

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.

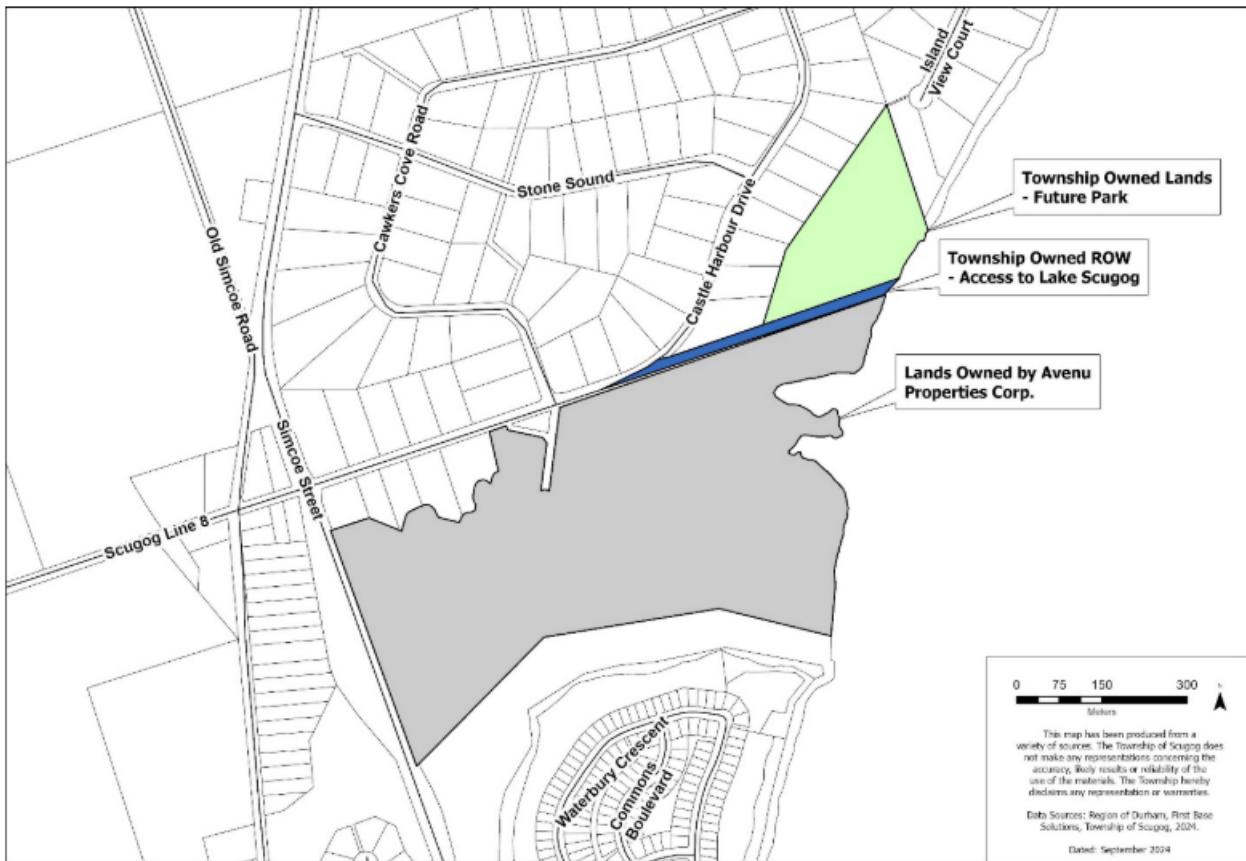


Figure 2: Concept of the Future Park to begin construction in 2026.





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

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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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KawarthaConservation.com

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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.

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. Conformation 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 Regioearn 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?