible – species may be present in Lake Scugog, adjacent wetland and manicured lawn area
INSECTS							
Monarch Butterfly	<i>Danaus plexippus</i>	Endangered	Schedule 1, Special Concern	Special Concern	Meadows and open areas where milkweed grows. Adult butterflies can be found in more diverse habitats where they feed on nectar from a variety of wildflowers	Habitat may be present	Possible – habitat may be present given the landscape
MAMMALS							
Eastern Small-Footed Bat	<i>Myotis leibii</i>	Not at Risk	No Schedule, No Status	Endangered	Roost in a variety of habitats and snags, and hibernate in caves and abandoned mines	Foraging habitat available in project site	Possible - Bats may use project site for foraging
Little Brown Myotis	<i>Myotis lucifugus</i>	Endangered	Schedule 1, Endangered	Endangered	Snags, forested habitats, hibernate in caves and abandoned mines	Foraging habitat available in project site	Possible - Bats may use project site for foraging
Northern Myotis	<i>Myotis septentrionalis</i>	Endangered	Schedule 1, Endangered	Endangered	Snags, forested habitats, hibernate in caves and abandoned mines	Foraging habitat available in project site	Possible - Bats may use project site for foraging
Tri-Coloured Bat	<i>Perimyotis subflavus</i>	Endangered	Schedule 1, Endangered	Endangered	Snags, forested habitats, hibernate in caves and abandoned mines	Foraging habitat available in project site	Possible - Bats may use project site for foraging



Common Name	Scientific Name	COSEWIC	SARA Status	ESA Status	Preferred Habitat	Habitat Potential on Project Site**	Likelihood to be Found on Project Site**
FISH							
Lake Sturgeon	<i>Acipenser fulvescens</i>	Threatened		Endangered	Freshwater lakes and rivers with soft bottoms of mud, sand or gravel. They are usually found at depths of 5 to 20 metres.	Water depths in the project study area range from 2-5 m deep, therefore habitat is not present in project site	Unlikely NHIC record for Lake Sturgeon is historical and there are no known Lake Sturgeon populations currently in Lake Scugog.
VEGETATION							
Butternut	<i>Juglans cinerea</i>	Endangered	Schedule 1, Endangered	Endangered	Mixed deciduous forest	Habitat not available in project site or immediately adjacent forested areas.	Unlikely

****Project site refers to the work area associated with the installation of the wastewater treatment pipe and immediate adjacent areas.**

SAR with the potential to occur in the project site and immediately adjacent areas include:

Birds

- Barn Swallow
- Black Tern
- Least Bittern

Herpetiles

- Midland Painted Turtle
- Snapping Turtle

Insects

- Monarch Butterfly

Mammals

- Eastern Small-footed Bat
- Little Brown Myotis
- Northern Myotis
- Tri-Coloured Bats



8.8. Air Quality and Noise

The project site is located within a largely developed area bordered by some natural landscapes and residential property. Other than the road, associated vehicle activity, and boating activity within/adjacent to the marina, there are little-to-no ambient noise/pollution generating sources. Air quality in the area is assumed to be good.

8.9. Invasive Species

The following invasive species have been recorded and confirmed within proximity of the project site location:

Table 3: Invasive Species within proximity of project site location

Common Name	Scientific Name	# EDDmapS Records within ~5 km Radius
European frog-bit	<i>Hydrocharis morsus-ranae</i>	1
Purple Loosestrife	<i>Lythrum salicaria</i>	1
Eurasian water milfoil	<i>Myriophyllum spicatum</i>	3
Reed Canary Grass	<i>Phalaris arundinacea</i>	Identified during field investigations
Common Reed	<i>Phragmites australis</i>	Identified during field investigations

See <https://www.eddmaps.org/ontario/> for further information on invasive species sightings

8.10. Cultural Resources

The TSW is a National Heritage Site (NHS) owned and managed by PCA on behalf of all Canadian.

Cultural resources were reviewed as part of the proposed archaeological investigations (see 8.11 below).

8.11. Archaeology

PCA archaeology had determined that the project site possesses a high potential for Indigenous artifacts. Due to that there was no known available information on the depth of the Occupational Layer (substrate layer with archaeological potential) of the work area, and that the area was determined to possess a high potential for pre-contact Indigenous artifacts, an Archaeological Impact Assessment (AIA) was required.

As a result of PCA’s initial review, an Underwater Archaeological Assessment (UAA) of the submerged federal lands in the area of the new in-water outfall pipe and surface water discharge into Lake Scugog was conducted and is included in Appendix 16. The objective of the UAA was to ensure no submerged archaeological resources of heritage value are lost during the construction activities and where they may be disturbed, they are adequately recorded in accordance with legislated archaeological requirements.

The scope of work for the UAA included review of present site conditions, review of the updated Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) archaeological site databases and Parks Canada sites database, a review of relevant environmental, historical and archaeological literature, and primary historical research including historical maps and aerial photographs.



As a result of the UAA, it was determined that the entire study area has relatively low archaeological potential for both pre-contact Indigenous sites and historical period sites, yet to ensure no unmapped historical features of archaeological concern were present in the study area an on-water field assessment was completed on May 2, 2022. A side-scan SONAR survey and pole camera inspection of the lakebed was completed of the in-water area of potential construction impact and nothing of archaeological concern was found within the study area.

8.12. Health and Safety

The health and safety of on-site workers and members of the general public within vicinity of the work areas must be ensured throughout the duration of construction. This may be enforced by restricting public accessibility of the project sites, and ensuring proper compliance with Health and Safety procedures and mitigation by work personnel.

Health and safety concerns for this project are typical of other construction projects of similar size and scope. Long-term the project will improve health and safety at the site and surrounding area by improving effluent quality and simplifying sewage system operations at the resort.

9. EFFECTS ANALYSIS

9.1. Navigability and Public Safety:

To facilitate the installation of the outfall pipe and outfall diffuser a barge (approximately 20 m x 30 m in size) would be positioned over the outfall diffuser location (identified on Drawing SS-1, Appendix 3) for a maximum of a 2-week period. This will result in recreational boating activities needing to divert around the area while the barge and turbidity curtain are in place.

9.2. Water Quality, Fish and Fish Habitat

The proposal has been reviewed by Fisheries and Oceans Canada (DFO) and it was determined that the project will not require an authorization under the *Fisheries Act*. (See Letter of Advice in Appendix 8).

The nearshore environment provides abundant aquatic vegetation and may provide both spawning and nursery habitat for a variety of warmwater fish species, but it is important to note that this type of littoral habitat is ubiquitous throughout Lake Scugog and is found in a more naturalized setting in many other areas.

The outfall pipe will be horizontally directional drilled (HDD) 1.5 m below the lake bed and the outfall diffuser will be located approximately 200 m from the Lake Scugog shoreline. The outfall diffuser will sit on top of concrete slabs placed on the lake bed. These slabs collectively measure 5.4 m x 1.8 m for a total area of approximately 10 m². This above-substrate permanent alteration to potential fish habitat is comparatively small to that of available viable habitat within the general area. The potential fish habitat within this footprint is not considered specialized, nor is designated critical habitat for aquatic species.

Potential impacts associated with installation of the outfall pipe include:



1. The trenchless installation method to be used for the effluent pipe will minimize impacts on the surrounding aquatic habitat and with little impact on resident fish species following this methodology. One risk associated with HDD is the possibility of an inadvertent fluid loss which is an accidental release of drilling fluids.
2. Short-term, temporary impacts associated with installation of the diffuser such as a temporary increase in turbidity and suspended solids.
3. Loss of habitat (10 m²) from the placement of the outfall diffuser and associated concrete slabs.

HDD operations require the use of boring fluid in order to maintain downhole stability, cool and lubricate tooling and extract cuttings from the borehole. The boring fluid is a bentonite product, Bore-gel by Halliburton, the MSDS for this product is included in Appendix 11. The boring fluid is a clay material that is non-toxic, environmental concerns related to the use of this product is limited to turbidity impacts.

HDD operations have the potential for inadvertent fluid loss. In order to mitigate the risk of inadvertent fluid loss, assessment of the existing site and soil conditions has been completed in consultation with the HDD contractor. Given the existing soil conditions and the proposed depth of the HDD installation, the risk of inadvertent fluid loss has been determined to be very low. Inadvertent fluid loss is most likely to occur where the drill bit enters/exits the ground surface/lakebed due to shallowness of the bore

The fluids mixed with cuttings will be contained in the drill pit until it is collected using a hydro-vacuum excavator and transported to an approved offsite facility for disposal. In addition, drilling pressures will be carefully monitored to ensure that if a drop in pressure occurs it will be detected immediately. A turbidity curtain and sediment fence as described in the erosion and sediment control section will be in place to contain any inadvertent fluid loss in these areas. Further details regarding the inadvertent release of drilling fluid is discussed in Section 10.6 below.

The outfall diffuser will be installed from a barge and the work area will be isolated by a turbidity curtain.

The timeline associated with in-water works will be approximately 4 weeks and will be completed in August, outside of the restricted fisheries timing window of March 15th to July 15th. Additional details regarding mitigation measures that are proposed to ensure that the STP outfall works are completed in accordance with relevant policy are detailed in Section 10.

Effluent water quality objectives and limits for the STP are provided in the Environmental Compliance Approval (ECA) from the Ministry of the Environment, Conservation and Parks (MECP). The effluent water quality objectives are supported by the analysis completed in the Receiving Water Assessment (HESL2017), included in Appendix 7. The effluent water quality objectives are as follows:

- Total phosphorus concentrations of 0.1 mg/L
- Carbonaceous Oxygen Demand less than 10 mg/L.
- Total Suspended Solids less than 10 mg/L.



- Total ammonia concentrations less than 2 mg-N/L (June to September) and less than 4 mg-N/L (May and October).
- E. coli less than 100 organisms/100mL (monthly mean geometric density)
- pH maintained between 6 and 8.5.

The proposed STP is designed to meet these effluent water quality objectives. Ongoing monitoring and reporting requirements are required as part of the ECA which is included in Appendix 9.

9.3. Erosion and Sediment Control

There is potential for contamination of soil from spills and/or leaks from equipment. Depending on winter conditions/snow cover, there is also potential for soil exposure resulting in erosion, sedimentation and slope instability.

In order to contain sediment generated by the horizontal directional drill hitting the lakebed, a US DOT II Marine Grade turbidity curtain shall be installed as per Ontario Provincial Standards Drawing (OPSD) 219.260 and OPSD 219.261 will be in place prior to any lakebed disturbance. The turbidity curtain will surround the full area of lakebed disturbance (as indicated on Dwg. SS-1 in Appendix 3) and remain in place until sediment has settled. Installation and removal of turbidity curtains shall also be completed in accordance with mitigation outlined in Section 10.

Vegetation disturbance and excavation activities will be kept to the minimum area required for construction activities and will be appropriately managed through the installation and maintenance of effective erosion and sediment control measures. On land, sediment fence as per OPSD 219.130 will be placed surrounding the work area as indicated on Dwg. SS-1 in Appendix 3.

By restricting work activities to within areas identified in approved site plans and previously disturbed areas, in addition to employing appropriate mitigation and monitoring, adverse impacts shall be further minimized (see Section 10).

9.4. Vegetation

Terrestrial vegetation communities located within the project site include:

- Manicured Lawn

Vegetation communities located immediately adjacent to the project site include:

- Reed-Canary Grass Graminoid Mineral Meadow Marsh Type
- Speckled Alder Organic Deciduous Thicket Swamp Type
- Fresh-Moist White Cedar Coniferous Forest Type

None of the vegetation communities identified represent limiting or rare habitat within the Lake Scugog watershed. One PSW was identified and is located adjacent to the project site.

Potential impacts to terrestrial vegetation are limited to the manicured lawn area that will be used for the temporary access and the location of the send and receiving pits for the HDD. The area of manicured lawn that will be temporarily disturbed is approximately 2,000 m². This area is currently used for vehicle access and the temporary access will use the existing route as shown in Figure 5, Appendix 5 and Diagram SS-1, Appendix 3.

Impacts to the manicured lawn area will be temporary and short in duration (2 weeks) and the manicured lawn will be restored to existing conditions. The access route and work area will not encroach into the adjacent wetland and appropriate mitigation measures will be implemented to ensure no negative impacts to the wetland.

No trees will be removed as part of this work.

The duration of the project will be approximately 4 weeks beginning mid July into August. The level of risk associated with the proposed works is low with the implementation of the mitigation measures detailed in Section 10.

9.5. Wildlife

Impacts to wildlife from the works associated with the installation of the outfall are anticipated to be negligible. Vegetation and tree removal is not required for the project, with the exception of temporary disturbance to manicured grass areas to accommodate vehicle access and send/receiving pits for the HDD.

The temporary works will be limited to daytime hours and will span approximately 2-4 weeks starting mid-July and into August. Potential impacts to foraging birds will be limited to avoidance or temporary discontinued use of foraging areas in and around the project site during the daytime work schedule. This particular foraging habitat is common and similar habitat is located within close proximity to this area. No tree or vegetation removal shall occur within the nesting season for birds (April 1 to August 31).

Prior to the mobilization of equipment, surveys shall be completed by a certified ecologist to inspect the entire project area (including the access route) for any wildlife. This includes dens, nests, egg and young.

With the implementation of the mitigation measures detailed in Section 10, the level of risk to general wildlife associated with the proposed works is low.

9.6. Species at Risk

As indicated in Table 2 above, nine (9) SAR have the potential to ‘possibly’ or ‘likely’ occur in the project site and immediately adjacent areas; Barn Swallow, Black Tern, Least Bittern, Midland Painted Turtle, Snapping Turtle, Monarch Butterfly, Eastern Small-footed Bat, Little Brown Myotis, Northern Myotis, and Tri-Coloured Bat. These SAR are further discussed below in relation to potential effects from the proposed project.

On a daily basis, an inspection or sweep of the work area shall be performed prior to commencement of project works and activities to ensure that snakes, turtles, SAR (including SAR dens, nests, eggs and/or young), and any other wildlife are not present in the work area (including access route).

If SAR are discovered, work within the immediate vicinity of the individual shall stop and the specimen is to be left alone and permitted to exit the project site of its own will. Should this not be possible (i.e. individual is injured or entrapped), PCA is to be contacted for further guidance.

Key project mitigations shall include (but are not limited to – see Section 10 below for additional mitigation):

- The contractor is to ensure that all construction crews are trained in how to identify SAR species and provided with the protocols detailing who to contact, information to document and actions to take if a SAR is found (e.g., all work temporarily stopped until advised by the biologist);
- The contractor is to ensure that pre-stressing and visual sweeps are completed by qualified personnel will be conducted prior to grubbing and site preparation;
- Exclusion barriers will be necessary to prevent SAR from entering the work zone;
- Stockpiles will not be stored on site, or shall be isolated with exclusion barriers (i.e. sediment fencing); and
- Areas will be actively restored and stabilized upon de-mobilization.

9.6.1. Birds

Barn Swallow – No Barn Swallow nesting habitat or potential habitat located within the project site, or within immediate adjacent areas to the project site, shall be disturbed or destroyed. Barn Swallow may use the project site for foraging, however this particular foraging habitat is common and similar habitat is located within close proximity to this area. Construction of the effluent outfall along the open lawn may cause some short-term disturbance for birds but is not anticipated to directly affect nesting habitat. Therefore, no permanent or long-term impacts are anticipated to Barn Swallow or their habitat from the installation of the STP outfall pipe with implementation of mitigation measures detailed in Section 10.

Black Tern – Potential habitat for the Black Tern may be located in Lake Scugog and the PSW located immediately adjacent to the project site. No vegetation removal or encroachment into the wetland is required to complete the works. Therefore, no permanent or long-term impacts are anticipated to Black Tern or their habitat from the installation of the STP outfall pipe with implementation of mitigation measures detailed in Section 10.

Least Bittern – Potential habitat for the Least Bittern may be located in the PSW located immediately adjacent to the project site. No vegetation removal or encroachment into the wetland is required to complete the works, therefore no impacts are anticipated to potential Least Bittern habitat.

It is recognized that the Least Bittern is sensitive to human disturbance (noise, light) and that works will take place adjacent to potential wetland habitat. The temporary works will be limited to daytime hours and will span approximately 2-4 weeks starting mid-July and into August. Implementation of appropriate mitigation measures within Section 10, particularly with regards to SAR and noise management shall mitigation any potential adverse impacts to this species.

9.6.2. Herpetiles

Midland Painted Turtle and Snapping Turtle – Habitat for Midland Painted Turtles and Snapping Turtles may be present in Lake Scugog, adjacent wetland and manicured lawn areas. Turtles may use easily accessible areas such as gravel pits, sand banks, lawns, or mowed grassy areas for digging their nests. Prior to mobilization of equipment, surveys will be completed of



the entire project area (including access route) by a certified ecologist to check for potential nesting turtles. Should evidence of nesting or a turtle be discovered, all work within the immediate vicinity of the nest/individual is to cease, and PCA Environmental Services (ES) staff are to be contacted for further guidance. If a turtle is encountered during the construction window, the turtle will be left to leave the area on its own.

It is expected that activities such as soil excavation, stock piling of materials, and other forms of landscape disturbance has the potential to attract turtles to the area for nesting. Due to timing of project schedule coinciding within the main turtle nesting window, temporary reptile exclusion fencing shall be required to be installed completely around gravel and soil stockpiles and all other disturbed areas in order to prevent and discourage turtle nesting in the project area. Regular site inspections prior to the commencement of construction activities shall be conducted to observe for the possibility of new nesting sites or individual specimens.

With increased traffic within the construction site and associated access road, there raises the potential for herptiles to be injured/killed by moving vehicles. Vehicles travelling along the access road should do so at reduced speeds to reduce the potential for wildlife strikes.

9.6.3. Insects

Monarch Butterfly – The Monarch Butterfly may use the manicured lawn and wetland for a variety of life stages. Most importantly, the caterpillar requires milkweed plants to feed on. No permanent vegetation removal is proposed as part of the works. Temporary disturbance is limited to a minimal area of manicured lawn areas.

Fielded areas containing mixtures of long-grasses and flowering and seeding plants are preferred habitat for this species. With this, it is not anticipated that the planned disturbance to lawned areas within the project site will have any significant adverse impact upon the continuance of local butterfly populations.

9.6.4. Mammals

Roosting habitat for the **Eastern Small-footed Bat, Little Brown Myotis, Northern Myotis and Tri-colour Bat** will not be impacted as no habitat will be impacted or removed. In addition, construction activities will not impede bat foraging at night as construction works will only occur during daylight hours.

The level of risk associated with the proposed works is low or negligible with the implementation of the mitigation measures detailed in Section 10.

9.7. Air Quality and Noise

The use of diesel-powered machinery and concrete may result in temporary, localized effects on air quality around the project site. Noise from construction may be disruptive for property owners adjacent to the project sites, recreational users of the associated lands adjacent to the project site.

Given the installation of the outfall pipe by HDD, any dust generation is considered to be minor. Any other impacts to air quality from the construction activities are expected to be of limited

duration, magnitude and geographic extent, i.e., operation of equipment and vehicles, for which mitigation measures are provided in section 10.

Due to the distance from sensitive receivers to the HDD locations (greater than 100 m) only minor noise mitigation measures are proposed in Section 10. The duration of work is less than 1-month and no overnight work is planned. Construction activities will abide by the Township of Scugog Noise by-law.

9.8. Invasive Species

As the project involves soil and vegetation disturbance activities, and work within and adjacent to water, there is a possibility for invasive species to be accidentally introduced into and/or spread throughout the project site.

Five invasive species were identified in close proximity to the project site.

The risk of introducing invasive species into the project site is low. Potential avenues for the introduction of invasive species through construction activities may include:

- Movement of topsoil/fill
- Equipment

For the purposes of works associated with the STP outfall pipe no fill is required for the works and therefore there is limited risk to the introduction of invasive species. Topsoil will be excavated for the construction of the north pit, however the hole will be backfilled with the same soil.

Equipment brought to site may pose some risk to transporting invasive species. Prior to all equipment accessing the project site, it will be cleaned and washed. Further details regarding mitigation measures are detailed in Section 10.

9.9. Cultural Resources

PCA is committed to protecting and enhancing the TSW and other NHSs in a manner that ensures its long-term functionality, safety, cultural integrity and sustainability. PCA guidelines and mitigation pertaining to the protection of NHS are provided in Section 10.

9.10. Archaeology

As a result of the UAA, nothing of archaeological concern was found within the study area however the results may be inconclusive given the assessment strategy. Therefore, based on the results of this investigation it is recommended that:

- Monitoring of any in-water excavation activity and the resulting dredged sediments brought to the surface shall be undertaken under the direction of an Underwater Archaeologist authorized through a Parks Canada Research and Collection Permit. The archaeologist shall be on site during excavation in the event obstructions or objects are found which could potentially be archaeological. Dredged soils shall be examined for artifacts.
- Should any potential archaeological resources be encountered during construction activities (i.e., structural features, timbers, artifact concentrations) all work in the area must stop immediately and a Federal Underwater Archaeologist must be notified.



Should the presence of an Archaeologist be required onsite, Indigenous Communities shall be notified at a minimum two (2) weeks in advance of the intent for Archaeologist's onsite presence. The proponent shall accommodate Indigenous Monitors presence onsite during this work, should the interest be identified by Communities.

Following implementation of archaeological mitigation measures (see Section 10), impacts from construction activities, including staging areas and access roads, are to not likely cause significant adverse impacts to known or potential archaeological resources.

9.11. Health and Safety

The prime construction contractor in the role of Constructor will be primarily responsible for ensuring appropriate health and safety measures are followed during construction in conformance with the requirements of the Ministry of Labour.

Due to installation of the outfall pipe by HDD, minimal excavation is proposed and therefore the risk of encountering contaminated material is minimal. Since the proposed scope of work is entirely contained within manicured lawn and gravel road areas, the risk of encountering noxious plants is minimal.

9.12. Other Environmental Considerations

Inclement weather including high winds or excessive rainfall could cause ESC measures to fail. Section 10 identifies mitigation measures to deal with inclement weather including an inspection of ESC measures to ensure they are in good condition and adequately secured in advance and following any inclement weather event.

Any changes in water level of the lake are expected to be minor and would not impact the project.

10. MITIGATION MEASURES

To mitigate for the potential harmful effects of the project, the following measures shall be implemented:

10.1 General:

- The Owner, Parks Canada Agency (PCA) is the main Environmental Authority for Trent-Severn Waterway (TSW) projects. Issues pertaining to Federal and Provincial Legislation (i.e., *Historic Canal Regulations, Species At Risk Act, Fisheries Act, Impact Assessment Act, Endangered Species Act, Migratory Bird Convention Act*, etc.), such as that pertaining to Species At Risk (SAR), invasive species, spills, water quality, etc., shall be directly reported to PCA.
- Inform the PCA's Representative and Environmental Services (ES) Officer (TSW in Peterborough) regarding any changes to project plans and/or scheduling. Any changes not assessed under this Basic Impact Assessment (BIA) will require approval from PCA and may require further mitigation measures.
- The contractor is to ensure that all on-site personnel are aware of, and comply with the prescribed mitigation measures within this BIA and any measures outlined within subsequent amendments to this BIA.



- A copy of this BIA and any subsequent amendments shall be kept on site for the duration of the project.
- The Contractor shall adhere to all federal, provincial, and municipal legislation, by-laws, regulations, guidelines, safety standards, and codes governing construction activities. In cases of overlap, the most stringent will apply.
- Should conditions at the work site indicate that there are negative impacts to fish, fish habitat, wildlife, cultural or visitor experience resources, all works shall cease until the problem has been corrected and PCA's ES staff have been consulted/notified. PCA has the right to require that work be altered or ceased immediately.
- As per the *Historic Canals Regulations (HCR)* applicable to lands administered by the TSW National Historic Site of Canada, a permit signed by PCA's Ontario Waterways Director or delegate will be required to authorize the project work prior to commencement of the project (to be facilitated by PCA).
- The BIA will form the basis for a permit under the *HCR*. Non-compliance with required mitigation may lead to violations of the permit.

10.2 Equipment and Site Condition:

- All machinery and equipment shall be clean, free of leaks, in optimal working condition to avoid leakage of fuels and liquids. Ensure measures are in place to minimize impacts of accidental spills.
- All materials and equipment used for the purpose of site preparation and project completion shall be operated and stored in a manner that prevents any deleterious substance (e.g. petroleum products, debris etc.) from entering the water. Ensure measures are in place to minimize impacts of accidental spills.
- Any stockpiled materials, or concrete debris shall be stored and adequately isolated and stabilized a minimum distance of 30 m away from any watercourse, drainage course or swales to prevent erosion and subsequent entry into the TSW or removed from the site, in accordance with all federal, municipal and provincial regulations. Stockpiled materials shall be adequately stabilized and isolated to manage surface water runoff and possible sedimentation and erosion. The following mitigation measures will be implemented as required: sediment fence and covering stockpiled materials.
- Store all oils, lubricants, fuels and chemicals within sealed, impermeable containers, within secure areas and upon impermeable-lined drip/spill trays.
- Vehicle and equipment re-fueling and/or maintenance shall be conducted over an impermeable-lined drip/spill tray to allow full containment of spill, off of slopes and away from the water at a minimum distance of 30 m.
- A designated re-fueling depot will minimize the potential for extensive impacts at the site due to accidental releases of substances; proper spill management equipment shall be in place for fueling.
- Drip/spill trays shall be placed under all fuel-powered equipment. Drip trays shall be sized appropriately to encompass the outer perimeter of the equipment/machinery, providing adequate spacing for refueling activities.
- All compressed air/fuel tanks shall be stored off to the side, away from on-going activity, and be adequately protected with an impact-protection barrier.



- Any Above-ground Storage Tanks (ASTs) or other fuel storage tanks on site, are to be stored in compliance with Federal and Provincial storage tank requirements. Specifically, ASTs are to be placed within a secondary containment system of adequate holding capacity, based on the volume of the AST. See: <https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/publications/code-practice-storage-tank-systems/part-3.html> .
- Self-contained fuel tanks, or fuel tanks so large where sizing a drip/spill tray to be placed underneath said tank would be impractical, at minimum, a spill tray is to be placed at the nozzle/hose end and utilized for all refueling activities.
- There shall be no discharge of chemicals and cleaning agents in or near aquatic habitats; all such substances shall be disposed of at a facility licensed to receive them.
- Spill control and emergency plans will be in place prior to initiation of construction; an emergency spill kit shall be kept on-site and employed immediately should a spill occur. The contractor shall ensure that adequate additional spill clean-up resources are available.
- In the event of a spill, PCA and the Ontario Spill Action Centre (1-800-268-6060) shall be notified immediately. Remediation will be conducted immediately to contain and clean up in accordance with federal and provincial regulatory requirements **AND to the satisfaction of PCA**. Documentation of remediation, testing and results will be provided to PCA. Spills shall be reported directly to the PCA ES (705-750-4900).
- Spill-related environmental incidents or emergencies include (but is not limited to):
 - Chemical spill or petroleum spill;
 - Poisonous or caustic gas emission;
 - Biological or chemical explosion;
 - Hazardous material spill;
 - Sewage spill;
 - Contaminated water into waterways;
 - Release of turbidity into the waterway; and
 - Release of water with pH <6 or >9 into the waterway.
- Operate machinery from dry, stable location on land, or barges.
- Only the working end of machinery shall directly enter the water. Any part of a machine or equipment entering the water shall be free of fluid leaks and externally degreased to prevent any deleterious material from entering the water. Complete the in-water activity as quickly as possible to minimize the time equipment is in the water. Do not leave equipment in water during breaks in work activity.
- Use biodegradable hydraulic fluids for machinery that will be working in or around the lake.
- The Material Safety Data Sheet (MSDS) of any unapproved substances to be utilized onsite (particularly that of substances to be in use in/adjacent to water) shall be provided to PCA ES for review and acceptance.
- All materials and equipment used for the purpose of site preparation and project completion shall be operated and stored in a manner that prevents any deleterious substance (e.g. petroleum products, debris etc.) from entering the water.
- Any part of a vehicle and/or equipment entering the water shall be free of fluid leaks and externally degreased to prevent any deleterious substance from entering the water.



- Spills kits shall be maintained on site and the contractor will ensure that adequate additional resources are available.
- No tools, equipment, temporary structures or parts thereof, used or maintained for the purpose of this project, shall be permitted to remain at the site after completion of the project.
- All products used for this project shall be utilized according to the appropriate Product Technical Data Sheet, stating guidelines and methods for proper use, and provided by the manufacturer of the product.

10.3 Water Quality:

- Ontario Drinking Water Quality Guidelines cannot be exceeded (beyond parameters that currently exist) due to project activities.
- Only clean material free of fine particulate matter shall be placed in or near water where it has been previously planned and authorized.
- Canadian Council of Ministers of the Environment (CCME) Canadian Water Quality Guidelines for the Protection of Aquatic Life will form the baseline for water and streambed quality (see <http://ceqg-rcqe.ccme.ca/en/index.html#void>).
- Activities causing turbidity or release of sediment will comply with the CCME Guidelines on Total Particulate Matter (see <http://ceqg-rcqe.ccme.ca/download/en/217>).
- Mitigation, guidance, requirements and best management practices outlined in Ministry of the Environment, Conservation and Parks' (MECP) Environmental Compliance Approval (ECA) (file number **7703-C322FD**) to Parkbridge Lifestyle Inc., dated June 11 2021, shall be implemented and abided by accordingly. See Appendix 9 for further details.

10.4 Fish and Fish Habitat:

- Plan in-water works, undertakings and activities to respect timing windows, or as agreed upon by the Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR), to protect fish, including their eggs, juveniles, spawning adults and/or the organisms upon which they feed and migrate;
 - No in-water work between March 15 and July 15;
- Capture, relocate and monitor for fish trapped within isolated, enclosed, or dewatered areas.
- Limit the duration of in-water works, undertakings and activities so that it does not diminish the ability of fish to carry out one or more of their life processes (spawning, rearing, feeding, migrating).
- Replace/restore any other disturbed habitat features and remediate any areas impacted by the work, undertaking or activity.
- The proponent is advised to abide by those mitigation measures and best management practices outlined within Fisheries and Oceans Canada's (DFO's) online guidance materials: Measures to Avoid Causing Harm to Fish and Fish Habitat (<http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html>).
- As per Section 38(4) of the *Fisheries Act*, any death of or injury to fish as a result of the work will be reported without delay to the DFO.



- Mitigation, guidance, requirements and best management practices outlined in DFO's Letter of Advice (file number **21-HCAA-00123**) to Parkbridge Lifestyle Inc., dated March 31 2021, shall be implemented and abided by accordingly. See Appendix 8 for further details.

10.5 Erosion and Sediment Control:

- In the event of sedimentation or turbidity caused by construction activity, contractor shall stop all work and install additional sediment barriers as necessary to ensure the lake is protected.
- Ensure that fish exclusion procedures are followed and fish are not trapped within the turbidity curtain during placement.
- Erosion and sediment control measures shall be implemented prior to work and maintained during the work phase, to prevent entry of sediment into the water where site access or other activities cause exposed soil. The following principles should be considered:
 - Diversions to limit run-on water;
 - Reduction of erosional forces by surface water velocity reduction;
 - Reduction of sediment development through sediment collection or anchoring;
 - Sedimentation of mobilized sediments;
 - Filtration of sediment-carrying flows;
 - Collection of captured or contained sediments;
- The size of particles present in the sediment is a key consideration for selecting the appropriate sediment treatment option(s):
 - If the sediment consists primarily of gravel or sand, which are relatively large particles, a single treatment using a more basic technology, such as a sediment trap or sediment bag, may be adequate.
 - If the sediment consists of silt and/or clay, which are relatively small particles, the effluent will most likely need a more advanced technology, such as a filter press or chemical treatment with anionic flocculent and a filtration method.
 - If the sediment consists of a large spectrum of particle sizes, the water may need primary treatment to remove larger particles, followed by secondary treatment to remove finer particles.
- In-water work shall be performed in a manner that minimizes the disturbance of the watercourse bottom and dispersion of sediment.
- Sediment control measures shall be implemented during any in-water work to control turbidity levels. Turbidity curtains, or other appropriate measures, shall be implemented prior to any in-water work that may result in sedimentation. These shall remain in place until all suspended sediments have settled.
- Monitor water quality for unacceptable suspended sediment levels during in water activities. Monitoring shall include the full scope and breadth of any incident.
- All erosion and sediment control measures shall be inspected daily to ensure they are functioning properly and are maintained and/or upgraded as required to prevent entry of sediment into the water.
- Environmental protection measures shall be checked after each extreme weather event.



- If sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed to the satisfaction of PCA.
- All disturbed areas of the work site shall be stabilized immediately and re-vegetated as soon as conditions allow. All exposed areas should be covered with erosion control blankets or other measures to keep the soil in place and prevent erosion until vegetated in the spring.
- Sediment and erosion control measures shall be left in place until all areas of the work site have been stabilized.
- Upon completion of the work all debris shall be completely removed and the area restored to its original state or better. Repair all damages to property due to project activities.
- Sediment control measures and exclusion fencing must be removed in a way that prevents the escape or re-suspension of sediments.
- A US Dot II Marine Grade turbidity curtain will be maintained in the water around all working areas where sediments can enter the watercourse. It will be maintained in the water around all working areas during construction to contain and control the suspension of fines. If water levels/conditions do not permit the flotation of a turbidity curtain, other measures as approved by PCA will be implemented.
- Turbidity curtains should be placed in accordance with US Dot II Marine Grade Specifications. Curtains are to be anchored or weighted down across its length to form a continuous seal on the substrate bed, with adequate floatation at the water's surface to prevent over spills of water.
- With respect to turbidity curtain installation:
 - Perform an initial sweep of the work area to drive fish out prior to completely closing off turbidity curtains surrounding the work area.
 - Deployed turbidity curtains in a manner (i.e. moved in a direction from close to shore/structures outward) that prevent entrapment of fish inside the curtain.
 - Turbidity curtains shall not be deployed fully across the watercourse to serve as a barrier to fish migration.
- No acid-generating rock (containing sulphides) will be used.
- In the event of a significant sedimentation or debris caused by construction activities, the contractor will take appropriate measures to contain and mitigate the problem including the installation of additional turbidity curtains.
- The contractor will maintain a standby supply of pre-fabricated sediment fence barriers, or an equivalent ready-to install sediment control devices.
- Avoid activities that could lead to erosion during excessively wet weather conditions; monitor forecasts for heavy rainfall watches & warnings.
- Filter material will consider the grain size characteristics of the sediment and shall be designed around the principals of maintaining sufficient hydraulic flow and prevention of particle movement through the material.
- Sediment fences shall not have mesh backing and shall be installed as per Ontario Provincial Standards Drawing (OPSD) 219.130



10.6 Horizontal Directional Drilling and Dewatering Activities:

- During HDD operations, inadvertent fluid loss can be detected by a drop in drilling pressure. Drilling pressures will be carefully monitored to ensure that if a drop in pressure occurs it will be detected immediately. The following contingency measures are to be implemented immediately in the event of an inadvertent fluid loss:
 - HDD operations will be halted by the drill rig operators immediately upon detection of a drop in drilling pressure or other evidence of inadvertent fluid loss.
 - If boring fluid loss is minor, has not reached the surface and is not threatening to sensitive resources, drilling operations may resume after use of a leak stopping compound.
 - If boring fluid has reached the surface, containment of the spill and notification to the Regulatory Agencies shall occur immediately and Regulatory Agencies shall be consulted regarding clean-up procedures.
 - A spill kit, turbidity curtain and sediment fence shall be stored on site during HDD operations to contain drilling fluid in the event of inadvertent fluid loss.
 - Any material contaminated with Bentonite shall be removed, contained and properly disposed of at an approved offsite facility. The contractor shall notify and take any necessary follow up response actions in coordination with the Regulatory Agencies.
- All drilling cast-offs/cuttings and generated slurry shall be placed within containment basins. Additionally, all waste water pumped from excavated areas shall be placed within containment basins. Containment basins must be of adequate size to contain more than the anticipated volume of waste water and waste debris (i.e. soil cuttings) to be produced. Alternatively, multiple containment basins may be used.
- All containment basins must be of sound structure, impermeable and leak free. All containment basins must be covered for transportation/disposal. Containment basins which contain liquids must also be sealed for transportation/disposal to ensure no spills or leakages occur.
- All HDD waste material and waste water shall be disposed of appropriately at a licensed waste disposal facility.
- Design the drill/ punch or bore path to an appropriate depth below the waterway to minimize the risk of frac-out and to a depth to prevent the line from becoming exposed due to natural scouring of the stream bed. The drill entry and exit points are far enough from the banks of the waterway to have minimal impact on these areas.
- If additional drilling fluids are required, only fresh water shall be used for fluid preparation. No toxic or hazardous substances are to be added to the drilling fluid, unless reviewed and approved by PCA.
- Excavate entry/exit drill holes/pits beyond the high water mark, far enough away from any waterway to allow containment of any sediment or deleterious substances above the high water mark.
- All waste generated by drilling shall be disposed according to Ontario Regulation 558/00. R.R.O. 1990 (General – Waste Management).
- Monitor the waterway to observe signs of surface migration (frac-out) of drilling mud during all phases of construction.
- Keep all material and equipment needed to contain and clean up drilling mud releases on site and readily accessible in the event of a frac-out.
- If required, implement the frac-out response plan that includes measures to stop work, contain the drilling mud and prevent its further migration into the waterway. Notify all applicable authorities and prioritize clean up activities relative to the risk of potential harm. Dispose of the drilling mud in a manner that prevents re-entry into the waterway.



- Ensure clean up measures do not result in greater damage to the banks and waterway than from leaving the drilling mud in place.
- In the event of a frac-out, implement the contingency crossing plan including measures to either re-drill at a more appropriate location or to isolate the waterway to complete the crossing at the current location.
- Have additional turbidity curtains and a CO₂ bubbler system readily available on site for quick deploy in event of in-water frac-out.

10.7 Vegetation:

- Site clearing/commencement of construction must be planned to occur outside of sensitive nesting times - April 1 to August 31. If any work must occur outside this period, due to unforeseen circumstances, then consult with PCA on requirements.
- Demonstrate all construction sites and laydown areas; identify and keep work activities confined to planned areas and within previously disturbed areas. Trees, shrubs and vegetation which are to remain throughout construction should be properly identified and delineated and protected.
- Local soil will be stockpiled and re-used as opposed to bringing in soil from other locales.
- Restore the site and to a specific future condition – i.e. as per restoration plan; ensure re-planting success. Native grasses, shrubs, etc. should be planted to match existing species growing on the sites. Common milkweed should be actively restored. The disturbed areas will be restored to pre-construction conditions and will be returned to manicured lawn.
- Trees (and associated root systems), shrubs and vegetation which are to remain throughout construction should be properly identified and delineated with flagging tape or temporary fences.
- Where practical, the branches of the large trees should be trimmed back as the first option rather than cutting the entire tree.
- Only cut trees using tools designed for tree cutting activities (e.g. chainsaw, brush saw).
- Whenever possible, vegetation should be trimmed in early spring, late fall or winter. Trimming when the plant is actively growing (i.e. late spring summer and early fall) can further stimulate growth, weakening the plant and making it susceptible to disease.
- Prune limbs close to the tree trunk. For a clean cut, make a shallow undercut first, then follow with the top cut. This prevents the limb from peeling bark off the tree as it falls. Do not use an axe for pruning.
- Delineate areas to be avoided with flagging tape or temporary fences.
- Ensure appropriate handling procedures are followed for noxious weeds such as Giant Hogweed (*Heracleum mantegazzianum*), Poison Ivy (*Toxicodendron radicans*) or Wild Parsnip (*Pastinaca sativa*).
- Root systems of trees identified to remain should be properly delineated and fenced off, so as to protect the root systems from being crushed and impacted by machinery.
- In the event that the installation of root-protectant fencing is not possible and/or ideal, alternative measures, as approved by PCA, must then be implemented. Such measures must provide a sufficient amount of soil compaction prevention with regards to the highest level of activity to occur within the immediate area of protection.



- A 10m buffer is planned between laydown areas and shoreline. Riparian vegetation removal will be minimized to the extent possible. Trees, shrubs and vegetation which are to remain shall be identified, delineated and protected.

10.8 Wildlife:

- If a turtle is found within the limits of the fencing it should be left alone to leave the area if possible. If found in the project area, turtles may need to be relocated prior to commencing work (with permits required from Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR) for relocation). Contact PCA for guidance.
- Once cleared and before staging set-up, temporary reptile fencing, such as polythene/ woven geotextile secured with timber stakes, or material of a similar nature/function, should be installed completely around gravel stockpiles to prevent turtle nesting in the project area. Exclusion fencing should also be installed completely around stockpiled material (wood chips, gravel, earth, etc.) to prevent turtle nesting in the project area. Fencing shall not have mesh or netted backing. For guidance on how to plan and install exclusion fencing, refer to the document titled Species at Risk Branch, Best Practices Technical Note, Reptile and Amphibian Fencing, Ver. 1.1, developed by the Ontario Ministry of Natural Resources and Forestry
- Synthetic plastic Erosion Control Blankets/Mats shall not be utilized, particularly during nesting season, as they pose as an entrapment hazard to turtles and other wildlife. Fibre-based bio-degradable Erosion Control Blankets/Mats are only to be utilized.
- If recommended by a qualified person and approved by PCA, exclusion zones or “no go” areas will be established to protect areas with known residences (e.g., hibernacula, dens, nests).
- Conduct “pre-stressing” activities within a few days prior to the onset of site preparation (vegetation clearing and grubbing) to encourage wildlife to move away from a site.
- Document wildlife encountered on the project site.
- The contractor shall ensure that all vehicles and equipment used by project personnel will follow any construction zone speed limits to reduce the risk of hitting wildlife, as enforced by the site supervisor.
- Work areas will be kept clean and free of potential hazards to wildlife such as wire, cable, tubing, plastic, antifreeze or other materials that wildlife may eat or become entangled in.
- Waste will be stored, handled, and transported in accordance with the Waste Management Plan, including storage of all solid waste in sealed, bear-proof containers.
- Feeding of wildlife is prohibited.
- Attractants (i.e. waste) shall be regularly removed from site to further deter the presence of wildlife in the work area.
- Migratory birds, their nests and eggs are protected under the *Migratory Birds Convention Act (1994)*. Project works or activities are potentially disruptive activities to birds and shall be avoided during breeding times. No vegetation shall be removed from April 1st to August 31st to protect nesting birds.
- On a daily basis, an inspection or “sweep” of the work area shall be performed prior to commencement of project works and activities to ensure wildlife are not present in the work area (include in site checklist).

10.9 Species at Risk:



- If a SAR is observed or suspected on or near the worksite (this includes snakes, turtles and/or SAR dens, nests, eggs or young), the species must not be harmed or harassed. If the species does not leave or cannot leave the site, the contractor must immediately stop the works and contact PCA's ES staff on how to proceed. Additional measures to avoid impacts may be required before work can restart. Stand back and allow the animal to leave the site.
- Minimize the disturbed area; clearly mark the work space.
- Park on roads or disturbed area only.
- Temporary reptile exclusion fencing, such as polythene/ woven geotextile secured with timber stakes, or material of a similar nature/function, should be installed to prevent turtles from entering the construction area. Exclusion fencing should also be installed completely around stockpiled material (wood chips, gravel, earth, etc.) to prevent turtle nesting in the project area. Fencing shall not have mesh or netted backing. For guidance on how to plan and install exclusion fencing, refer to the document titled Species at Risk Branch, Best Practices Technical Note, Reptile and Amphibian Fencing, Ver. 1.1, developed by the NDMNRF
- Pre-stressing and a visual sweep for wildlife of the work area (including access route) should be completed by qualified personnel at the start of every work day, to ensure that there are no wildlife within the work area.
- A sweep of the work area (including access route) should be completed at the start of every work day to ensure that there are no turtles within the work area.

10.10 Invasive Species:

- To reduce the risk of introducing invasive species, all equipment must be thoroughly cleaned prior to coming to the site. Any machinery that appears to have not been cleaned will not be permitted on site. For additional information or guidance on how to properly clean equipment, see the Clean Equipment Protocol for Industry developed by the Ontario Invasive Plant Council and found here: http://www.ontarioinvasiveplants.ca/wp-content/uploads/2016/07/Clean-Equipment-Protocol_June2016_D3_WEB-1.pdf
- Any equipment or vehicles which are to be used in water, should be thoroughly cleaned before and after use of any visible mud, vegetation, mussels, etc.
- Vessels/equipment should ideally be cleaned with hot water (> 50 °C) at high pressure water (> 250 psi).
- Cleaning of vessels/equipment should be conducted away from waterbodies at a recommended distance of at least 30 m from the shoreline.
- Mud, dirt and vegetation should be cleaned from clothing and footwear prior to entering the work site, and prior to leaving the work site.
- Should an invasive species be encountered (or at least suspected), a photo and report of the specimen should be sent to PCA's EA staff and the Invading Species Hotline at 1-800-563-7711 or online at EDDMapS Ontario: <https://www.eddmaps.org/ontario/>.
- Use weed-free material (i.e. sand, gravel, etc.) for erosion control and stabilization and weed-free seed and confirm that seed mix to be used for revegetation purposes does not (potentially) contain invasive plants.



10.11 Cultural Resources and Archaeology:

- Before any on-site mobilisation/construction work commences, PCA staff will clearly delineate any archaeologically sensitive areas and photo-document this activity for PCA records. These areas will be deemed no-go zones for staging, vehicular traffic and machinery.
- The contractor is to ensure that all personnel working on site undergo a heritage induction to clearly identify the value of the place and how to avoid inadvertent impacts on cultural and archeological resources (known and unknown).
- Vehicular access routes and staging areas will be restricted to present-day roadways, parking lots, exposed bedrock areas and significantly disturbed areas. If this is not possible, the use of protective covering is required. All protective measures employed must be removed following construction and the area restored to a pre-construction state. Excavation is not permitted outside of PCA cleared/reviewed areas during installation or removal of protective covering.
- If archaeological, cultural resources, or character-defining elements (e.g. structural features or artifact concentrations) are encountered or damaged during construction activities, work will cease in the immediate area and PCA shall be contacted for further instruction. PCA's archaeology shall provide advice and assessment of significance, and if necessary, any further mitigation measures. Ensure that all exposed underwater cultural materials are kept submerged and/or wet while waiting direction.
- Inform PCA regarding any changes to project plans and/or scheduling. Any changes not assessed under this BIA will require approval from PCA and may require further mitigation measures.
- Monitoring of any in-water excavation activity and the resulting dredged sediments brought to the surface shall be undertaken under the direction of a certified Archaeologist. The archaeologist shall be on site during excavation in the event obstructions or objects are found which could potentially be archaeological. Dredged soils shall be examined for artifacts.
- Should the presence of an Archaeologist be required onsite, Indigenous Communities shall be notified at a minimum two (2) weeks in advance of the intent for Archaeologist's onsite presence. The proponent shall accommodate Indigenous Monitors presence onsite during this work, should the interest be identified by Communities.

10.12 Air Quality and Noise:

- All on-site vehicles are expected to have a Drive Clean Emissions Report in compliance with O. Reg. 361/98: Motor Vehicles under the Environmental Protection Act, R.S.O. 1990, c. E.19. EA Officers may stop a vehicle if they believe the vehicle is emitting excessive exhaust smoke or suspect that emission control equipment has been tampered with or removed.
- Use well-maintained heavy equipment and machinery, preferably fitted with fully functional emission control systems/muffler/exhaust baffles, engine covers, etc. In addition, employ timing and location of construction activities to reduce or minimize the effect of noise on nearby residents, recreational users, and wildlife.
- Machines shall not be left to unnecessarily idle in order to avoid emissions.
- Adhere to local and municipal noise by-laws.



- Notify residents of planned activities that may cause disturbance and schedule them to avoid sensitive time periods.
- Minimize the noise levels from construction activities by using proper muffling devices, in addition to appropriate timing and location of these activities to reduce or minimize the effect of noise on nearby residents, recreational users, and wildlife.
- Due to the proximity of the work site to water, calcium chloride shall not be used to suppress dust.
- Monitor and mitigate public complaints by keeping a record of complaints and addressing any issues raised by the public.

10.13 Waste Disposal:

- Littering is prohibited. Garbage and waste material onsite is to be collected daily and stored in appropriate containers/bins.
- Burning or burying of waste is prohibited.
- Recyclable material and waste shall be removed from the site, in accordance with all federal, provincial and municipal regulations, to disposal facilities licensed to receive them.
- Waste containers should be sealed or lined to prevent leakage of liquid wastes.
- Waste generated will be disposed according to regulations (i.e., O. Reg. 102/94 and O. Reg. 558/00, R.R.O. 1990, 347).

10.14 Work Area Commissioning:

- Upon completion of work there shall be a final clean-up of the site. No tools, temporary structures, or parts thereof, used or maintained for the purpose of this project shall be permitted to remain at the site or enter the water after completion of the project.
- Ensure that all construction debris and waste is removed from the work area prior to demobilization

10.15 Floods, Extreme or Inclement Weather, and Ice Formation:

- Undertake construction under normal weather conditions, to the extent possible, and design the project worksite to withstand variable weather conditions.
- Apply wet weather restrictions on construction activities to reduce surface run-off from exposed work areas and to minimize the risk of inundation.
- The work area shall be stabilized against the impacts of high flow/heavy rainfall events at the end of each workday.
- Work shall be suspended and the work area stabilized when there is a high probability of a rainfall event.

10.16 Environmental Monitoring and Reporting

- Environmental mitigation measures shall be inspected daily and a daily checklist/log shall be maintained over the duration of the project.
 - Any deficiencies shall be addressed immediately.
- SAR, Invasive species, and wildlife sightings, or lack thereof, should be reported on the daily inspection checklist.
 - SAR-related incidences should be reported immediately to PCA.



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- Any damages should be repaired immediately and any accumulation of sediment should be removed and disposed of as required by all applicable federal, provincial, and municipal laws, regulations, and guidelines.
- The Contractor shall provide a written checklist of for inspection for vehicle/machinery leaks and overall condition, and, for the purpose of invasive species a written record of measures taken to clean vehicles/machinery/equipment.

11. OTHER Considerations

Comments received from the public /stakeholder engagement

- Department of Fisheries and Oceans (DFO): Response Letter provided in Appendix 8.
- Ministry of the Environment, Conservation and Parks (MECP): Environmental Compliance Approval (ECA) provided in Appendix 9.
- Kawartha Conservation (KC): Permit provided in Appendix 10.

Indigenous Peoples engagement or consultation

Indigenous Consultation 2019

Indigenous consultation was conducted as part of the ECA. Proposal notification letters were issued on September 27, 2019, to the following Indigenous Communities:

- Alderville First Nation (Chief James R. Marsden)
- Curve Lake First Nation (Chief Phyllis Williams)
- Hiawatha First Nation (Chief Laurie Carr)
- Kawartha Nishnawbe First Nation (Chief Kris Nahrgang)
- Mississaugas of Scugog Island (Chief Kelly LaRocca)
- Beausoleil First Nation (Chief Guy Monague)
- Chippewas of Georgina Island (Chief Donna Big Canoe)
- Chippewas of Rama (Chief Rodney Noganosh)

The notification letters outlined the proposed works and suggested that the community provide any questions or concerns regarding the proposal within 30 days of receipt of the letter. The notification letters are provided in Appendix 13.

The Mississaugas of Scugog Island First Nation (MSIFN) Community provided the following comments in response to the September 2019 letter:

- *“Regarding the ECA for the proposed private sewage works upgrades at Goreski’s Landing Resort on Lake Scugog, given that the Mississaugas of Scugog Island First Nation own Seven Mile Island within close proximity to the proposed outfall it will be critical to the First Nation to know where this may be placed. Can you please keep us informed as this application moves forward.” (Source: email from Dave Mowat, Consultation, Lands and Membership Supervisor, Mississaugas of Scugog Island First Nation, dated November 1, 2019).*

The description and location of the proposed outfall was provided to Dave Mowat, Consultation, Lands and Membership Supervisor, Mississaugas of Scugog Island First Nation via email on November 1, 2019. The email response suggested to contact the reviewer with any questions or concerns by Friday, December 13, 2019. No further questions or concerns were raised as of December 2021.

Indigenous Consultation 2022

Indigenous consultation was re-initiated on March 2, 2022 at the request of Parks Canada to reintroduce the project and advise of the proposed archaeological investigation associated with the project. The Project Notification Letters issued on March 2, 2022 (Appendix 12) were issued to the same Indigenous Communities as the original notification in 2019.

Indigenous consultation has been ongoing since the March 2nd Project Notification Letters were issued and a summary of correspondence is included (Appendix 14). The draft BIA and UAA were distributed for review and a minimum of 30-day review was provided for all Indigenous Communities notified. Comments were only received from Mississaugas of Scugog Island First Nation, these comments were provided on July 15, 2022 and are included for reference (Appendix 14). Following a meeting on July 19, 2022 with Mississaugas of Scugog Island First Nation representatives it was confirmed that the comments would not result in changes to the BIA. The proponent committed to responding and resolving the comments directly with Mississaugas of Scugog Island First Nation.

Upon review of the draft BIA, MSIFN has confirmed that there are no outstanding concerns with the contents of the BIA, nor objections to the Goreski's Resort Outfall Pipe project proceeding forth with the understanding that Parkbridge has committed to continuing engagement with MSIFN to discuss items and concerns of the Goreski Resort Sewage Treatment Plant project which are outside of the scope of the BIA.

Surveillance

If required, project surveillance will be conducted by the Parks Canada Environmental Officer or Realty Officer.

Follow-up monitoring

Follow-up monitoring may be required to confirm successful replanting, invasive species presence, erosion concerns, and ensure removal of construction garbage, equipment, and materials.

SARA Follow-up monitoring

This project will not lead to residual adverse effects that contravene a SARA prohibition for a listed species at risk, its residence or its Critical Habitat.

12. SIGNIFICANCE OF RESIDUAL ADVERSE EFFECTS

Most activities for this project are terrestrial or below-substrate based, with limited planned vegetation removal and minimal vegetation disturbance.



Furthermore, the project area is not considered specialized, nor sensitive in nature, and vegetation, habitat, and landscape in-kind can be found elsewhere within close proximity of the work area. Residual effects resultant of this disturbance is not anticipated to be significantly adverse to those valued environmental component assessed above.

With implementation of project mitigation, no significant residual adverse effects and/or adverse effects on environmental integrity are anticipated.

13. EXPERTS CONSULTED

Department/Agency/Institution: Parks Canada Agency	Date of Request: 2021-07-21
Expert's Name & Contact Information: Brandy Lockhart brandy.lockhart@pc.gc.ca 613-324-9806	Title: Underwater Archaeologist
Expertise Requested: Review project for any underwater archaeological potential or concerns.	
Response: The project area has high potential for Indigenous artifacts and this needs to be considered in the design plan and mitigated for. Recommend that the area be assessed archaeologically via an Archaeological Impact Assessment prior to this work.	

Department/Agency/Institution: Parks Canada Agency	Date of Request: 2021-07-21
Expert's Name & Contact Information: Jenneth Curtis jenneth.curtis@pc.gc.ca 819-743-9369	Title: Archaeologist
Expertise Requested: Review project for any terrestrial archaeological potential or concerns.	
Response: There is likely potential for archaeological resources. Recommend that at least an Archaeological Overview Assessment be completed to investigate that potential and determine if any known archaeological sites are present in areas of land or water immediately adjacent to the Parks Canada administered land component.	

Department/Agency/Institution: Matrix Heritage	Date of Request: 2022-02
Expert's Name & Contact Information: Ben Mortimer bmortimer@matrixheritage.ca 613-614-6002	Title: Principal
Expertise Requested: Design and conduct Underwater Archaeology Assessment (UAA) of project area.	
Response: The UAA was completed (Appendix 16) and nothing of archaeological concern was found within the study area however the results may be inconclusive given the assessment strategy. Therefore, based on the results of this investigation it is recommended that: <ul style="list-style-type: none"> Monitoring of any in-water excavation activity and the resulting dredged sediments brought to the surface shall be undertaken under the direction of an Underwater Archaeologist authorized through a Parks Canada Research and Collection Permit. The archaeologist shall be on site during excavation in the event obstructions or objects are 	



found which could potentially be archaeological. Dredged soils shall be examined for artifacts.

- Should any potential archaeological resources be encountered during construction activities (i.e., structural features, timbers, artifact concentrations) all work in the area must stop immediately and a Federal Underwater Archaeologist must be notified.

14. DECISION

Taking into account implementation of mitigation measures outlined in the analysis, the project is:

- not likely to cause significant adverse environmental effects.
- likely to cause significant adverse environmental effects.

FOR SARA REQUIREMENTS:

- Residual adverse effects to species at risk are not likely, and therefore, the SARA-Permit Decision Tool was not required

OR, the SARA-Permit Decision Tool was used and determined:

- This activity does not require a SARA permit
- This activity requires a SARA permit and one can be issued
- This activity requires a SARA permit but one cannot be issued

15. RECOMMENDATION AND APPROVAL

External Consultants

Prepared by: <i>Sarah Aitken, Senior Aquatic Scientist, Hutchinson Environmental Sciences Ltd.</i>	Date: July 29, 2022
Prepared by: <i>Bob Garner, Project Engineer, R.J. Burnside & Associates Limited</i>	Date: July 29, 2022

External Proponent

Reviewed and Accepted by: <i>Lachlan MacLean, Senior Vice President, Property Operations, Parkbridge Lifestyle Communities Inc.</i>	Date: 07/29/2022
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Parks Canada Agency

Parks Canada Reviewed by: <i>Sarah Bunting, Environmental Assessment Officer, Parks Canada Agency</i> Bunting, Sarah <small>Digitally signed by Bunting, Sarah Date: 2022.08.03 13:42:40 -04'00'</small>	Date:
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Parks Canada Recommended by: <i>Valerie Minelga, Environmental Services Manager, Parks Canada</i> Digitally signed by Minelga, Valerie Date: 2022.08.03 13:53: 26-04'00'	Date:
Parks Canada Approval signature: <i>David Britton, Director of Ontario Waterways, Parks Canada Agency</i> David Britton Digitally signed by David Britton Date: 2022.08.03 15:31:25 -04'00'	Date: 2022-08-03

Transport Canada

Transport Canada Reviewed By: <i>Jeremy Craigs, Environmental Officer, Transport Canada</i> Jeremy Craigs Digitally signed by Jeremy Craigs Date: 2022.08.03 13:19:47 -04'00'	Date:
Transport Canada Approval signature: <i>David Zeit, Senior Environmental Officer, Transport Canada</i> Zeit, David Digitally signed by Zeit, David Date: 2022.08.03 12:40:26 -04'00'	Date:

16. REFERENCES

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17. ATTACHMENTS

Appendix 1: Effects Identification Matrix

Appendix 2: Site Photos

Appendix 3: Project Construction Drawings

Appendix 4: Construction Schedule

Appendix 5: Vegetation Communities Figure

Appendix 6: Environmental Impact Study



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Appendix 7: Receiving Water Assessment

Appendix 8: DFO Mitigation Letter

Appendix 9: Environmental Compliance Approval

Appendix 10: Kawartha Conservation Permit

Appendix 11: Directional Drilling Fluid MSDS

Appendix 12: Indigenous Consultation Letters 2022

Appendix 13: Indigenous Consultation Letters 2019

Appendix 14: Record of Engagement with Indigenous Communities

Appendix 15: List of Amphibian Species

Appendix 16: Underwater Archaeological Assessment

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 8359-BGZKEN

Issue Date: January 31, 2020

Parkbridge Lifestyle Communities Inc.
690 River Road West
Wasaga Beach, Ontario
L9Z 2P1

Site Location: Goreski's Landing Resort
225 and 226 Platten Boulevard
Township of Scugog, Regional Municipality of Durham
L9L 1B4

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

upgrades to the existing sewage Works for the treatment and disposal of sanitary sewage with a Rated Capacity of 197,600 L/day serving a seasonal campground operating from May to October and consisting of existing three hundred forty four (344) recreational vehicle (RV) trailer sites, proposed one hundred seventy four (174) Park Model Units (PMUs) and existing four hundred six (406) marina slips located within the Goreski's Landing Resort, in the Township of Scugog, Regional Municipality of Durham, discharging to Lake Scugog, consisting of the following:

two (2) existing septic tanks, each complete with two (2) access covers and one (1) effluent filter (OBC approved) installed on the outlet pipe and discharging via the existing sewage pumping station/dosing chamber to the upgraded sewage pumping station (SPS 5-2);

one (1) existing concrete pumping station (SPS 5-2), collecting raw sewage from seventy nine (79) recreational vehicle (RV) trailer sites and thirty seven (37) Park Model Units (PMUs), housing two (2) submersible sewage pumps, each pump capable of handling approximately 3 L/s at a total dynamic head (TDH) of 11.2 m, complete with access cover, discharge piping and level control float switches, including a high-level float switch connected to an audible and visual alarm, discharging via a 50 mm diameter forcemain to a sewage pumping station (SPS 6-1);

one (1) existing septic tank, complete with two (2) access covers and one (1) effluent filter (OBC approved) installed on the outlet pipe and discharging to the upgraded sewage pumping station (SPS 3-1);

one (1) existing concrete pumping station (SPS 3-1), collecting raw sewage from sixty one (61) recreational vehicle (RV) trailer sites and thirty one (31) Park Model Units (PMUs), housing two (2) submersible sewage pumps, each pump capable of handling approximately 2.2 L/s at a total dynamic head (TDH) of 14.7 m, complete with access cover, discharge piping and level control float switches, including a high-level float switch connected to an audible and visual alarm, discharging via a 50 mm diameter forcemain to a septic tank located at the STP;

one (1) existing septic tank, complete with two (2) access covers and one (1) effluent filter (OBC approved) installed on the outlet pipe and discharging to a sewage pumping station (SPS 4-1);

one (1) 2.5 m diameter and 3.95 m deep reinforced concrete pumping station (SPS 4-1), collecting raw sewage from one hundred and fifty seven (157) recreational vehicle (RV) trailer sites and sixty eight (68) Park Model Units (PMUs), housing two (2) submersible sewage pumps, each pump capable of handling approximately 4.8 L/s at a total dynamic head (TDH) of 18.6 m, complete with a watertight access cover, discharge piping and level control float switches, including a high-level float switch connected to an audible and visual alarm, discharging via a 75 mm diameter forcemain to a septic tank located at the STP;

one (1) septic tank, complete with two (2) access covers and one (1) effluent filter (OBC approved) installed on the outlet pipe and discharging to a flow balancing pumping station located at the STP;

one (1) precast concrete flow balancing pumping station, housing two (2) submersible sewage pumps controlled by a time-dose pump control panel, each pump capable of handling approximately 2.9 L/s at a total dynamic head (TDH) of 5.8 m, complete with secured access hatches, vents, discharge piping and level control float switches, including a high-level float switch connected to an audible and visual alarm, discharging via two (2) 50 mm diameter forcemains and a chamber housing two (2) flowmeters, to each treatment train of a sewage treatment plant;

two (2) inter-connected precast concrete flow balancing tanks, each tank having a working capacity of 114,000 L, providing a total flow balancing capacity of 228,000 L, each tank complete with a 200 mm diameter inlet/outlet overflow pipe connected to the flow balancing pumping station;

a Tertiary Sewage Treatment Plant (utilizing a fluidized floating bed biofilm process) designed to provide treatment to a total daily design sanitary sewage flow of 197,600 L/day, consisting of two (2) parallel treatment trains,

each treatment train consisting of the following:

- one (1) 68,000 L partitioned primary clarifier/sludge storage tank, discharging to the bioreactor tanks;
- two (2) 40,000 L bioreactor tanks (Bioreactors #1a, #2a, #1b and #2b), connected in series, containing a combined volume of 53 m^3 of specially designed plastic carrier media having a specific surface area of $500 \text{ m}^2 / \text{m}^3$, each bioreactor tank equipped with fine bubble aeration diffusers, Bioreactors #2a and #2b housing a recirculation pump discharging to the primary sludge storage tanks and discharging to a common flocculation tank;
- one (1) common 4,000 L flocculation tank equipped with coarse bubble aeration diffusers, discharging to a common final clarifier tank;
- one (1) common 30,000 L final clarifier tank, equipped with three (3) sludge pumps discharging the settled sludge and a scum pump discharging floating scum to the off-line sludge storage tank, discharging via an effluent weir to a secondary pumping tank;
- one (1) common off-line sludge storage tank equipped with a decant line to direct supernatant to the primary sludge storage tanks;
- one (1) common 43,000 L secondary effluent pump tank, housing two (2) 0.6 HP submersible secondary effluent pumps, each pump discharging via a forcemain complete with a static in-line mixer to mix a coagulant injected upstream of a filtration system on a flow pace basis to the tertiary filter tank;

one (1) continuous backwash granular media filter having a design filtering capacity of 135.5 L/min, a filtration surface area of 1.1 m^2 and a 2 m deep sand bed, with backwash water discharging via a 100 mm diameter filter reject pipe to the off-line sludge storage tank and the filtered effluent discharging to the 52,000 L effluent pump tank, housing two (2) submersible effluent pumps (alternating stand-by/duty), each pump capable of handling approximately 3.2 L/min at a total dynamic head (TDH) of 18.3 m, discharging through UV units to Lake Scugog;

two (2) UV disinfection units, each unit rated at 95 L/min with a UV transmissivity of greater than or equal to 75%;

an approximately 900 m long 75 mm diameter effluent forcemain from the effluent pump tank to Lake Scugog, discharging through a submerged outfall located to the north of the marina entrance and extending approximately 200 m offshore;

all other monitoring and control systems, air compressors, electrical equipment, mechanical components, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned sewage Works;

all in accordance with the Supporting Documentation listed in Schedule A.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "Annual Average Effluent Concentration" is the mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured during a calendar year, calculated and reported as per the methodology specified in Schedule C;
2. "Annual Total Effluent Loading" means the value obtained by multiplying the Annual Average Effluent Concentration of a contaminant by the cumulative total Final Effluent discharged during the same calendar year;
3. "Approval" means this entire Approval document and any Schedules to it, including the application and Supporting Documentation;
4. "BOD₅" (also known as TBOD₅) means five day biochemical oxygen demand measured in an unfiltered sample and includes carbonaceous and nitrogenous oxygen demand;
5. "Bypass" means diversion of sewage around one or more treatment processes, excluding Preliminary Treatment System, within the Sewage Treatment Plant with the diverted sewage flows being returned to the Sewage Treatment Plant treatment train upstream of the Final Effluent sampling point(s) and discharged via the approved effluent disposal facilities;
6. "CBOD₅" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;
7. "Director" means a person appointed by the Minister pursuant to Section 5 of the EPA for the purposes of Part II.1 of the EPA;
8. "District Manager" means the District Manager of the York-Durham District Office;
9. "*E. coli*" refers to coliform bacteria that possess the enzyme beta-glucuronidase and are capable of cleaving a fluorogenic or chromogenic substrate with the corresponding release of a fluorogen or chromogen, that produces fluorescence under long wavelength (366 nm) UV light, or color development, respectively. Enumeration methods include tube, membrane filter, or multi-well procedures. Depending on the method selected, incubation temperatures include 35.5 + 0.5 °C or 44.5 + 0.2 °C (to enumerate thermotolerant species). Depending on the procedure used, data are reported as either colony forming units (CFU) per 100 mL (for membrane filtration methods) or as most probable number (MPN) per 100 mL (for tube or multi-well methods);
10. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;

11. "Equivalent Equipment" means a substituted equipment or like-for-like equipment that meets the required quality and performance standards of a named equipment;
12. "Event" means an action or occurrence, at a given location within the Sewage Treatment Plant that causes a Plant Bypass or Plant Overflow. An Event ends when there is no recurrence of a Bypass or Overflow in the 12-hour period following the last Bypass or Overflow. Two Events are separated by at least 12 hours during which there has been no recurrence of a Bypass or Overflow;
13. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
14. "Final Effluent" means effluent that is discharged to the environment through the approved effluent disposal facilities, including all Bypasses, that are required to meet the compliance limits stipulated in the Approval for the Sewage Treatment Plant at the Final Effluent sampling point(s);
15. "Geometric Mean Density" is the n th root of the product of multiplication of the results of n number of samples over the period specified;
16. "Grab Sample" means an individual sample of at least 1000 millilitres collected in an appropriate container at a randomly selected time over a period of time not exceeding 15 minutes;
17. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
18. "Monthly Average Effluent Concentration" is the mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured during a calendar month;
19. "Monthly Average Daily Effluent Flow" means the cumulative total Final Effluent discharged during a calendar month divided by the number of days during which Final Effluent was discharged that month;
20. "Monthly Average Daily Effluent Loading" means the value obtained by multiplying the Monthly Average Effluent Concentration of a contaminant by the Monthly Average Daily Effluent Flow over the same calendar month;
21. "Overflow" means a discharge to the environment from the Works at designed location other than the approved effluent disposal facilities or via the effluent disposal facilities downstream of the Final Effluent sampling point;
22. "Owner" means Parkbridge Lifestyle Communities Inc. and its successors and assignees;
23. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;

24. "Professional Engineer" means a person entitled to practice as a Professional Engineer in the Province of Ontario under a licence issued under the Professional Engineers Act;
25. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
26. "Rated Capacity" means design daily sanitary sewage flow for which the Works are approved to handle;
27. "Supporting Documentation" means the documents listed in Schedule A of this Approval;
28. "Works" means the sewage works described in the Owner's application, and this Approval, and includes both Proposed and Existing Works.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

1. The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. Except as otherwise provided by these conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with the description given in this Approval, and the application for approval of the Works.
3. Where there is a conflict between a provision of any document in the schedule referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence, and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.
4. Where there is a conflict between the documents listed in the Schedule submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.
5. The conditions of this Approval are severable. If any condition of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

6. The issuance of, and compliance with the conditions of, this Approval does not:
- a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage Works; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

1. This Approval will cease to apply to those parts of the Works which have not been constructed within five (5) years of the date of this Approval.

3. CHANGE OF OWNER

1. The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:
 - a. change of Owner;
 - b. change of address of the Owner;
 - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c.B17 shall be included in the notification to the District Manager;
 - d. change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the *Corporations Informations Act*, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager;
2. In the event of any change in ownership of the Works, other than a change to a successor municipality, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

4. CONSTRUCTION

1. The Owner shall ensure that the construction of the Works is supervised by a

Professional Engineer, as defined in the *Professional Engineers Act*.

2. The Owner shall ensure that the moving bed bioreactor (MBBR) Tertiary Sewage Treatment Plant, the tertiary sand filter and the UV disinfection units are installed in accordance with the Manufacturer's Installation Manual.
3. Upon construction of the Works, the Owner shall prepare a statement, certified by a Professional Engineer, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff.
4. Upon construction of the Works, the Owner shall prepare a set of as-built drawings showing the Works "as constructed". "As-built" drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the site for the operational life of the Works and shall be made available for inspection by Ministry staff.

5. **BYPASSES**

1. Any Bypass is prohibited, except:
 - a. an emergency Bypass when a structural, mechanical or electrical failure causes a temporary reduction in the capacity of a treatment process or when an unforeseen flow condition exceeds the design capacity of a treatment process that is likely to result in personal injury, loss of life, health hazard, basement flooding, severe property damage, equipment damage or treatment process upset, if a portion of the flow is not bypassed;
 - b. a planned Bypass that is a direct and unavoidable result of a planned repair and maintenance procedure or other circumstance(s), the Owner having notified the District Manager in writing at least fifteen (15) days prior to the occurrence of Bypass, including an estimated quantity and duration of the Bypass, an assessment of the impact on the quality of the Final Effluent and the mitigation measures if necessary, and the District Manager has given written consent of the Bypass;
2. Notwithstanding the exceptions given in Paragraph 1, the Operating Agency shall undertake everything practicable to maximize the flow through the downstream treatment process(es) prior to bypassing.
3. At the beginning of a Bypass Event, the Owner shall immediately notify the Spills Action Centre (SAC) and the local Medical Officer of Health. This notice shall include, at a minimum, the following information:

- a. the type of the Bypass as indicated in Paragraph 1 and the reason(s) for the Bypass;
 - b. the date and time of the beginning of the Bypass;
 - c. the treatment process(es) gone through prior to the Bypass and the treatment process(es) bypassed;
 - d. the effort(s) done to maximize the flow through the downstream treatment process(es) and the reason(s) why the Bypass was not avoided.
4. Upon confirmation of the end of a Bypass Event, the Owner shall immediately notify the Spills Action Centre (SAC) and the local Medical Officer of Health. This notice shall include, at a minimum, the following information:
- a. the date and time of the end of the Bypass;
 - b. the estimated or measured volume of Bypass.
5. For any Bypass Event, the Owner shall collect daily sample(s) of the Final Effluent, inclusive of the Event and analyze for all effluent parameters outlined in Compliance Limits condition, except for *E. coli*, toxicity to Rainbow Trout and *Daphnia magna*, total residual chlorine / bisulphite residual, dissolved oxygen, pH, temperature and unionized ammonia, following the same protocol specified in the Monitoring and Recording condition as for the regular samples. The sample(s) shall be in addition to the regular Final Effluent samples required under the monitoring and recording condition, except when the Event occurs on a scheduled monitoring day.
6. The Owner shall submit a summary report of the Bypass Event(s) to the District Manager on a quarterly basis, no later than each of the following dates for each calendar year: February 15, May 15, August 15, and November 15. The summary reports shall contain, at a minimum, the types of information set out in Paragraphs (3), (4) and (5) and either a statement of compliance or a summary of the non-compliance notifications submitted as required under Paragraph 1 of Condition 10. If there is no Bypass Event during a quarter, a statement of no occurrence of Bypass is deemed sufficient.
7. The Owner shall develop a notification procedure in consultation with the District Manager and SAC and notify the public and downstream water users that may be adversely impacted by any Bypass Event.

6. OVERFLOW

1. Any Overflow is prohibited, except:
 - a. an emergency Overflow in an emergency situation when a structural, mechanical or electrical failure causes a temporary reduction in the capacity of the Works or when an unforeseen flow condition exceeds the design capacity of the Works that is likely to result in personal injury, loss of life, health hazard, basement flooding, severe property damage, equipment damage or treatment process upset, if a portion of the flow is not overflowed;
 - b. a planned Overflow that is a direct and unavoidable result of a planned repair and maintenance procedure or other circumstance(s), the Owner having notified the District Manager in writing at least fifteen (15) days prior to the occurrence of Overflow, including an estimated quantity and duration of the Overflow, an assessment of the impact on the environment and the mitigation measures if necessary, and the District Manager has given written consent of the Overflow.
2. Notwithstanding the exceptions given in Paragraph 1, the Operating Agency shall undertake everything practicable to maximize the flow through the downstream treatment process(es) and Bypass(es) prior to overflowing.
3. At the beginning of an Overflow Event, the Owner shall immediately notify the Spills Action Centre (SAC) and the local Medical Officer of Health. This notice shall include, at a minimum, the following information:
 - a. the type of the Overflow as indicated in Paragraph 1 and the reason(s) for the Overflow;
 - b. the date and time of the beginning of the Overflow;
 - c. the point of the Overflow from the Works, the treatment process(es) gone through prior to the Overflow, the disinfection status of the Overflow and whether the Overflow is discharged through the effluent disposal facilities or an alternate location;
 - d. the effort(s) done to maximize the flow through the downstream treatment process(es) and Bypass(es) and the reason(s) why the Overflow was not avoided.
4. Upon confirmation of the end of an Overflow Event, the Owner shall immediately notify the Spills Action Centre (SAC) and the local Medical Officer of Health. This notice shall include, at a minimum, the following information:

- a. the date and time of the end of the Overflow;
- b. the estimated or measured volume of the Overflow.

5. For any Overflow Event:

- a. in the Sewage Treatment Plant, the Owner shall collect grab sample(s) of the Overflow, one near the beginning of the Event and one every eight (8) hours for the duration of the Event, and have them analyzed at least for CBOD5, total suspended solids, total phosphorus, total ammonia nitrogen, nitrate as N, nitrite as N, total Kjeldahl nitrogen, E. coli except that raw sewage and primary treated effluent Overflow shall be analyzed for BOD5, total suspended solids, total phosphorus and total Kjeldahl nitrogen only.

6. The Owner shall submit a summary report of the Overflow Event(s) to the District Manager on a quarterly basis, no later than each of the following dates for each calendar year: February 15, May 15, August 15, and November 15. The summary report shall contain, at a minimum, the types of information set out in Paragraphs (3), (4) and (5). If there is no Overflow Event during a quarter, a statement of no occurrence of Overflow is deemed sufficient.

7. The Owner shall develop a notification procedure in consultation with the District Manager and SAC and notify the public and downstream water users that may be adversely impacted by any Overflow Event.

7. MONITORING AND RECORDING

The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:

1. All samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period being monitored.
2. Samples shall be collected at the sampling point, at the sampling frequency and using the sample type specified for each parameter listed in the Influent Monitoring Table included in **Schedule B**.
3. Samples shall be collected at the sampling point, at the sampling frequency and using the sample type specified for each parameter listed in the Effluent Monitoring Table included in **Schedule B**.
4. The Owner shall install and maintain a flow measuring device(s), to measure the discharge rate of effluent pumped and discharged from the sewage Works on a

daily basis during the discharging period, with an accuracy to within plus or minus 15 per cent (+/- 15%) of the actual flowrate for the entire design range of the flow measuring device(s).

5. The Owner shall ensure that flow of treated effluent discharged to Lake Scugog does not exceed 197,600 L/day.
6. The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following documents and all analysis shall be conducted by a laboratory accredited to the ISO/IEC:17025 standard or as directed by the District Manager:
 - a. the Ministry's Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time by more recently published editions;
 - b. the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (January 1999), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions; and
 - c. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions.
7. The Owner shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the monitoring activities required by this Approval.

8. EFFLUENT OBJECTIVES

1. The Owner shall use best efforts to design, construct and operate the Works with the objective that the concentrations of the materials named as effluent parameters in the Effluent Objectives Table listed in **Schedule B** are not exceeded in the effluent being discharged to Lake Scugog.
2. For the purposes of subsection (1):
 - a. The Monthly Average Effluent Concentration of a parameter named in Column 1 of Effluent Objectives Table listed in **Schedule B** should be compared to the corresponding concentration set out in Column 2 of Effluent Objectives Table listed in **Schedule B**.
3. The Owner shall use best efforts to:
 - a. maintain the pH of the effluent from the Works within the range of 6.0 to 8.5,

inclusive, at all times;

- b. operate the Works within the Rated Capacity of the Works; and
- c. ensure that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film or sheen or foam or discolouration on Lake Scugog.

9. EFFLUENT LIMITS

1. The Owner shall design, construct, operate and maintain the Works such that the concentrations and loading of the materials named as effluent parameters in the Effluent Limits Table and Effluent Loading Limit Table in **Schedule B** are not exceeded in the effluent being discharged to Lake Scugog.
2. For the purposes of determining compliance with and enforcing subsection (1):
 - a. The Monthly Average Effluent Concentration of a parameter named in Column 1 of Effluent Limits Table listed in **Schedule B** shall not exceed the corresponding maximum concentration set out in Column 2 of Effluent Limits Table listed in **Schedule B**.
 - b. The Monthly Average Daily Effluent Loading Limit of a parameter named in Column 1 of Effluent Loading Limit Table listed in **Schedule B** shall not exceed the corresponding maximum loading set out in Column 2 of Effluent Loading Limit Table listed in **Schedule B**.
 - c. Notwithstanding subsection (1), the Owner shall operate and maintain the Works such that the pH of the effluent is maintained between 6.0 to 8.5, inclusive at all times and the effluent is continuously disinfected so that the monthly Geometric Mean Density of *E. Coli* does not exceed 100 CFU per 100 millilitres of effluent discharged from the Works.

10. OPERATIONS AND MAINTENANCE

1. The Owner shall exercise due diligence in ensuring that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper operation and maintenance shall include effective performance, adequate funding, adequate operator staffing and training, including training in all procedures and other requirements of this Approval and the OWRA and regulations, adequate laboratory facilities, process controls and alarms and the use of process chemicals and other substances used in the Works.
2. The Owner shall prepare an operations manual within six (6) months of the

introduction of sewage to the Works, that includes, but not necessarily limited to, the following information:

- a. operating procedures for routine operation of all the Works;
 - b. inspection programs, including frequency of inspection, for all the Works and the methods or tests employed to detect when maintenance is necessary;
 - c. repair and maintenance programs, including the frequency of repair and maintenance for all the Works; copies of maintenance contracts for any routine inspections & pump-outs should be included for all the tanks and treatment units;
 - d. procedures for the inspection and calibration of monitoring equipment;
 - e. a spill prevention control and countermeasures plan, consisting of contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification of the District Manager; and
 - f. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
3. The Owner shall maintain the operations manual current and retain a copy at the location of the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
 4. The Owner shall, upon the construction, prepare and make available for inspection by Ministry staff, a maintenance agreement with each manufacturer for the treatment process/technology. The maintenance agreements must be retained at the site and kept current for the operational life of the Works.
 5. The Owner shall ensure that all septic tanks are pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filters are cleaned out at minimum once a year or more often if required.
 6. The Owner shall ensure that adequate steps are taken to ensure that the area of the Works are protected from all forms of vehicle traffic.
 7. The Owner shall maintain a logbook to record the results of Operation and Maintenance activities specified in the above subclauses, and shall keep the logbook at the site and make it available for inspection by the Ministry staff.
 8. The Owner shall employ for the overall operation of the Works a person who possesses the level of training and experience sufficient to allow safe and environmentally sound operation of the Works.

11. REPORTING

1. One week prior to the start up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start up date.
2. Ten (10) days prior to the date of a planned Bypass being conducted pursuant to Condition 5 and as soon as possible for an unplanned Bypass, the Owner shall notify the District Manager (in writing) of the pending start date, in addition to an assessment of the potential adverse effects on the environment and the duration of the Bypass.
3. The Owner shall report to the District Manager or designate, any exceedence of any parameter specified in Condition 9 orally, as soon as reasonably possible, and in writing within seven (7) days of the exceedence.
4. In addition to the obligations under Part X of the *Environmental Protection Act*, the Owner shall, within ten (10) working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.
5. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
6. The Owner shall prepare and submit a performance report, on an annual basis, within ninety (90) days following the end of each operational season to the District Manager. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:
 - a. a summary and description of efforts made and results achieved in meeting the Effluent Objectives of Condition 8;
 - b. a summary and interpretation of all monitoring data and a comparison to the Effluent Limits outlined in Condition 9, including an overview of the success and adequacy of the Works, and a Contingency Plan in the event of not compliance with the Effluent Limits;
 - c. a review and assessment of performance of sewage Works, including all treatment units;
 - d. a summary and interpretation of all daily flow data discharged to Lake Scugog;

- e. a tabulation of the volume of sludge generated in the reporting period, an outline of anticipated volumes to be generated in the next reporting period and a summary of the locations to where the sludge was disposed;
- f. a description of any operating problems encountered and corrective actions taken at all sewage Works located at the property;
- g. a record of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of all Works located at the property' including but not limited to: records of maintenance inspections for the treatment system, records of septic tank effluent filters cleaning, records of septic tank pump-outs, records of sludge pump-outs accumulated from the treatment system;
- h. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- i. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
- j. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- k. a summary of all Bypass Events, Overflow Events, spill and abnormal discharge events; and
- l. any other information the District Manager requires from time to time.

12. DECOMMISSIONING OF UN-USED SEWAGE WORKS

1. The Owner shall properly abandon any portion of unused existing sewage works, as directed below, and upon completion of decommissioning report in writing to the District Manager.
 - a. any sewage pipes leading from building structures to unused sewage works components shall be disconnected and capped;
 - b. any unused septic tanks, holding tanks and pump chambers shall be completely emptied of its content by a licensed hauler and either be removed, crushed and backfilled, or be filled with granular material;
 - c. if the area of the existing leaching bed is going to be used for the purposes of construction of a replacement bed or other structure,

all distribution pipes and surrounding material must be removed by a licensed hauler and disposed off site at an approved waste disposal site; otherwise the existing leaching bed may be abandoned in place after disconnecting, if there are no other plans to use the area for other purposes.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which Approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this Approval of the existence of this Approval.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the approved Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to ensure that the Works are constructed, and may be operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
5. Condition 5 regarding Bypasses is included to indicate that Bypass is prohibited, except in circumstances where the failure to Bypass could result in greater damage to the environment than the Bypass itself. The notification and documentation requirements allow the Ministry to take action in an informed manner and will ensure the Owner is aware of the extent and frequency of Bypass Events.
6. Condition 6 regarding Overflows is included to indicate that Overflow of untreated or partially treated sewage to the receiver is prohibited, except in circumstances where the failure to Overflow could result in greater damage to the environment than the Overflow itself. The notification and documentation requirements allow the Ministry to take action in an informed manner and will ensure the Owner is aware of the extent and frequency

of Overflow Events.

7. Condition 7 is included to enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design objectives specified in the Approval and that the Works does not cause any impairment to Lake Scugog.

8. Condition 8 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs.

9. Condition 9 is imposed to ensure that the effluent discharged from the Works to Lake Scugog meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.

10. Condition 10 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected. As well, the inclusion of an operations manual, maintenance agreement with the manufacturers for the treatment process/technology and a complete set of "as constructed" drawings governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the owner and made available to the Ministry. Such information is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training, in proper plant operation and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a benchmark for Ministry staff when reviewing the Owner's operation of the Work.

11. Condition 11 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.

12. Condition 12 is included to ensure that any components of un-used sewage Works are properly decommissioned.

Schedule A forms part of this Approval and contains a list of supporting documentation/information received, reviewed and relied upon in the issuance of this Approval.

Schedule A

1. Environmental Compliance Approval Application submitted by Jason R. Covey, B.Sc.(Eng.), P.Eng., Senior Engineer, Project Manager, C.C. Tatham & Associated Ltd., dated July 10, 2018 and received on November 20, 2018.

2. The design report titled "Goreski's Landing Resort, Township of Scugog, Sewage Works Upgrades, Design Brief" dated November 14, 2018, specifications and engineering drawings, all prepared by C.C. Tatham & Associated Ltd.
3. All additional documentation provided by C.C. Tatham & Associated Ltd.

SCHEDULE B

Influent Monitoring Table

Sampling Location	The flow balancing pumping station
Frequency	Monthly (once every month) during the months of May, June, July, August, September and October
Sample Type	Grab
Parameters	BOD ₅ Total Suspended Solids (TSS) Total Kjeldahl Nitrogen (TKN) Total Phosphorus (TP)

Effluent Monitoring Table

Sampling Location	Effluent discharged from the UV disinfection units
Frequency	Weekly (once each week) during the months of May, June, July, August, September and October
Sample Type	Grab
Parameters	CBOD ₅ Total Suspended Solids (TSS) Total Phosphorus (TP) Total Ammonia Nitrogen (TAN) E. coli pH (field) Temperature (field)

Effluent Objectives Table

Effluent Parameter (effluent discharged from the UV disinfection units)	Monthly Average Effluent Concentration Objective (milligrams per litre unless otherwise indicated)
CBOD ₅	< 10
Total Suspended Solids	< 10
Total Phosphorous	0.1

Total Ammonia Nitrogen (TAN)	< 2 (June to September) < 4 (May and October)
E. coli	< 100 organisms/100 mL (monthly geometric mean density)
pH of the effluent maintained between 6.0 to 8.5, inclusive, at all times	

Effluent Limits Table

Effluent Parameter (effluent discharged from the UV disinfection units)	Monthly Average Effluent Concentration Limit (milligrams per litre unless otherwise indicated)
CBOD 5	10
Total Suspended Solids	10
Total Phosphorous	0.12
Total Ammonia Nitrogen (TAN)	2 (June to September) 4 (May and October)
E. coli	100 organisms/100 mL (monthly geometric mean density)
pH of the effluent maintained between 6.0 to 8.5, inclusive, at all times	

Effluent Loading Limit Table

Effluent Parameter (effluent discharged from the UV disinfection units)	Annual Total Effluent Loading Limit (kilogram per operating period)
Total Phosphorous	3.5 kg per operating period (150 days)

Schedule C

Methodology for Calculating and Reporting

Monthly Average Effluent Concentration, Annual Average Effluent Concentration and Monthly Geometric Mean Density

1. Monthly Average Effluent Concentration

Step 1: Calculate the arithmetic mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured during a calendar month and proceed as follows depending on the result of the calculation:

- a. If the arithmetic mean does not exceed the compliance limit for the contaminant, then report and use this arithmetic mean as the Monthly Average Effluent Concentration for this parameter where applicable in this Approval;
- b. If the arithmetic mean exceeds the compliance limit for the contaminant and there was no Bypass Event during the calendar month, then report and use this arithmetic mean as the Monthly Average Effluent Concentration for this parameter where applicable in this Approval;
- c. If the arithmetic mean exceeds the compliance limit for the contaminant and there was Bypass Event(s) during the calendar month, then proceed to Step 2;
- d. If the arithmetic mean does not exceed the compliance limit for the contaminant and there was Bypass Event(s) during the calendar month, the Owner may still elect to proceed to Step 2 calculation of the flow-weighted arithmetic mean.

Step 2: Calculate the flow-weighted arithmetic mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured during a calendar month and proceed depending on the result of the calculation:

- a. Group No Bypass Days (**NBPD**) data and Bypass Days (**BPD**) data during a calendar month separately;
- b. Calculate the arithmetic mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured on all NBPD during a calendar month and record it as **Monthly Average NBPD Effluent Concentration**;
- c. Obtain the “**Total Monthly NBPD Flow**” which is the total amount of Final Effluent discharged on all NBPD during the calendar month;
- d. Calculate the arithmetic mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured on all BPD during a calendar month and record it as **Monthly Average**

BPD Effluent Concentration;

e. Obtain the “**Total Monthly BPD Flow**” which is the total amount of Final Effluent discharged on all BPD during the calendar month;

f. Calculate the flow-weighted arithmetic mean using the following formula:

$$\frac{[(\text{Monthly Average NBPD Effluent Concentration} \times \text{Total Monthly NBPD Flow}) + (\text{Monthly Average BPD Effluent Concentration} \times \text{Total Monthly BPD Flow})] \div (\text{Total Monthly NBPD Flow} + \text{Total Monthly BPD Flow})$$

It should be noted that in this method, if there are no Bypass Event for the month, the calculated result would be the same as the non-flow-weighted arithmetic mean method;

g. Report and use the lesser of the flow-weighted arithmetic mean obtained in Step 2 and the arithmetic mean obtained in Step 1 as the Monthly Average Effluent Concentration for this parameter where applicable in this Approval.

2. Annual Average Effluent Concentration

Step 1: Calculate the arithmetic mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured during a calendar year and proceed as follows depending on the result of the calculation:

a. If the arithmetic mean does not exceed the compliance limit for the contaminant, then report and use this arithmetic mean as the Annual Average Effluent Concentration for this parameter where applicable in this Approval;

b. If the arithmetic mean exceeds the compliance limit for the contaminant and there was no Bypass Event during the calendar year, then report and use this arithmetic mean as the Annual Average Effluent Concentration for this parameter where applicable in this Approval;

c. If the arithmetic mean exceeds the compliance limit for the contaminant

and there was Bypass Event(s) during the calendar year, then proceed to Step 2;

d. If the arithmetic mean does not exceed the compliance limit for the contaminant and there was Bypass Event(s) during the calendar year, the Owner may still elect to proceed to Step 2 calculation of the flow-weighted arithmetic mean.

Step 2: Calculate the flow-weighted arithmetic mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured during a calendar year and proceed depending on the result of the calculation:

a. Group No Bypass Days (**NBPD**) data and Bypass Days (**BPD**) data during a calendar year separately;

b. Calculate the arithmetic mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured on all NBPD during a calendar year and record it as **Annual Average NBPD Effluent Concentration**;

c. Obtain the “**Total Annual NBPD Flow**” which is the total amount of Final Effluent discharged on all NBPD during the calendar year;

d. Calculate the arithmetic mean of all Single Sample Results of the concentration of a contaminant in the Final Effluent sampled or measured on all BPD during a calendar year and record it as **Annual Average BPD Effluent Concentration**;

e. Obtain the “**Total Annual BPD Flow**” which is the total amount of Final Effluent discharged on all BPD during the calendar year;

f. Calculate the flow-weighted arithmetic mean using the following formula:

$$\frac{[(\text{Annual Average NBPD Effluent Concentration} \times \text{Total Annual NBPD Flow}) + (\text{Annual Average BPD Effluent Concentration} \times \text{Total Annual BPD Flow})] \div (\text{Total Annual NBPD Flow} + \text{Total Annual BPD Flow})$$

It should be noted that in this method, if there are no Bypass Event for the calendar year, the calculated result would be the same as the non-flow-weighted arithmetic mean method;

g. Report and use the lesser of the flow-weighted arithmetic mean obtained in Step 2 and the arithmetic mean obtained in Step 1 as the Annual Average Effluent Concentration for this parameter where applicable in this Approval.

3. Monthly Geometric Mean Density

Geometric mean is defined as the n^{th} root of the product of n numbers. In the context of calculating Monthly Geometric Mean Density for *E. coli*, the following formula shall be used:

$$\sqrt[n]{x_1 x_2 x_3 \cdots x_n}$$

in which,

" n " is the number of samples collected during the calendar month; and

" x " is the value of each Single Sample Result.

For example, four weekly grab samples were collected and tested for *E. coli* during the calendar month. The *E. coli* densities in the Final Effluent were found below:

Sample Number	<i>E. coli</i> Densities* (CFU/100 mL)
1	10
2	100
3	300
4	50

The Geometric Mean Density for these data:

$$\sqrt[4]{10 \times 100 \times 300 \times 50} = 62$$

*If a particular result is zero (0), then a value of one (1) will be substituted into the calculation of the Monthly Geometric Mean Density. If the MPN method is utilized for *E. coli* analysis, values in the table shall be MPN/100 mL.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

- 1. The name of the appellant;
- 2. The address of the appellant;
- 3. The environmental compliance approval number;
- 4. The date of the environmental compliance approval;
- 5. The name of the Director, and;
- 6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment, Conservation
and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 31st day of January,
2020

Fariha Pannu, P.Eng.
Director
appointed for the purposes of Part
II.1 of the *Environmental Protection
Act*

KC/

c: District Manager, MECP York-Durham District Office

Jason R. Covey, B.Sc.(Eng.), P.Eng., Senior Engineer, Project Manager, C.C. Tatham &
Associated Ltd.

Carol Coleman, Director of Community Services, Township of Scugog

Township of Scugog Staff Report

To request an alternative accessible format, please contact the Clerks Department at 905-985-7346.

Report Number: DEV-2018-032

Prepared by: Diane Knutson, Planning Technician

Department: Development Services – Planning

Report to: Planning & Community Affairs Committee

Date: September 17, 2018

Reference: Strategic Direction #3: Economic Development

Report Title: Revision to Draft Plan Approval for Subdivision S-S-2004-01
Lalu Peninsula Inc. - Vacant residential land on the south side of Castle Harbour Drive, east of Simcoe Street (Part Lots 19 & 20, Concession 7),
Ward 5 - Information & Recommendation Report

Recommendations:

1. **That** Report DEV-2018-032 “Revision to Draft Plan Approval for Subdivision S-S-2004-01 Lalu Peninsula Inc. - Vacant residential land on the south side of Castle Harbour Drive, east of Simcoe Street (Part Lots 19 & 20, Concession 7), Ward 5 - Information & Recommendation Report”, be received; and
2. **That** the Region of Durham be advised that the Township has no objection to the proposed revisions to the draft plan of subdivision and that Report DEV-2018-033 be forwarded to the Region of Durham Planning Department as the Township’s comments on this matter.

1. Background:

1.1. Introduction

On May 22, 2018, the Region of Durham circulated notice of an application to revise the conditions of draft plan approval for a residential subdivision to be located on the south side of Castle Harbour Drive, east of Simcoe Street, Port Perry. The property was formerly owned by Canadian Dairy Manufacturing (CDM) and was purchased by Lalu Peninsula Inc. in April, 2017.

The proposed revision will implement the requirements of Kawartha Region Conservation Authority (KRCA) to ensure the creation of new lots occur outside of the Provincially Significant Wetland and the floodplain associated with Lake Scugog. The revision will also ensure that appropriate blocks have been established for Environmental Protection, stormwater management and wetland compensation.

1.2. Location and Context

Location: Part Lots 19 & 20, Concession 7 (Vacant residential land on the south side of Castle Harbour Drive, east of Simcoe Street, Port Perry), Roll #010.008.147, Ward 5



Attachment 1 shows the proposed revisions to the plan of subdivision. The flood line is identified in blue and the wetland compensation areas are identified in green.

2. Discussion:

2.1. Proposal

Lalu Peninsula Inc. is the new owner of this 24.72 hectare parcel of land along the shoreline of Lake Scugog within the urban area of north Port Perry. It is the intention of the new owner to develop the plan of subdivision in accordance with the draft plan approval, subject to updates to several of the supporting studies. Meetings were held with Regional and Township Staff in

April and May, 2017 to determine the updated information required to revise the conditions of draft plan approval that were approved back in March, 2007.

An updated Environmental Impact Study (August 2017) and Wetland Compensation Plan (April, 2018) were circulated to KRCA for their comments. KRCA is recommending the following revised Conditions of Draft Approval for the plan of subdivision (numbering provided to reflect current list of conditions):

- “11. The Owner shall ensure that the **wetland compensation areas**, identified on the Draft Plan as Parts 1, 2, 4-18, are dedicated to the Township of Scugog and are maintained as a naturalized area to the satisfaction of the Kawartha Region Conservation Authority.
13. Prior to any on-site grading or construction or final registration of the Plan, the Owner shall submit and obtain **approval from the Township of Scugog and the Kawartha Region Conservation Authority**, reports describing the following:
- a) Pre and post development runoff flows and the intended means of conveying stormwater flow from each lot and the entire proposed development;
 - b) The cut and fill balance and calculations;
 - c) The Owner agrees to submit a Phosphorous Management Plan to the satisfaction of the Kawartha Region Conservation Authority;
 - d) The Owner agrees to submit an Existing and Proposed Water Balance Report, to the satisfaction of the Kawartha Conservation Authority;
 - e) The anticipated impact of the development on water quality, as it relates to fish and wildlife habitat once adequate protective measures have been taken;
 - f) The means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction;
 - g) Site soil conditions, including grain size distribution profiles;
 - h) Site grading plans; and
 - i) Detailed design plans for the wetland compensation areas.
14. The Owner shall submit **detailed design plans for the stormwater facility in Blocks 24, 25 and 26**, to the satisfaction of the Kawartha Region Conservation Authority and the Township of Scugog. The Owner shall submit to the Kawartha Region Conservation Authority, geotechnical data substantiating that the stormwater management facility would function as intended. In addition, prior to Registration, the Owner agrees to submit a stormwater management operation and maintenance brief, to the satisfaction of the Kawartha Region Conservation Authority.
15. The Owner agrees to have the **Regulation limit of Kawartha Region Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 182/06)** registered on title of each affected lot. Prior to development occurring on the affected lots, approval from Kawartha Region Conservation Authority (separate Permit) shall be required.

16. *The Owner agrees to erect and maintain all **stormwater management and erosion sedimentation control** structures operating and in good repair during the construction period, in a manner satisfactory to the Kawartha Conservation Authority and/or the Township of Scugog.”*

It is Staff’s opinion that KRCA’s proposed revisions effectively address the concerns of the Township as they relate to stormwater management and environmental protection. An amendment to the Zoning By-law will not be required as a result of the proposed revision.

3. Conclusion:

The proposed revision will implement the requirements of Kawartha Region Conservation Authority (KRCA) to ensure the creation of new lots occur outside of the Provincially Significant Wetland and the floodplain associated with Lake Scugog. The revision will also ensure that appropriate blocks have been established for environmental protection, stormwater management and wetland compensation.

Staff recommend that the Region of Durham be advised that the Township has no objection to the proposed revisions to the draft plan of subdivision and that Staff Report DEV-2018-033 be forwarded to the Region of Durham Planning Department as the Township’s formal comments on this matter.

Respectfully Submitted:

Reviewed By:

Diane Knutson, CPT
Planning Technician

Kevin Heritage, MES, MCIP, RPP
Director of Development Services

Attachments:

ATT-1: Proposed Revisions to the Draft Plan of Subdivision

From: [pat.sparling](#)
To: [Scugog Clerks](#)
Subject: AVENU Sewage Treatment + Management - (Question for Public Mtg: Mon.Sept.16)
Date: September 13, 2024 1:47:50 PM

You don't often get email from [REDACTED] [Learn why this is important](#)

QUESTION:

Port Perry has reached it's sewage capacity. Accordingly AVENU has said that they will build & operate their own sewage processing capacity.

Please give two Canadian examples of Avenu having done this successfully. Would such an undertaking be operated by AVENU? Would it be integrated with the Region of Durham? In case of emergency i) where and ii) how would the untreated effluent be released?

PLEASE CONFIRM RECEIPT OF THIS QUESTION by 2:15 P.M. TODAY. THANK YOU.

Sincerely,

Pat Sparling

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Port Perry, ON L9L 1S3
905-985-8001

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A Reflection on The June 24, 2024 Council Meeting and the MZO Request of Avenu

An invitation to all stakeholders to put on the bridle of a locally a locally created/approved Avenu build out.

There was a crowded council room that provided standing room only of concerned citizens, ratepayers and debutants at the June 24 Council meeting. Local democracy and the Compassionate Spirit of our valued community, was fully in evidence. For the most part peopled listened with respect to the deputations, the interchange between council, as well as, the debate that followed regarding the proposed motion to approve the MZO request of Avenu by Councillor Rock and seconded by Councillor Wright. That being said there were moments of tension at the interface which caused Mayor Wotten to publicly call some citizens to account, for their behaviour, as well as, give herself time to share the personal hurt she has received from the public response of attacking her commitment for the common good of the Township since this proposed development was initiated by the proponent's public awareness and marketing campaign.

The mayor to her credit called for a recess for Council to reconsider which brought forward a new motion from Councillor LeRoy to refer the MZO request back to staff for a recommendation re the MZO order request. The staff report is to be brought back to the planning committee meeting in September. It passed with a close majority of four votes to three.

While addressing Council regarding our written correspondence I proposed the idea of a Council ad hoc committee consisting of representation from Avenu properties, regional and Scugog planning staff, Kawartha Conservation Authority, Scugog Lake Stewards, Mississaugas of Scugog First Nation, Castle Harbour residents, and the Ward 5 Councillor.

Its mandate would be to review the concerns of the local body politic by deputations and correspondence, the necessary technical reports of planning staff have requested, the sign off from of the Ministry of the Environment, Conservation and Parks (MECP) for the well and septic system, as well as, sign off from other key agencies to confirm there are no technical impediments to the proposed size of the project proceeding.

Following this step and the developer wishes to proceed, a complete application which would include a legal agreement, including a ADR clause to deal with township and public issues during the construction phase. It would also include applications to amend the Township's Official Plan and zoning by-law.

Such a committee would begin the process of building relationships of trust, as well as, the necessary healing the division that this project has caused. It could also access the wisdom and expertise of a broader network including the province with the possibility of expediting the process leading to shovels in the ground earlier than that of a MZO order process. Maybe it could be viewed a pilot project in fast tracking a much-needed development for affordable senior housing in Port Perry for the region and the province to consider.

As to the issue a number of people including council members and the Avenu representative referencing their position on our local official plan, I made the point that this plan is long beyond its shelf life (every official local plan according to provincial statute must be revisited by the local township and region every five years and we are well beyond that time). Great change with respect to environmental awareness and technology with regards to best management practices in housing development practices has occurred since 2011. I would add also, the consciousness that created this problem will require an integral one to find a creative viable solution.

Another issue of common ground was the issue of affordability for much needed housing for seniors, families and individuals. However, there was no referencing a definition of same backed by government policy, statistics such as cost per square foot and the demographics for Scugog as to age and financial income. Such data would perhaps address the concern about the cost of this project with the proposed units would be far too expensive and not available to Scugog seniors or citizens at the lower end of financial scale..

To conclude on a note of poetry by (President John F Kennedy), “Never fear to negotiate but never negotiate out of fear”

May it be so,

Larry Corrigan, Community Elder and “Good Trouble”