



## **Township of Douro-Dummer Revised Agenda for a Regular Meeting of Council**

**Tuesday, April 4, 2023, 5:00 p.m.  
Council Chambers in the Municipal Building**

**Please note**, that Council may, by general consensus, change the order of the agenda, without prior notification, in order to expedite the efficiency of conducting business

### **Electronic Meetings**

Regular and Special meetings of Council are being held in person and electronically. Regular Meetings are recorded and live-streamed on the Township YouTube channel. Special Meetings will be recorded and live-streamed where feasible.

To watch the meeting live or access a recording please visit the Township's YouTube Channel  
[https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R\\_A](https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A)

Please contact the Acting Clerk if you require an alternative method to virtually attend the meeting.  
martinac@dourodummer.on.ca or 705-652-8392 x210

---

	<b>Pages</b>
<b>1. Call to Order</b>	
<b>2. Land Acknowledgement</b>	
<b>3. Moment of Silent Reflection</b>	
<b>4. Disclosure of Pecuniary Interest:</b>	
<b>5. Adoption of Agenda: April 4, 2023</b>	
<b>6. Adoption of Minutes and Business Arising from the Minutes</b>	
6.1 Special Council Minutes - March 21, 2023	1
6.2 Regular Council Minutes - March 21, 2023	4
6.3 Special Council Minutes - Strategic Plan - March 23, 2023	12
<b>7. Consent Agenda (Reports voted upon by ONE motion) - No Debate</b>	

7.1	<b>Municipal Appraisal Form (MAF) for Land Division Severance File B-170-22</b>	16
8.	<b>Delegations, Petitions, Presentations or Public Meetings:</b>	
8.1	<b>Celebration of Achievement - Douro U18 Hockey Team</b>	
	Certificates of Achievement to be presented to Douro Dukes U18 Hockey Team for their wins at the 38th Annual Pembroke Regional Silver Stick and the 2022-2023 International Silver Stick Tournaments.	
8.2	<b>Public Meeting - Zoning By-law Amendment Application - File R-01-23 (Hauth), Planning-2023-14</b>	17
	Location - 426 Carveth's Marina Road Dummer ward, Roll No. 1522-020-004-14400.	
	Purpose of the Application - The rezoning is required as a condition of consent for severance applications File B-90-21 and B-91-21, which were conditionally approved by Peterborough County on July 20, 2022.	
8.3	<b>Bryan Weir, County of Peterborough - Site Plan Control Exemption Request</b>	110
	Bryan Weir, Sr. Director, Planning and Public Works, County of Peterborough will be in attendance regarding the request for exemption from Site Plan Control (SPC).	
8.4	<b>Margie Morrissey - Douro-Dummer Historical Committee</b>	113
	Margie Morrissey, former Chair of the Historical Committee, will be in attendance to discuss the future of the Historical Committee.	
9.	<b>Staff Reports</b>	
9.1	<b>Report and Capital Project Status - April 2023</b>	117
*9.2	<b>Refrigeration Plant Policy , Clerk's Office-2023-08, Clerk's Office-2023-08</b>	122
9.3	<b>Culvert Pipe Supply, Public Works-2023-05</b>	132
9.4	<b>Ministry of Natural Resources and Forestry Derecho Funding, Treasurer-2023-09</b>	145
9.5	<b>Mobile Canteen at Douro Community Centre – Lease Agreement, Clerk's Office-2023-05</b>	147

9.6	Introduction of a Routine Disclosure Policy, Clerk's Office-2023-09	156
9.7	Peterborough Humane Society Agreement, C.A.O.-2023-10	168
10.	Committee Minutes and Other Reports:	
10.1	Committee of the Adjustment Meeting Minutes - January 13, 2023	169
11.	Correspondence – Action Items:	
11.1	Town of Cobourg - Resolution regarding Homeless and Unsheltered Persons	172
11.2	Town of Essex - A letter regarding the Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales	176
11.3	Association of Ontario Road Supervisors - A letter regarding the announcement of a proposed fee by Enbridge Gas	178
12.	By-laws:	
12.1	By-law 2023-17- To amend By-law Number 10-1996, as amended, otherwise known as "The Township of Douro-Dummer Comprehensive Zoning By-law (File R-01-23, Roll No. 1522-020-004-14400)	180
12.2	By-law 2023-18 - To Execute Lease Agreement with Mammoth BBQ for a portion of the Douro Community Centre Parking Lot	183
12.3	By-law 2023-19 - To authorize the Clerk and Deputy Clerk to provide Civil Marriage Services to the Public	191
12.4	By-law 2023-20 - To Appoint the Clerk and Deputy Clerk as Persons Authorized to Issue Marriage Licenses	192
12.5	By-law 2023-21 - To amend User Fees and Charges By-law 2023-08 (Civil Marriage Services)	193
13.	Reports derived from previous Notice of Motions	
14.	Notices of Motion - No Debate	

**14.1 Request to send a letter to the Ontario Minor Hockey Association  
(Councillor Watt)**

195

WHEREAS, the Douro and District Minor Hockey and the Township of Douro-Dummer have had a long history with the Ontario Minor Hockey Association;

AND WHEREAS, The hockey association has been involved in playoff hockey for decades;

AND WHEREAS, every minor hockey group in Ontario has enjoyed the previous format of traveling back and forth from town to town, competing to move on to the next plateau in the chase for a Provincial championship;

AND WHEREAS, the economic gains that small and medium municipalities enjoyed from accommodation revenue as well as restaurants and stores being utilized;

THEREFORE, be it resolved that the Township of Douro-Dummer send a letter to the Ontario Minor Hockey Association requesting to return to the previous playoff format that we have all enjoyed for years;

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to all Ontario Municipalities for endorsement as well as the Minister of Heritage, Sport, Tourism and Culture Industries.

**15. Announcements:**

**16. Closed Session:**

Reason for Closed Session:

Section 239 (2) of the Municipal Act, 2001, S.O. 2001, c. 25

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (Review of Letter from Township Solicitor)

**17. Rise from Closed Session with or without a Report**

**18. Matters Arising from Closed Session**

**19. Confirming By-law 2023-22**

196

**20. Next Meeting**

Committee of the Whole - April 11, 2023

Regular Council Meeting - April 25, 2023



## 21. Adjournment

## **Minutes of the Special Meeting of Council of the Township of Douro-Dummer**

**March 21, 2023, 4:00 PM**

**Closed Session**

**The open portions of this meeting will be recorded.**

**The recording of this meeting will be posted on the Township's YouTube Channel as soon as possible after the meeting.**

**[https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R\\_A?](https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A?)**

**Present:** Mayor Heather Watson  
 Deputy Mayor Harold Nelson  
 Councillor Thomas Watt  
 Councillor Adam Vervoort  
 Councillor Ray Johnston

**Staff Present** CAO - Elana Arthurs  
 Acting Clerk - Martina Chait-Hartwig  
 Manager of Public Works - Jake Condon

**Other:** Solicitor Jim Baird - LLF Lawyers

1. Reason(s) for Special Meeting:

The Mayor called the meeting to order at 4:07 p.m. and stated the reasons for the Special Meeting.

2. Land Acknowledgement

The Mayor recited the Land Acknowledgement.

3. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

4. Adoption of Agenda: March 21, 2023

**Resolution Number 071-2023**

Moved By: Councillor Watt

Seconded By: Councillor Vervoort

That the agenda for the Special Council Meeting, dated March 21, 2023, be adopted, as circulated. Carried

5. Move into Closed Session

**Resolution Number 072-2023**

Moved By: Councillor Vervoort

Seconded By: Councillor Watt

To allow Council to enter into Closed Session for Reasons Under Section 239 (2) of the Municipal Act, 2001, S.O. 2001, c. 25, as follows:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (4:08 p.m.) Carried

6. Closed Session Items:

6.1 Review of Legal Matters with Township Solicitor

7. Out of Closed Session:

**Resolution Number 073-2023**

Moved By: Councillor Watt

Seconded By: Councillor Johnston

That the Council out of closed session at 4:58 p.m. without a report. Carried

8. Rise from Closed Session with or without a Report
9. Matters Arising from Closed Session
10. Adjournment

**Resolution Number 074-2023**

Moved By: Councillor Johnston

Seconded By: Councillor Watt

That this meeting adjourn 4:59 p.m.

Carried

---

Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig

## **Minutes of the Regular Meeting of Council of the Township of Douro-Dummer**

**March 21, 2023, 5:00 PM**  
**Council Chambers in the Municipal Building**

**Member Present:**     **Mayor Heather Watson**  
                               **Deputy Mayor Harold Nelson**  
                               **Councillor Thomas Watt**  
                               **Councillor Adam Vervoort**  
                               **Councillor Ray Johnston**

**Staff Present:**        **CAO - Elana Arthurs**  
                               **Acting Clerk - Martina Chait-Hartwig**  
                               **Interim Treasurer - Paul Creamer**  
                               **Manager of Public Works - Jake Condon**  
                               **Manager of Recreation Facilities - Mike Mood**

1.     Call to Order

With a quorum of Council being present, the Mayor called the meeting to order at 5:07 p.m.

2.     Land Acknowledgement

The Mayor recited the Land Acknowledgement.

3.     Moment of Silent Reflection

Council observed a moment of silent reflection.

4.     Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

5. Adoption of Agenda: March 21, 2023

**Resolution Number 075-2023**

Moved by: Councillor Johnston

Seconded by: Councillor Watt

That the agenda for the Regular Council Meeting, dated March 21, 2022, be adopted, as circulated.

Carried

6. Adoption of Minutes and Business Arising from the Minutes

6.1 Regular Council Meeting Minutes - March 7, 2023

**Resolution Number 076-2023**

Moved by: Councillor Johnston

Seconded by: Councillor Vervoort

That the minutes for the Regular Council Meeting, dated March 7, 2023, be received and approved, as circulated.

Carried

7. Consent Agenda (Reports voted upon by ONE motion) - No Debate

**Resolution Number 077-2023**

Moved by: Councillor Johnston

Seconded by: Councillor Watt

That the Consent Agenda, dated March 21, 2023, be received, as circulated.

Carried

8. Delegations, Petitions, Presentations or Public Meetings:

8.1 City of Peterborough - Community Safety and Well-being Plan

**Resolution Number 078-2023**

Moved by: Councillor Watt

Seconded by: Councillor Johnston

That the presentation from Chris Kawalec, Community Development Program Manager, City of Peterborough, regarding the City of Peterborough Community Safety and Well-being Plan be received and that the inclusion of citizen and rural transportation be part of the Leadership Team and that an update be provided to Council. Carried

9. Staff Reports

9.1 Report and Capital Project Status - March 2023

**Resolution Number 079-2023**

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That the report and capital project status for March 2023 be received with thanks. Carried

9.2 Douro CC – Sewage Pump, Recreation Facilities-2023-01

**Resolution Number 080-2023**

Moved by: Councillor Watt

Seconded by: Councillor Johnston

That the report, dated March 21, 2023, regarding Douro Community Centre – Sewage Pump be received and that Council authorized the use of working fund reserve for \$13,000 to cover the costs associated with the sewage pump. Carried

9.3 Policy T-27 Criteria for Surface Treatment, Public Works-2023-04

**Resolution Number 081-2023**

Moved by: Councillor Johnston

Seconded by: Deputy Mayor Nelson

That the report, dated March 21, 2023, regarding Policy T-27 Criteria for Surface Treatment be received and that Council adopt the updated T-27 Policy as presented. Carried

9.4 2022 Council Remuneration Statement, Treasurer-2023-08

**Resolution Number 082-2023**

Moved by: Councillor Johnston

Seconded by: Councillor Watt

That the report, dated March 21, 2023, regarding 2022 Council Remuneration Statement be received. Carried

10. Committee Minutes and Other Reports:

10.1 Deputy Mayor Nelson - Update on County Council Matters

**Resolution Number 083-2023**

Moved by: Councillor Johnston

Seconded by: Deputy Mayor Nelson

That the verbal reports from Deputy Mayor Nelson and Councillor Watt regarding updates on County Council matters be received. Carried

10.2 Mayor Watson - Council Appointment to Future Arena Facilities Ad-hoc Committee

**Resolution Number 084-2023**

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That Mayor Watson be replaced by Councillor Johnston as the Council Representative to the Future Arena Facilities Ad-hoc Committee. Carried



- 10.3 Deputy Mayor Nelson Report on Request from Peterborough County Trails ATV Club regarding County Road 6 and 44

**Resolution Number 085-2023**

Moved by: Deputy Mayor Nelson

Seconded by: Councillor Johnston

That the report to Council, dated March 21<sup>st</sup>, 2023 from Deputy Mayor Nelson be received and that a letter of concurrence be provided to the County of Peterborough in support of the request from the Peterborough County ATV Club to allow the use ORVs on sections of County Road 6 and County Road 44. Carried

- 10.4 Public Library Board Meeting Minutes - February 13, 2023

**Resolution Number 086-2023**

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That the minutes from the Township of Douro-Dummer Public Library Board Meeting, held on February 13, 2023, be received. Carried

11. Correspondence – Action Items:

- 11.1 E. Marty Aschaber - Request to Install Bat House in Clintonia Park

**Resolution Number 087-2023**

Moved by: Councillor Watt

Seconded by: Councillor Johnston

That the letter from E.Marty Aschaber, dated March 9, 2023, requesting to install Bat House in Clintonia Park be deferred to the next Council meeting until staff are able to provide more information on the request. Carried

- 11.2 Peterborough Ontario Health Team - Request for a letter of support for the Community Health Centre (CHC)

**Resolution Number 088-2023**

Moved by: Deputy Mayor Nelson

Seconded by: Councillor Vervoort

That the letter from Peterborough Ontario Health Team, dated March 14, 2023, requesting a letter of support for the Community Health Centre (CHC) proposal be received and approved. Carried

- 11.3 Peterborough Public Health - Improved Indoor Air Quality in Public Settings

**Resolution Number 089-2023**

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That the letter from Peterborough Public Health, dated March 3, 2023, regarding improved indoor air quality in public settings be received.

Carried

- 11.4 Municipality of Chatham-Kent - Resolution regarding Stopping Harassment and Abuse by Local Leaders Act

**Resolution Number 090-2023**

Moved by: Deputy Mayor Nelson

Seconded by: Councillor Vervoort

That the Resolution from Municipality of Chatham-Kent, dated March 6, 2023, regarding Stopping Harassment and Abuse by Local Leaders Act be received. Carried

11.5 City of Cambridge - Resolution regarding Barriers for Women in Politics

**Resolution Number 091-2023**

Moved by: Councillor Johnston

Seconded by: Councillor Vervoort

That the Resolution from the City of Cambridge, dated March 15, 2023, regarding barriers for women in politics be received. Carried

12. By-laws:

12.1 By-law 2023-14 - To Appoint a Building Inspector/ By-law Enforcement Officer

Moved by: Councillor Vervoort

Seconded by: Councillor Watt

That By-law 2023-14, being a By-law to Appoint a Building Inspector/ By-law Enforcement Officer, be passed, in open council this 21st day of March, 2023 and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

13. Reports derived from previous Notice of Motions: None

14. Notices of Motion - No Debate: None

15. Announcements:

Mayor Watson - Agritourism Workshop to be held at Douro Community Center on Thursday, March 30th, from 7 to 9 p.m.

Councillor Johnston - All Council members are invited to the Warsaw Lions Club Supper on Wednesday, March 29th, at 7 p.m.

Deputy Mayor Nelson - Douro Minor Hockey is hosting a Euchre Tournament at the Douro Community Centre on Friday, March 24th at 7 p.m.

16. Closed Session: None

17. Rise from Closed Session with or without a Report: None

18. Matters Arising from Closed Session: None

19. Confirming By-law 2023-15

Moved by: Councillor Watt

Seconded by: Councillor Johnston

That By-law Number 2023-15, being a By-law to confirm the proceedings of the Regular Meeting of Council, held on the 21 day of March, 2023, be passed in open Council and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

20. Next Meeting

Special Meeting - Strategic Plan - March 23, 2023

Regular Council Meeting - April 4, 2023

21. Adjournment

**Resolution Number 092-2023**

Moved by: Councillor Vervoort

Seconded by: Councillor Watt

That this meeting adjourn at 6:31 p.m. Carried

---

Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig

## **Minutes of the Special Meeting of Council of the Township of Douro-Dummer**

**March 23, 2023, 9:30 AM**

**Town Hall**

**894 South Street**

**Warsaw, ON K0L 3A0**

**Present:**

**Mayor Heather Watson**  
**Deputy Mayor Harold Nelson**  
**Councillor Thomas Watt**  
**Councillor Adam Vervoort**  
**Councillor Ray Johnston**

**Staff Present**

**CAO – Elana Arthurs**  
**Acting Clerk – Martina Chait-Hartwig**  
**Derrick Huffman – Deputy Fire Chief**  
**Manager of Public Works – Jake Condon**  
**Manager of Recreation Facilities – Mike Mood**  
**Planner – Christina Coulter**  
**Temporary CBO – Don Helleman**  
**Administrative Assistant – Tara Lember**  
**Building Administrator – Leisha Newton**  
**Building Inspector – Bill Winn**  
**Deputy Treasurer, Tax Clerk – Carol Ann-Nelson**  
**Deputy Treasurer, Accounts Payable - Donna Kelly**  
**Finance and Payroll Clerk – Nicole McArthur**  
**Legislative Assistant – Anu Mundahar**  
**Municipal Operations Assistant – Jessyka McArthur**

**1. Reason(s) for Special Meeting:**

The Mayor called the meeting to order at 9:38 p.m. and stated that the reason for the Special Meeting was to have a working session with Council and Staff regarding the development of a new Township Strategic Plan.

2. Land Acknowledgement

The Mayor recited the Land Acknowledgment.

3. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

4. Adoption of Agenda:

**Resolution Number 093-2023**

Moved By: Councillor Vervoort

Seconded By: Councillor Johnston

That the agenda for the Special Council Meeting, dated March 23, 2023, be adopted, as circulated. Carried

5. Introduction and Ice Breaker

All Council members and staff present introduced themselves and participated in an ice-breaker activity.

6. Presentation:

6.1 Christina Coulter, Planner and Iain Mudd, County of Peterborough Planner - Planning Related Plans, Policies and Legislation

Christina Coulter, Planner and Iain Mudd, County of Peterborough Planner provided a training session regarding planning related plans, policies and legislation.

7. Strategic Planning Workshop:

7.1 Review of Current Township Mission and Vision Statements

7.2 SWOT Analysis

7.3 Review of Existing Strategic Plan

At this time Mayor Watson, left the meeting and turn the chair over to Deputy Mayor Nelson. (2:30 p.m.).

8. Reports

8.1 Report to Council - Township Committees, Clerk's Office-2023-07

**Resolution Number 094-2023**

Moved By: Councillor Johnston

Seconded By: Councillor Vervoort

That the report, dated March 23, 2023 regarding a framework for Township Committees be received,

- That Council direct staff to begin a recruitment for members of the Events Committee with a term to run concurrent with Council and create a Terms of Reference to outline the roles and responsibilities of the Committee; and
  - That Staff be directed to bring forward a standard Terms of Reference document that will act as the foundation for all future Committees that Council may create.
- Carried

9. Confirming By-law – 2023-16

Moved By: Councillor Watt

Seconded By: Councillor Vervoort

That By-law Number 2023-16, being a By-law to confirm the proceedings of the Special Meeting of Council, held on the 23 day of March, 2023, be passed in open Council and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto.

Carried

10. Adjournment

**Resolution Number 095-2023**

Moved By: Councillor Vervoort

Seconded By: Councillor Johnston

That this meeting adjourn at 2:51 p.m.

Carried

---

Deputy Mayor, Harold Nelson

---

Acting Clerk, Martina Chait-Hartwig





COUNTY OF PETERBOROUGH  
MUNICIPAL APPRAISAL FORM

APPLICANT: Ken & Loraine Moore

FILE B – 170-22

LOT: 2, CON.: 3 MUNICIPAL WARD: Dummer

911 address: 668 Fourth Line Road-S-Dummer, Roll #: 1522-020-001-03900, Island # or other: \_\_\_\_\_

APPLICATION FOR: Creation of a new lot - Residential

**RECOMMENDATION:**

Application **conforms** to the Official Plan. Severed parcel **conforms** to the Zoning By-Law. Retained parcel **conforms** to the Zoning By-Law. The Township **recommends** this application. If the application is approved, the following conditions are requested:

1. ☒ **\$1250** Cash-in-lieu of parkland fee be paid to the Municipality.
2. ☒ A 3-metre strip of frontage from the severed parcel be deeded to the Township for road widening purposes. Cost to be incurred by the applicant.
3. ☒ A Mitigation Measures Agreement is to be entered into between the Owner and the Municipality and registered on title at the owner's expense, which would recognize the recommendations outlined in Section 11.0 of the Scoped Natural Heritage Evaluation (sNHE) prepared by Oakridge Environmental Ltd. (ORE) dated December 2022.
4. ☒ A test hole for the septic system be inspected, there is a fee to inspect test holes to ensure a septic system would be viable – current fees are \$150 per severed lot severed and applicant is responsible for the digging of the test holes.
5. ☒ The survey illustrate the severed parcel is located within the Potential Development Area (PDA) as identified on Figure 7 of the sNHE prepared by ORE dated December 2022.
6. ☐ \_\_\_\_\_
7. ☐ \_\_\_\_\_

Comments: The test hole inspection fee of \$150 has been paid (March 7, 2023). However the inspection has not been completed as of the submission of this MAF.

**OFFICIAL PLAN:**

Application **conforms** to the Township Official Plan policies, Section(s) **6.2.2.2, 6.2.2.3 (d), 6.2.2.5 (d) & (e), 6.1.1(iv)**.

Severed Parcel:

- a) Proposed Use: Residential.
- b) Land Use Designation(s): Rural.
- c) The proposed use **is** a permitted one.
- d) Special policies affecting the severed parcel (i.e. OPA): \_\_\_\_\_.

Retained Parcel(s):

- a) Proposed Use: Agricultural & Residential.
- b) Land Use Designation(s): Rural & Provincially Significant Wetland.
- c) The proposed use **is** a permitted one.
- d) Special policies affecting the retained parcel (i.e. OPA): \_\_\_\_\_.

**ZONING BY-LAW:**

Severed Parcel:

- a) The severed parcel **conforms** to the Township Zoning By-Law provisions, Section(s) **9.2.4 (a) & (b)**.
- b) ☒ A rezoning **is not** required for the severed parcel.
- c) ☒ A minor variance **is not** required for the severed parcel.
- d) The existing zoning of the severed parcel is: Rural (RU).
- e) The recommended zoning of the severed parcel would be: \_\_\_\_\_.

Retained Parcel(s):

- a) The retained parcel **conforms** to the Township Zoning By-Law provisions, Section(s) **9.2.1 (a) & (b)**.
- b) ☒ A rezoning **is not** required for the retained parcel.
- c) ☒ A minor variance **is not** required for the retained parcel.
- d) The existing zoning of the retained parcel is: Rural (RU) & Environmental Conservation, Provincially Significant Wetland (EC)(P).
- e) The recommended zoning of the retained parcel would be: \_\_\_\_\_.

General:

- a) If the severed and/or retained parcel(s) do not conform to the Zoning By-Law, Council **supports** a rezoning and/or minor variance.

Completed By: Christina Coulter

Date: March 20, 2023

Amended Date: \_\_\_\_\_

**Recommendation:**

That Report Planning-2023-14, dated April 4, 2023, regarding Zoning By-law Amendment – File R-01-23 be received and;

That Council receive all comments related to Zoning By-law Amendment File R-01-23; and;

That the By-law to enact the amendment be passed at the appropriate time in the meeting.

**Overview:**

Carveth's Marina Ltd. (Randy Hauth), has applied to amend the existing zoning on portions of the property located at 426 Carveth's Marina Road, being Roll No. 1522-020-004-14400. The subject property is currently zoned the Commercial Tourist Zone (CT) and the Rural Zone (RU) as shown on Schedule B6 to By-law No. 10-1996, as amended.

The rezoning is required as a condition of consent for severance applications File B-90-21 and B-91-21, which were conditionally approved by Peterborough County on July 20, 2022.

The condition required by the Township and imposed in the decision for each application stated "that the severed lot be rezoned with a Holding (H) provision subject to the approval of site plan and agreement to the satisfaction of the municipality in accordance with Township of Douro-Dummer Site Plan Control By-law 2002-71."

The Notice of Complete Application and Public Meeting identified that the Zoning By-law Amendment proposes to place a holding symbol "H" on the severed parcels (Lot A and Lot B) in order to limit development in the area of an escarpment (steep slope) which is present at the rear of the proposed lots.

The Notice indicates that the severed parcels will be rezoned from the Rural Zone (RU) to the Rural – Holding Zone (RU-H) and that the holding symbol "H" will not be removed until such time as a Site Plan Control Agreement has been entered into in which includes the submission of a Site/Grading Plan acceptable to the Township and the Otonabee Region Conservation Authority which delineates the 3:1 stable slope line and a suitable building envelope for each lot.

After the posting of the Notice, Township Staff obtained legal advice regarding the imposition of Site Plan Control on the severed lots. Recent changes to the *Planning Act* through Bill 23 limit how site plan control can be applied to residential development. The Township's legal firm, Aird and Berlis, confirmed that, although the requirement for site plan approval is a condition of the severance applications which were submitted in 2021, the requirement is no longer valid under the amended *Planning Act*.

Aird and Berlis confirmed that the Holding provision can still be imposed via Section 7.11.3 (a) & (d) of the Official Plan which states that:

- a) a holding zone may be applied when development or redevelopment is anticipated in accordance with the provisions of this Plan, but where the details of that development have not been determined; and
- d) when lands are affected by adverse environmental effects or other constraints on development which can be resolved to the Township's satisfaction.

Aird and Berlis also confirmed that a new Notice is not required to be recirculated given that the Township is still requiring a site/grading plan as part of the lifting of the Holding. Section 34(12)(a)(i) of the Planning Act states that before passing a zoning by-law, Council must ensure that "sufficient information and material is made available to enable the public to understand generally the zoning proposal that is being considered by the council". It is the opinion of Aird and Berlis that enough information has been provided to generally understand the rezoning.

Given this information, Staff sought confirmation from the Otonabee Region Conservation Authority to ensure that the natural hazard (steep slope) on the severed parcel will be adequately addressed. Through verbal communication, ORCA indicated that the rezoning could further refine the application of the Holding provision to that portion of the severed parcels between the Top of 3:1 Stable Slope and the Top of Slope as identified on Figure 1 of the Site Plan prepared by Cambium dated November 23, 2021. Further, it would be appropriate to apply the Environmental Conservation Zone (EC) to the area of the severed parcels between the Top of Slope and the rear of the lots as identified on Figure 1. The remainder of the lots from the Top of 3:1 Stable Slope to the front lot line could remain in the Rural Zone (RU). A copy of ORCA's formal comments received on March 28, 2023, are attached to this Report.

Staff support this approach as it will allow future owners of the severed parcels the ability to develop within the (RU) zoned portion of the lots without the need for additional slope stability studies. If future building plans cannot confine the development to the (RU) Zone, then the Owner will be required to submit additional technical information to the Conservation Authority to ensure that the development can be safely permitted within the area zoned (RU-H). Development will not be permitted within the area zoned (EC) except in accordance with Section 19 of By-law No. 10-1996, as amended.

Given this information, the draft By-law has been revised from the By-law originally posted on the Township Website.

There are no changes proposed to the existing Commercial Tourist Zone (CT) or the remainder of the Rural Zone (RU) on the retained lands.

A copy of the revised draft By-law is attached to this Report.

### **Conformity to Provincial Policy Statement (PPS) and A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Growth Plan):**

A Natural Heritage Evaluation (NHE) was prepared by Cambium, dated June 23, 2021, in support of the severance applications. A copy of the NHE is attached to this Report.

The NHE identified a number of natural heritage features and recommended mitigation measures and best management practices to ensure that the existing natural heritage features are protected and their functions are not negatively impacted during or following construction.

Figure 4 of the NHE illustrates an escarpment and the Report recommends a 15-metre setback from the top of the escarpment to provide adequate protection from these hazardous lands.

Policy 3.1.1. of the PPS directs development to areas outside of hazardous lands. The Otonabee Region Conservation Authority (ORCA) reviewed the NHE and in correspondence dated October 8, 2021, requested that, in order to demonstrate consistency with PPS Section 3.1, Cambium provide cross-sections that:

- Delineate the toe of the slope;
- Determine the height of the slope;
- Calculate the 3:1 stable slope; and,
- Delineate the 3:1 stable slope on the cross-sections.

ORCA indicated that applying a 15-metre setback may result in lots which are too confined. ORCA suggested a slope stability study could be used to assess the hazard, and apply a setback to be zoned appropriately. A copy of ORCA's comments are attached to this Report.

In response to ORCA's comments, Cambium prepared a second submission dated November 23, 2021. The second submission included a Slope Stability Study.

ORCA reviewed the submitted Slope Stability Study and provided comments dated December 13, 2021. Cambium's submission provides an analysis of the cross-sections of the slope and illustrates the extent of a safe building area. ORCA noted that the 3:1 Stable Slope line identified in Figure 4 [should read Figure 1] must be delineated on site/grading plans for the severed lots. ORCA noted that development, including filling and/or grading, will not be permitted beyond the 3:1 Stable Slope line without additional slope stability studies and that a building envelope should be provided at the time of the building permit. ORCA concluded that, provided their comments are incorporated into future applications, it is the opinion of Otonabee Conservation that the severance applications have demonstrated consistency with PPS Section 3.1.

Copies of the November 23, 2021 Cambium Report and ORCA's December 13, 2021 comments are attached to this Report.

The Township Staff Report prepared for the severance applications, dated February 25, 2022 indicates that development of the severed lots should proceed through Site Plan Control to address the grading and fill issues as well as mitigation measures outlined in the Summary of Recommendations included in the NHE prepared by Cambium dated June 23, 2021. The mitigation measures have been registered on title at the Land Registry Office and copies of the registered agreements are attached to this Report along with the Township Staff Report. As mentioned previously, the requirement for site plan approval as it pertains to these applications is no longer valid.

Notice of the proposed Zoning By-law was provided to ORCA and in correspondence dated March 28, 2023, ORCA indicated that the zoning should be made appropriate to protect (e.g. Environmental Constraint) future owners from site alteration or construction in the erosion hazard area as shown in Figure 1 of Cambium's November 23, 2021 Report and would demonstrate consistency with PPS Section 3.1. The application has demonstrated consistency with PPS Sections 2.1 and 2.2 and Sections 4.2.3 and 4.2.4 of the Growth Plan.

Permits from their agency will be required prior to any site alteration or construction in the erosion hazard and a further 15 metres into the site.

The subject property is not located within a Vulnerable Area for a municipal drinking water source.

As noted previously, a copy of the ORCA comments are attached to this Report.

#### **Conformity to Official Plan:**

The subject property is designated Commercial, Rural and Environmental Constraint as illustrated on Schedules 'A4-2' and 'A4-3' of the Official Plan.

The severed lots are located within the Rural designation. Low density residential development is permitted within the Rural designation (S. 6.2.2.2).

Section 6.2.2.10 (a)(iii) of the Official Plan encourages landowners to maintain and establish tree and shrub cover in hazardous areas such as steep slopes in order to reduce runoff rates and minimize soil erosion.

Section 4.1.3.2 of the Official Plan states that, where a development proposal contains or abuts a steep slope, watercourse or shoreline in an area where no detailed floodplain mapping exists and where erosion hazard limits have not been defined, development will be subject to the establishment of flooding and erosion hazard limits by the appropriate Conservation Authority in consultation with the local municipality. The

Official Plan further states that development adjacent to an identified flood or erosion prone area may be subject to a setback from the flood or erosion prone boundary area. The setback will reflect the most restrictive requirements of the local municipality, the appropriate Conservation Authority and/or the Ministry of Natural Resources, and federal ministries or agencies.

As mentioned previously in this Report, Section 7.11.3 of the Official Plan permits the use of Holding Provisions under the following circumstances which are applicable to this proposal:

- a) a holding zone may be applied when development or redevelopment is anticipated in accordance with the provisions of this Plan, but where the details of that development have not been determined; and
- d) when lands are affected by adverse environmental effects or other constraints on development which can be resolved to the Township's satisfaction.

With the implementation of the Holding Symbol in order to require a site/grading plan and additional slope stability studies if the proposed development will encroach beyond the Top of 3:1 Stable Slope along with the identification of a suitable building envelope, the application appears to conform to the Official Plan.

### **Comments:**

Comments were received from the Owners of 394 Carveth's Marina Road. No objections were raised to the creation of the new lots, however, the Owners did inquire as to whether there will be any change to the water table as a result. A copy of these comments are attached to this Report. In e-mail correspondence dated March 27, 2023, Township Staff replied that there were no concerns related to the water table identified during the circulation of the severance applications.

Staff also spoke with the Owner of 1499 Birchview Road who had questions regarding the nature of the application, the stability of the slope and the need for the rezoning. Upon the conclusion of the telephone conversation, the Owner verbally indicated their concerns appear to have been satisfied.

As of the writing of this Report, no further comments have been received from members of the public.

Comments were received from the following agencies:

- Enbridge Gas Inc.: No objections to the application.

### **Conclusion:**

The requested zoning by-law amendment rezones a portion of the severed parcels (Lot A and Lot B) to the Environmental Conservation Zone (EC) and places a holding symbol

"H" on a portion of the severed parcels and is required in order to limit development in the area of an escarpment located to the rear of the proposed lots. Portions of the severed parcels will be rezoned from the Rural Zone (RU) to the Rural – Holding Zone (RU-H) and the Environmental Conservation Zone (EC). The rezoning is required in order to meet the conditions of Peterborough County Land Division Files B-90-21 and B-91-21.

The rezoning will ensure a suitable building envelope exists for the severed parcels by appropriately identifying the hazardous areas. The proposed rezoning meets the intent of municipal and provincial policies.

**Financial Impact:**

All costs related to the application for a Zoning By-law Amendment are the responsibility of the Owner.

**Strategic Plan Applicability:** N/A

**Sustainability Plan Applicability:** N/A





**Report Approval Details**

Document Title:	R-01-23 (Hauth) Report.docx
Attachments:	<ul style="list-style-type: none"> <li>- Cambium NHE (Scanned).pdf</li> <li>- B-90-21, Hauth, 426 Carveths Marina Road (Lot 1) ; ORCA File PPLD-2204.pdf</li> <li>- B-91-21, Hauth, 426 Carveths Marina Road (Lot 2), ; ORCA File PPLD-2205.pdf</li> <li>- 2021-11-23 - LTR RPT - 426 Carveth's Marina Rd Slope Stability.pdf</li> <li>- B-90-21 Hauth 426 Carveths Marina Road (Lot 1) ; ORCA File PPLD-2204-13DEC2021.pdf</li> <li>- B-91-21 Hauth 426 Carveths Marina Road (Lot 2) ; ORCA File PPLD-2205-13DEC2021.pdf</li> <li>- Township Staff Report - Files B-90-21 and B-91-21.pdf</li> <li>- 45R-17389.pdf</li> <li>- Registered Mitigation Agreements.pdf</li> <li>- R-01-23 (Hauth) Enbridge Gas (March 28, 2023).pdf</li> <li>- R-01-23 Hauth 426 Carveths Marina Road ORCA File PPLD-2268 (March 28, 2023).pdf</li> <li>- R-01-23 394 Carveth's Marina Road Comments (March 25, 2023).pdf</li> <li>- R-01-23 - Revised Draft By-law.pdf</li> </ul>
Final Approval Date:	Mar 28, 2023

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

Martina Chait-Hartwig

Elana Arthurs



Environmental  
Geotechnical  
Building Sciences  
Construction  
Monitoring

**Telephone**  
(866) 217.7900  
(705) 742.7900

**Facsimile**  
(705) 742.7907

**Website**  
cambium-inc.com

**Mailing Address**  
P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**  
Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**  
Peterborough



June 23, 2021

Carveth's Marina  
426 Carveths Marina Rd  
Harcourt, ON K0L 2H0

Attn: Randy Hauth  
Sent via email to: <randyhauth@hotmail.com>

**Re: Natural Heritage Evaluation at 426 Carveths Marina Road, Harcourt,  
Ontario**  
**Cambium Reference No.: 12908-001**

---

Dear Randy Hauth,

Cambium Inc. (Cambium) is pleased to provide the following Natural Heritage Evaluation (NHE; the Study) at 426 Carveths Marina Road, Harcourt, Ontario (the Site; Figure 1). The proposed development includes two residential lot severances along the south edge of the Site, fronting on Birchview Road. A Preliminary Severance Review (PSR) was completed by the County of Peterborough, dated December 14, 2020. This Study considers the location of the proposed severances and adjacent lands within 120 m (Study Area).

## PLANNING AND POLICY CONTEXT

The majority of the Site is currently zoned Rural (RU), with an area of approximately 0.5 ha at the shoreline zoned Commercial Tourist (CT) in the Township of Douro-Dummer Comprehensive Zoning By-law. The proposed severances are located in the Rural zone. The PSR noted that the Township of Douro-Dummer may require re-zoning of a portion of the Site south of Carveths Marina Road to better accommodate existing commercial uses; if required, this re-zoning will be addressed under separate cover.

The PSR identified the following natural heritage and/or hydrologic features on or within 120 m of the Site: Stoney Lake, Locally Significant Davis Island Wetland Complex (associated with Stoney Lake shoreline), and Unevaluated Wetlands (on adjacent lands, south of Birchview Road). The Davis Island Wetland Complex is located over 200 m northwest of the proposed severances; this



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900  
(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

feature is not discussed further in this report. Mapped natural heritage/hydrologic features are shown on Figure 2.

The proposed development may be constrained by features protected by provincial natural heritage policies under the Provincial Policy Statement, 2020 (PPS) and the Growth Plan for the Greater Golden Horseshoe, 2020 (GPGGH). Development includes the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act. As such, the County of Peterborough requires an NHE be prepared in consideration of provincial natural heritage policies.

Given the presence of mapped unevaluated wetlands south of Birchview Road, the Study Area overlaps with the Otonabee Region Conservation Authority (ORCA) regulated area. The ORCA *Regulation of Development, Interference with Wetlands and Alterations To Shorelines and Watercourses* (O.Reg. 167/06) under the *Conservation Authorities Act* and the ORCA Watershed Planning and Regulation Policy Manual (2015) provide policies regarding development within and adjacent to wetlands. As stated in Section 7.0 of the ORCA Policy Manual, development is not permitted within 30 m of a non-provincially significant wetland, unless it can be demonstrated through an Environmental Impact Study (equivalent to NHE) that such development will not have a negative impact on the natural features and the hydrologic functions of the wetland.

The *Endangered Species Act, 2007* (ESA) (Government of Ontario, 2018) protects endangered or threatened species and their habitats from harm or destruction. Habitat of endangered and threatened species is protected under provincial natural heritage policy; however, it is also the landowner's responsibility to ensure that no harm to these species occurs on their property. This EIS includes a habitat-based species at risk (SAR) screening to determine if the Site has suitable habitat for any provincially or federal listed at-risk species.

## TERMS OF REFERENCE

Cambium contacted Matt Wilkinson, Planner at ORCA, to confirm the Terms of Reference for the subject study on May 7, 2021.



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900  
(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

Correspondence received from ORCA (Matt Wilkinson, Planner), dated May 19, 2021 indicated agreeance of the Terms of Reference (ToR) for this project (enclosed).

## FIELD INVESTIGATIONS AND FINDINGS

Field investigations were conducted during the growing season under early leaf-out conditions on May 19, 2021. During the field investigations, the weather was mostly clear and sunny with a few clouds in the morning, becoming overcast mid-day; air temperature was 24°C, reaching 28°C by mid-day; winds were light.

### Site Location and Topography

The Site is located on the southern shore of Stoney Lake, which is part of the Trent Severn Waterway (TSW). Adjacent shoreline properties to the east and west consist of residential / cottage developments. Adjacent lands to the south include extensive forested areas.

The Site topography rises to the south (away from the shoreline). An escarpment feature runs east-west, dividing the Site roughly in half. The proposed severances are located in the forested area above the escarpment (on high topography). Contour lines are provided on Figure 3.

### Ecological Land Classification

The Ecological Land Classification (ELC) System for Southern Ontario (Lee, 1998) was used to classify vegetation communities on the Site. Definitions of vegetation types are derived from the ELC for Southern Ontario First Approximation Field Guide and the revised 2008 tables. ELC units were initially identified by orthophoto interpretation during the desktop review. Field investigations served to confirm the type and extent of communities through vegetation inventory; where necessary, soil assessment is used to confirm wetland communities.

A total of six vegetation communities were identified within the Study Area and adjacent lands, as summarized in Table 1. The extent of the identified vegetation



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

Telephone  
(866) 217 7900  
(705) 742 7900

Facsimile  
(705) 742 7907

Website  
cambium-inc.com

Mailing Address  
P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

Locations  
Peterborough  
Kingston  
Barrie  
Oshawa

Laboratory  
Peterborough



June 23, 2021

communities is illustrated on Figure 3. Corresponding plant species lists and representative photos are enclosed.

**Table 1 Vegetation Communities**

No.	ELC Code	Community Description	Community Type	S -Rank
1	CVC_1	Disturbed Area – Marina Facilities	Terrestrial	N/A
2	FOM2-2	Dry-Fresh White Pine-Sugar Maple Mixed Forest	Terrestrial	S5
3	FOD5-1	Dry-Fresh Sugar Maple Deciduous Forest	Terrestrial	S5
4	FOC2-2	Dry-Fresh White Cedar Coniferous Forest	Terrestrial	S5
5	FOC2-2	Dry-Fresh White Cedar Coniferous Forest	Terrestrial	S5
6	FODM4-4	Dry-Fresh Ironwood Deciduous Forest	Terrestrial	N/A

The proposed severances are comprised almost entirely of Community 6. This is a fairly young stand, dominated by young to mid-aged Eastern Hop-hornbeam (Ironwood). All of the vegetation communities identified are common/secure provincially (S5).

### Unevaluated Wetlands

Unevaluated wetlands are mapped approximately 50 m south of the proposed severances, on the south side of Birchview Road. All mapped wetlands are shown on Figure 2.

Cambium staff confirm the presence of wetlands through field investigations during the growing season. Wetland boundaries are determined using the 50% wetland vegetation rule, as specified by the Ontario Wetland Evaluation System (OWES) for Southern Ontario, 3<sup>rd</sup> Edition (Ministry of Natural Resources, 2013). Where wetland communities extend off the Site, classification was done through observation from property boundaries and publically accessible lands. Fieldwork was carried out by provincially certified Cambium staff.

The area south of Birchview Road was scanned from the roadside using binoculars with 10x magnification. Visibility was fair and no wetland plants were



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900

(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

identified. The area consisted primarily of Sugar Maple and other upland forest species. Topography was gently rolling, with no obvious decline towards the mapped wetland area. No indication of wetland was visible within at least 30 m of the roadside.

Cambium Staff confirmed that no unmapped wetlands are present in the Study Area.

### **Stoney Lake, Drainage Features, and Fish Habitat**

The shore of Stoney Lake is approximately 100 m away from the proposed severances. It is part of the Trent Severn Waterway, a route connecting Lake Ontario at Trenton to Georgian Bay, Lake Huron, at Port Severn. Stoney Lake is approximately 2,825 ha in size, with a maximum depth of 32 m and an average depth of 5.9 m. The fish community in Stoney Lake is fairly diverse, with at least 18 documented fish species, including Bluegill, Lake Whitefish, Muskellunge, Walleye, White Sucker, Yellow Perch, and various Bullhead and Bass species. The shoreline directly adjacent to the Site is actively used as a marina, and includes a concrete boat ramp, concrete shoreline reinforcements, and several docks. Natural habitat features on the shoreline in the vicinity of the Site are limited due to extensive shoreline cottage development.

No watercourses or drainage features were identified within the Study Area and no culverts were found along Birchview Road in the vicinity of the proposed severances.

### **Wildlife Habitat and Species at Risk Screening**

Wildlife habitat within the Study Area is characterized primarily by deciduous forest, with some mixed and coniferous forest areas also present. Based on orthoimagery interpretation, extensive forests, and mapped unevaluated wetlands are present to the south of Birchview Road. The forested escarpment that runs east-west just north of the proposed severances may provide opportunities for reptile hibernation and/or mammal denning. Trees in the vicinity of the proposed severances are generally fairly young and would not provide suitable wildlife cavity tree habitat; one high quality cavity tree was identified near



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

Telephone  
(866) 217 7900  
(705) 742 7900

Facsimile  
(705) 742 7907

Website  
cambium-inc.com

Mailing Address  
P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

Locations  
Peterborough  
Kingston  
Barrie  
Oshawa

Laboratory  
Peterborough



June 23, 2021

Carveths Marina Road, approximately 120 m from the proposed severances, as shown on Figure 3.

A number birds common to rural and forested habitats were observed during the field investigations, including American Crow (*Corvus brachyrhynchos*), American Robin (*Turdus migratorius*), Blue Jay (*Cyanocitta cristata*), Brown Thrasher (*Toxostoma rufum*), Chipping Sparrow (*Spizella passerine*), Common Grackle (*Quiscalus quiscula*), Eastern Phoebe (*Sayornis phoebe*), Great Crested Flycatcher (*Myiarchus crinitus*), House Wren (*Troglodytes aedon*), Red-eyed Vireo (*Vireo olivaceus*), Scarlet Tanager (*Piranga olivacea*), and Song Sparrow (*Melospiza melodia*).

In addition, evidence was observed of Eastern Gray Squirrel (*Sciurus carolinensis*), Raccoon (*Procyon lotor*), and Red Fox (*Vulpes vulpes*). American Toad (*Anaxyrus americanus*) was heard calling near the Marina storage facilities (likely breeding in near-shore areas beyond the Study Area).

A background review was conducted to assemble list of SAR that have the potential to occur at the Site. A habitat-based screening was employed to identify suitable habitat for SAR located on or adjacent to the Study Area (see enclosed). The SAR list was aggregated from the following sources:

- Natural Heritage Areas: Make-a-map (Ministry of Natural Resources and Forestry, 2018)
- Ontario Reptile and Amphibian Atlas (Ontario Nature, 2018)
- Ontario Breeding Birds Atlas (2001-2005) (Bird Studies Canada, 2005)
- Previous studies conducted by Cambium in the region of the Site.

The NHIC database contains a restricted species occurrence record in the 1km grid square located directly south of the Study Area. Cambium conducted follow up consultation with the NHIC and included the relevant field surveys. It was confirmed that this species does not present an issue for the proposed development.





Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900  
(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

No Critical Habitat for aquatic species at risk listed under SARA was identified in Stoney Lake adjacent to the Site.

No SAR was confirmed on or adjacent to the Study Area through direct field observations.

The following SAR were found to have high or moderate potential for habitat on or adjacent to the Study Area and are presumed to be present for the purpose of this study:

- Eastern Wood-pewee (Special Concern)
- Blanding's Turtle (Threatened)
- Eastern Hog-nosed Snake (Threatened)

The Study Area has moderate habitat potential for Eastern Wood-pewee, which lives in the mid-canopy layer of forest clearings and edges of deciduous and mixed forests. It prefers intermediate-age forest stands with little understory vegetation. Potentially suitable habitat is present on the Study Area and adjacent lands; however, larger expanses of more preferable habitat is present in the extensive forested area located south of Birchview Road.

Blanding's Turtles spend the majority of their life cycle in the aquatic environment, usually in large wetlands or shallow lakes with high densities of water plants. They use terrestrial sites for travel between habitat patches and to lay clutches of eggs, often going hundreds of meters from their nearest water body. Blanding's Turtles nest in dry coniferous and mixed forest habitats, as well as fields and roadsides. Stoney Lake and associated shoreline wetlands would provide suitable habitat for this species; however, there is no suitable wetland habitat within the Study Area. Given the lack of wetland and sunny or south facing open areas in the proposed severance locations, the Study Area provides limited potential nesting habitat for Blanding's Turtle; it is possible Blanding's Turtle may move through the Study Area during the active season.

The Eastern Hog-nosed Snake prefers sandy well-drained habitats such as beaches and dry forests because they lay their eggs, hibernate and burrow in these areas. The main diet of this snake is toads and frogs, so they usually stay





Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

Telephone  
(866) 217.7900  
(705) 742.7900

Facsimile  
(705) 742.7907

Website  
cambium-inc.com

Mailing Address  
P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

Locations  
Peterborough  
Kingston  
Barrie  
Oshawa

Laboratory  
Peterborough



June 23, 2021

close to water including marshes and swamps, where they have an increased chance of finding their preferred prey. The escarpment running east-west to the north of the proposed severances may include below ground openings that provide suitable snake hibernation habitat. Given the lack of wetlands, the Study Area is unlikely to provide sufficient prey opportunities to support Eastern Hog-nosed Snake; it is possible for snakes to move through the Study Area during the active season. Larger expanses of forest located south of Birchview Road may contain wetlands, making them more favourable habitats.

## IMPACT ASSESSMENT AND RECOMMENDATIONS

The proposed development includes severance of two new residential lots to be developed with single residential dwellings. Both proposed severances are located on the southern edge of the Site, fronting on Birchview Road.

The following sections address potential impacts to protected features identified on and adjacent to the Site that may result from the proposed development and site alteration:

- Stoney Lake
- Fish Habitat
- Unevaluated wetlands
- Habitat of Threatened Species

No other natural heritage features protected by provincial policy were confirmed on or adjacent to the Site.

Mitigation measures and best management practices have been recommended to ensure that the integrity of the current existing natural features are protected and their functions are not negatively impacted during or following construction.

### Stoney Lake and Fish Habitat

Given that Stoney Lake is located approximately 100m from the proposed severances, separated by other cottage development, a roadway, and well vegetated lands, there will be no direct impacts to the Lake. Given that there are



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217 7900  
(705) 742 7900

**Facsimile**

(705) 742 7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

no watercourses or drainage pathways between the proposed severances and the shoreline, there are no anticipated indirect impacts to the Lake.

### Unevaluated Wetlands

While no wetlands were visible from Birchview Road, a precautionary approach has been applied to the mapped unevaluated wetlands. The GPGGH and ORCA policies both require development be setback a minimum of 30 m from wetlands. As such, a 30 m setback has been applied to the mapped unevaluated wetlands and is shown on Figure 4. This setback is located entirely south of Birchview Road.

Given that the unevaluated wetlands south of Birchview Road are located over 30 m away, the proposed development will have no direct impacts on the wetlands. Given that there are no watercourses or drainage pathways between the proposed severances and the wetlands, and the severances are separated by a roadway and well vegetated lands, no indirect impacts to the wetlands are anticipated as part of the proposed development.

### Potential Habitat of Threatened Species

The creation of lot lines will not impact Threatened species or their habitat. Potential for impacts to Threatened species during the future construction of residential dwellings on the new lots is possible and is addressed below.

Blanding's Turtle is known to travel great distances into terrestrial habitats, including open fields and roadsides to reach their preferred nesting areas.

Eastern Hog-nosed snake uses a wide variety of habitats and may travel between upland forests on the Study Area and nearby wetlands. Furthermore, there is potential that exposed bedrock along the escarpment located north of the proposed severances could provide hibernation habitat for snakes. Both of these species are known to the area generally. The Study Area has potential be utilized by Blanding's Turtle and Eastern Hog-nosed Snake during their active season, and the escarpment may be used for snake hibernation from October to April. Turtles and snakes are particularly vulnerable to construction-related impacts.



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217 7900

(705) 742 7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

It is recommended that future development be located as far as possible from the escarpment feature. Given the potential for access to a hibernaculum in the Study Area, any future foundational work (e.g., rock blasting, excavation) be done outside of the snake hibernation season, which takes place in this region of Ontario from approximately October to April; all foundational work should take place from May to September to avoid potential impacts to hibernating Eastern Hog-nosed Snakes.

Wildlife Exclusion Fencing should be erected around the perimeter of future building envelopes on both severed lots. Wildlife Exclusion Fencing should be comprised of light-duty silt fence at least 60 cm high above ground, with an additional 10-20 cm buried. In addition it should be staked at regular intervals and checked regularly for maintenance needs. Fencing with synthetic mesh backing should be avoided as wildlife can be entangled and killed by such materials. Wildlife exclusion fencing should be properly installed around the construction area(s) prior to May 1 of the year of construction in order to keep turtles from entering the construction area.

During the construction phase, the work area should be actively checked for the presence of any wildlife, especially turtles and snakes. Workers should be aware of the turtle nesting season, which extends from May 15 to August 15, with hatchling emergence through until September 30. Should any nesting turtles be encountered, work should stop immediately and the turtle should be left to finish nesting undisturbed. The turtle should be photographed and the nest marked to ensure it is not disturbed during construction until it has hatched (late August – September). If a nest is laid in a stockpile or other area that requires disturbance, Cambium should be contacted to determine if the nest can be relocated.

Though not identified in the field inventories, any subsequently identified SAR discovered on the property will be left undisturbed as dictated by the Endangered Species Act, 2007. If any SAR individuals are encountered, they should be photographed and allowed time to move out of harm's way. SAR observations should be reported to the Natural Heritage Information Centre.



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217 7900  
(705) 742 7900

**Facsimile**

(705) 742 7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

Threats to the recovery of Eastern Hog-nosed Snake include persecution by humans and predation by feral pets, in part due to its Cobra-like defensive posture, which can be perceived as dangerous. It is recommended that educational information on the characteristics and habitat needs of Eastern Hog-Nosed Snake be distributed to future buyers of the severed lots in order to improve their perceptions of this often misunderstood species.

## **Best Management Practices**

### ***Avoiding Potential Hazard Lands***

The natural escarpment that runs east-west just north of the proposed severances should be treated as a potential erosion hazard. ORCA regulates hazard lands and a permit is generally required for development within 15 m of an engineered confirmation of the stable top of bank. Under to the *Conservation Authorities Act*, development includes:

- the construction, reconstruction, erection or placing of a building or structure of any kind
- 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,
- site grading
- the temporary or permanent placing, dumping or removal of material, originating on the site or elsewhere

In order to avoid the cost of additional studies and engagement with the permitting process, Cambium recommends that all future site preparation, storage and stockpiling, and construction on the new severances be conducted at least 15 m away from the escarpment. A 15 m setback is shown on Figure 4. The 15 m setback does not impact the placement of severance lines on the Site.



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

Telephone  
(866) 217.7900  
(705) 742.7900

Facsimile  
(705) 742.7907

Website  
cambium-inc.com

Mailing Address  
P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

Locations  
Peterborough  
Kingston  
Barrie  
Oshawa

Laboratory  
Peterborough



June 23, 2021

### ***Vegetation Clearing***

The future construction of new dwellings on the new severed lots will require clearing and grubbing of vegetation on the Site. Vegetation removal should be limited to the amount required for construction. No vegetation removal should occur within the 15 m escarpment setback; tree removal within the setback should be limited to the removal of hazard trees, if required.

The vegetation present has potential to provide nesting habitat for birds that utilize forest and edge habitats. Nesting birds are protected under the *Migratory Birds Convention Act*, 1994. Vegetation clearing at the Site should occur outside the peak breeding bird season, which extends from April 15 to August 15 in this area (as per Environment and Climate Change Canada Guidelines). If vegetation clearing is to occur between April 15 and August 15, the vegetation should be investigated by a qualified biologist to confirm if any nests are present.

Vegetation clearing can proceed provided there are no active nests. If active nests are confirmed, the nests should be left undisturbed until young have fledged or the nest is determined to be inactive.

In the event that construction is planned to proceed during the breeding season, the construction area should be investigated daily for the presence of breeding birds and nests containing eggs and/or young. It should be noted that some birds nest on man-made structures/machinery or in recently cleared areas, so these areas should be checked regularly. Nests discovered on Site should be left undisturbed until young have fledged or the nest is determined to be inactive.

### **SUMMARY OF RECOMMENDATIONS**

1. All required permits and approvals should be obtained prior to any Site alterations or construction. Note that there are no wetlands within 30 m of the proposed severances, and they conform to provincial policy.
2. It is recommended that future development be located as far as possible from the escarpment feature.



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900

(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

3. All foundational work (e.g., rock blasting, excavation) should take place from May to September to avoid potential impacts to hibernating Eastern Hog-nosed Snakes.
4. Site plans developed for the proposed severances and residential dwellings should include the location of Wildlife Exclusion Fencing (around the perimeter of future building envelopes), and the location of the escarpment and 15 m hazard setback, as shown on (Figure 4).
5. Wildlife Exclusion Fencing should be erected prior to the earlier of May 1 or the commencement of any Site alteration or development. This should be maintained in proper working order until the Site has been successfully revegetated or all loose substrate have been stabilized. All fencing should be removed following construction.
6. Wildlife Exclusion Fencing should consist of light-duty silt fencing, staked at regular intervals, trenched in at least 20 cm, and with an above-ground height of at least 60 cm. Fencing with synthetic mesh backing should be avoided as wildlife can be entangled and killed by such materials.
7. Workers should be aware of the nesting season for turtles which extends from May 15 to August 15, with hatchling emergence through until September 30. Should any nesting turtles be encountered, work should stop immediately and the turtle should be left to finish nesting undisturbed. The turtle should be photographed and the nest marked to ensure it is not disturbed during construction until it has hatched (late August – September). If a nest is laid in a stockpile or other area that requires disturbance, Cambium should be contacted to determine if the nest can be relocated.
8. All future site preparation, storage and stockpiling, and construction on the new severances should be conducted at least 15 m away from the escarpment.
9. No vegetation removal should occur within the 15 m escarpment setback; tree removal within the setback should be limited to the removal of hazard trees, if required.





Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**  
(866) 217.7900  
(705) 742.7900

**Facsimile**  
(705) 742.7907

**Website**  
cambium-inc.com

**Mailing Address**  
P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**  
Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**  
Peterborough



June 23, 2021

10. Vegetation clearing at the Site should occur outside the peak breeding bird season, which extends from April 15 to August 15 in this area (as per Environment and Climate Change Canada Guidelines).
11. If vegetation clearing is to occur between April 15 and August 15, the vegetation should be investigated by a qualified biologist to confirm if any nests are present.
12. The construction area should be investigated daily for the presence of breeding birds and nests containing eggs and/or young. Nests discovered on Site should be left undisturbed until young have fledged or the nest is determined to be inactive.
13. Construction activities involving earthworks (i.e., grading, excavation) should be scheduled to avoid dates of heavy rainfall events and high runoff volumes (e.g., spring melt, spring/summer/fall rainstorms).
14. All machinery, equipment, construction materials, and stockpiles should be stored within the construction area throughout the construction period, outside of the escarpment setback and forested areas protected by the Wildlife Exclusion Fencing.
15. Though not identified in the field inventories, any subsequently identified SAR discovered on the property will be left undisturbed as dictated by the Endangered Species Act, 2007. If any SAR individuals are encountered, they should be photographed and allowed time to move out of harm's way. SAR observations should be reported to the Natural Heritage Information Centre.
16. It is recommended that educational information on the characteristics and habitat needs of Eastern Hog-Nosed Snake be distributed to future buyers of the severed lots in order to improve their perceptions of this often misunderstood species.

## CLOSING

In conclusion, potential negative impacts associated with the proposed severances and future development and site alteration can be appropriately



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900

(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

cambium-inc.com

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



June 23, 2021

minimized, provided that the recommendations outlined above are adhered to. The information presented herein demonstrates that the proposed development complies with the applicable natural heritage policies and can be carried out in a way that will not adversely impact natural heritage features and function identified on or adjacent to the Site.

Best regards,

**Cambium Inc.**

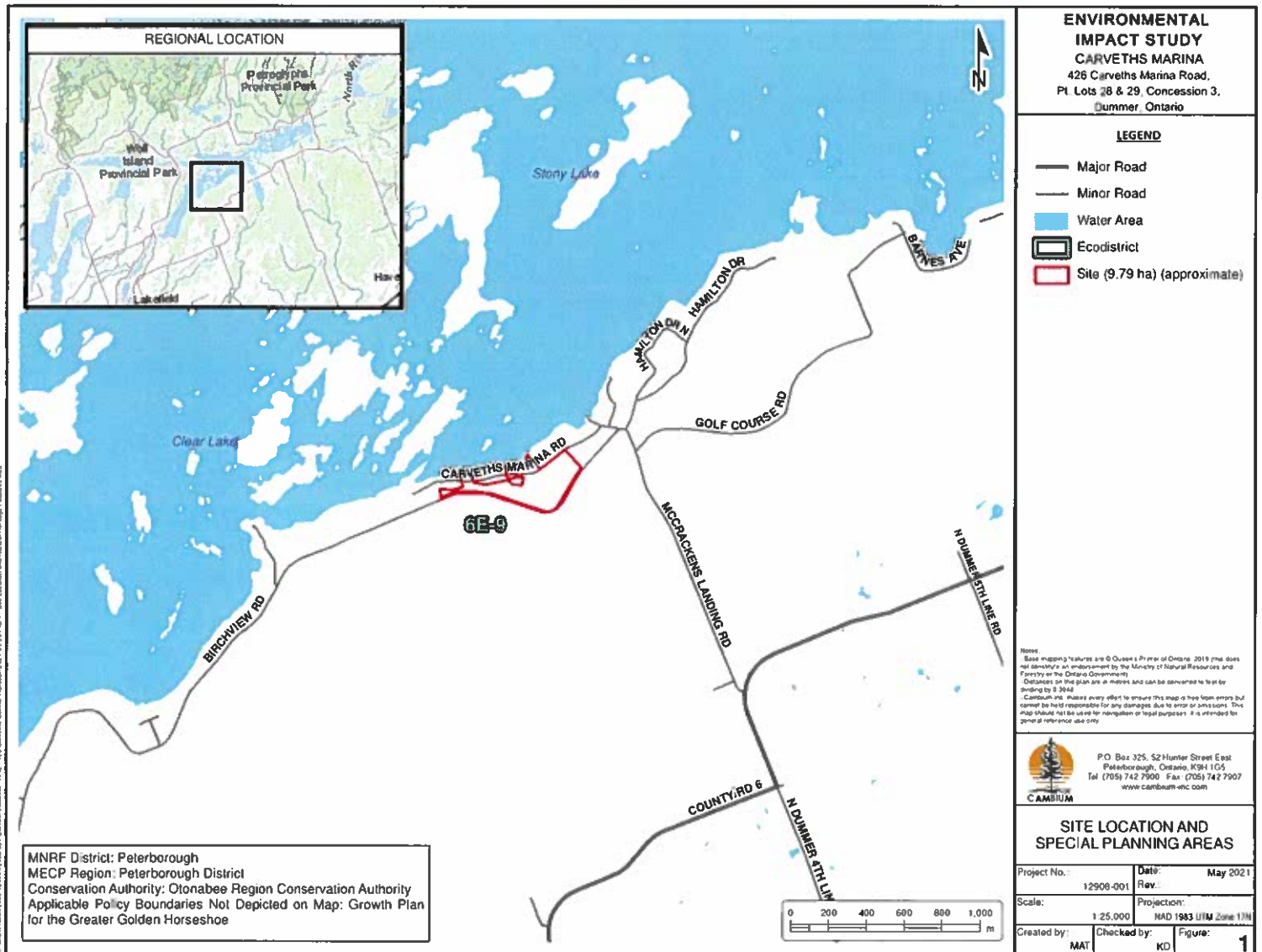
Kristina Domsic, B.E.S.  
Ecologist / Project Coordinator

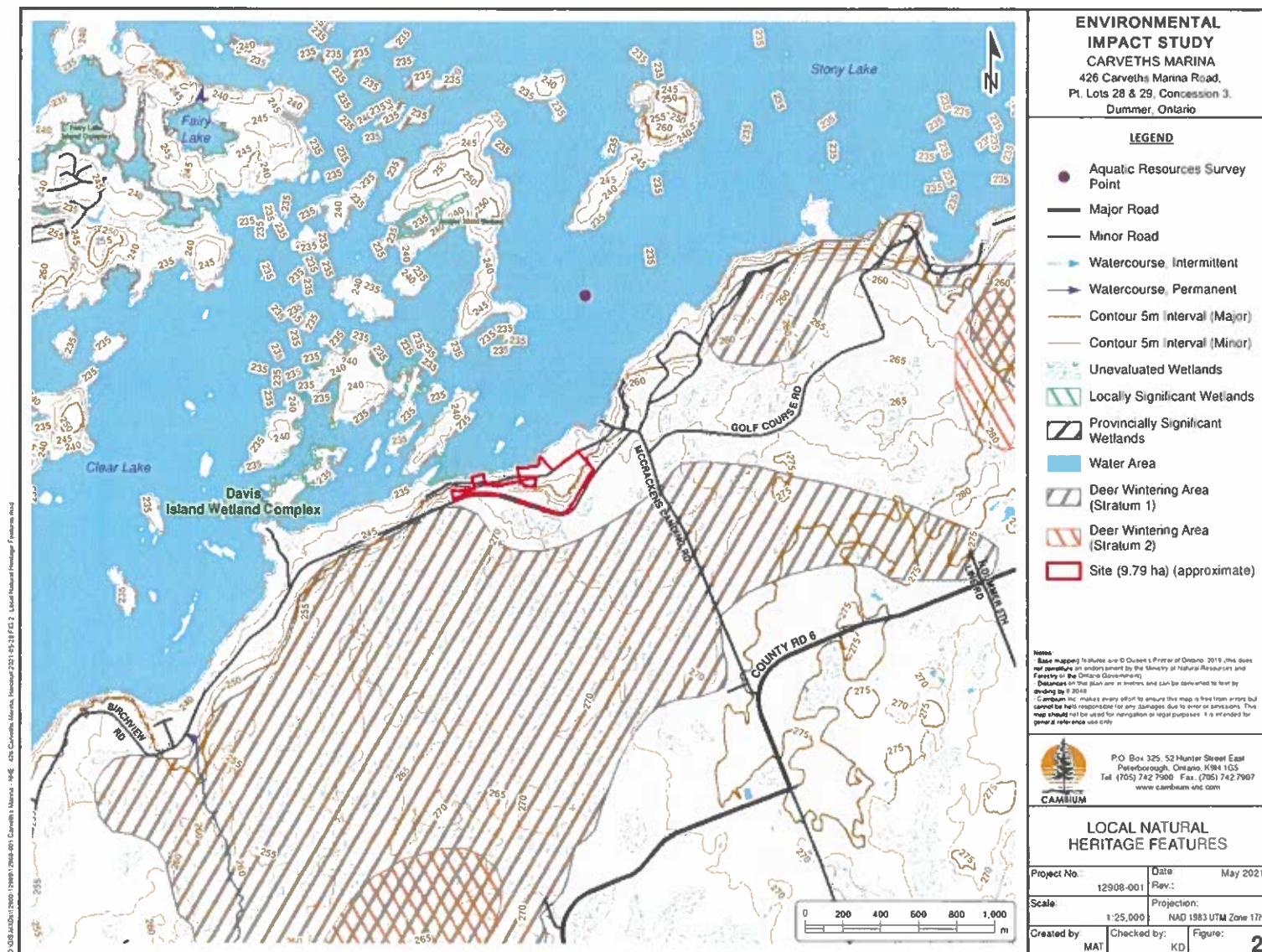
Ernie Silhanek, F&W Dipl.,  
Senior Ecologist

*KD/es/alh*

Encl.    Figure 1    Site Location and Special Planning Areas  
          Figure 2    Local Natural Heritage Features  
          Figure 3    Site Natural Heritage Features  
          Figure 4    Natural Heritage Constraints  
          *Terms of Reference*  
          *Ecological Land Classification Data Sheets*











#### VEGETATION COMMUNITIES

- 1: CVC\_1; Disturbed Areas- Marina
- 2: FOM2-2; Dry-Fresh White Pine-Sugar Maple Mixed Forest
- 3: FOD5-1; Dry-Fresh Sugar Maple Deciduous Forest
- 4: FOC2-2; Dry-Fresh White Cedar Coniferous Forest
- 5: FODM4-4; Dry-Fresh Ironwood Deciduous Forest
- 6: FOC3-1; Fresh-Moist Hemlock Coniferous Forest
- FOD; Deciduous Forest

#### ENVIRONMENTAL IMPACT STUDY CARVETHS MARINA 426 Carveths Marina Road, Pt. Lots 28 & 29, Concession 3, Dummer, Ontario

#### LEGEND

- Cavity Tree
- Fox Den
- - - 120m Adjacent Lands
- Contour 5m Interval (Major)
- Contour 5m Interval (Minor)
- Escarpment
- Vegetation Community
- Unevaluated Wetlands
- Proposed Severance (0.4 ha each)
- Site (9.79 ha) (approximate)

Notes:  
Base mapping features are © Queen's Printer of Ontario, 2019. One does not constitute an endorsement by the Ministry of Natural Resources and Forestry or the Ontario Government.  
Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.  
Cambium Inc. makes every effort to ensure this map is free from errors, but cannot be held responsible for any damages, due to error or omissions. This map should not be used for navigation or legal purposes. It is intended for general reference use only.



PO Box 325, 52 Hunter Street East  
Peterborough, Ontario, K9H 1G5  
Tel: (705) 742-7900 Fax: (705) 742-7907  
www.cambium-inc.com

#### SITE NATURAL HERITAGE FEATURES

Project No.: 12908-001	Date: June 2021
Scale: 1:2,000	Rev: Projection: NAD 1983 UTM Zone 17N
Created by: MAT	Checked by: KD Figure: 3



# **ENVIRONMENTAL IMPACT STUDY CARVETHS MARINA** 426 Carveths Marina Road, Pt. Lots 28 & 29, Concession 3, Dummer, Ontario

## **LEGEND**

- Cavity Tree
- Fox Den
- 15m Escarpment Setback
- 30m Wetland Setback
- 30m Shoreline Setback
- 120m Adjacent Lands
- Contour 5m Interval (Major)
- Contour 5m Interval (Minor)
- Escarpment
- Unevaluated Wetlands
- Developable Area
- Proposed Severance (0.4 ha each)
- Site (9.79 ha) (approximate)

Notes:  
- Base mapping features are © Queen's Printer of Ontario, 2010 (this does not constitute an endorsement by the Ministry of Natural Resources and Forestry or the Ontario Government).  
- Distances on this plan are in meters and can be converted to feet by dividing by 3.2808.  
- Cambium Inc. makes every effort to ensure this map is free from errors but cannot be held responsible for any damages due to error or omissions. This map should not be used for navigation or legal purposes. It is intended for general reference use only.



P.O. Box 325, 52 Hunter Street East  
Peterborough, Ontario, K9A 1G5  
Tel: (705) 742-7900 Fax: (705) 742-7907  
www.cambium-inc.com

## **NATURAL HERITAGE CONSTRAINTS**

Project No.: 12908-001	Date: June 2021
Scale: 1:2,000	Revision: N/A
Projection: NAD 1983 UTM Zone 17N	Figure: 4
Created by: MAT	Checked by: KD



## Kristina Domsic

---

**From:** Matt Wilkinson <mwilkinson@otonabeeconservation.com>  
**Sent:** May 19, 2021 6:36 AM  
**To:** Kristina Domsic  
**Cc:** Jasmine Gibson  
**Subject:** RE: Terms of Reference for NHE at 426 Carveths Marina Rd, Harcourt (12908-001)

Hi Kristina,

Ontario Make a Natural Heritage Map has identified the contiguous tree cover as part of a larger woodland, and has identified occurrences of species at risk including five-lined skink and turtles.

We can agree in principle to the ToRs with respect to the Growth Plan and regulatory policies.

Please note, the Consent Applications must also be consistent with the 2020 Provincial Policy Statement.

Given the extent of woodland, technical staff recommends coordinating a site visit during the breeding bird season to rule out "habitat" and to review the woodland as per the NHRM significance criteria to address relevant policies.

If there are any changes proposed to the marina in proximity to the lake, please review these changes in context of fish habitat, re: PPS 2.1.6 and the Fisheries Act.

Best,  
Matt



**Matt Wilkinson**  
Planner  
705-745-5791 x213  
[mwilkinson@otonabeeconservation.com](mailto:mwilkinson@otonabeeconservation.com)

**ARE YOU PLANNING AN UPCOMING CONSTRUCTION PROJECT ON YOUR PROPERTY?** Submit a [Property Inquiry Form](#) so we can help you understand how natural hazards may affect your property.

This e-mail is confidential. If you are not an addressee named above, please immediately delete and notify the sender. Thank you.

---

**From:** Kristina Domsic <Kristina.Domsic@cambium-inc.com>  
**Sent:** May 7, 2021 1:28 PM  
**To:** Matt Wilkinson <mwilkinson@otonabeeconservation.com>  
**Cc:** Ernie Silhanek <Ernie.Silhanek@cambium-inc.com>; Cambium File <file@cambium-inc.com>  
**Subject:** Terms of Reference for NHE at 426 Carveths Marina Rd, Harcourt (12908-001)

Good afternoon Matt,

Cambium was retained by Randy Hauth (the Client) to conduct a Natural Heritage Evaluation (NHE) at 426 Carveths Marina Road, Harcourt, ON (the Site; map attached). The Site is currently occupied by an existing residence and commercial development (marina). We understand that the Client is pursuing two residential lot severances of the property (approximate location outlined in purple on the attached map), and that re-zoning of a portion of the lot may be required to better accommodate existing commercial uses. The Preliminary Severance Review (PSR) completed by the County of Peterborough has identified the following natural heritage and/or hydrologic features on or within 120 m of the Site: Stoney Lake; Locally Significant Wetland (associated with Stoney Lake shoreline); Unevaluated Wetlands (south of Birchview Road).

Based on our initial review, the following Terms of Reference (ToR) for the study have been developed:

One Site visit in spring 2021 to document natural features on the property, including:

- Delineate the boundaries of the wetland based on the Ontario Wetland Evaluation System (OWES) for Southern Ontario (MNR, 2013). The Site visit will capture appropriate wetland delineation characteristics, including vegetation species and wetted limits.
- Documentation of shoreline and drainage characteristics including riparian vegetation, erosion prone areas, and special habitat features.
- Classification of existing vegetation communities on the Site, according to the Ecological Land Classification (ELC) System for Southern Ontario (Lee, et al., 1998), and evaluate them for sensitivity, rarity, and botanical quality. This includes a survey for Butternut (*Juglans cinerea*; provincially Endangered).
- Record of all observations of wildlife occurrences and assessment of wildlife habitat function on the Site. Any evidence of breeding, forage, shelter or nesting sites, and/or travel corridors were noted. A habitat-based screening for SAR will be completed.

A letter report will be prepared based on information collected through the background review and field studies. The report will include detailed mapping of natural features present on the Site. Recommendations included in the report will illustrate how the proposed development and site alteration can be carried out in a manner that ensures the protection of these features and their hydrologic functions and conformance to GPPGH, Official Plan, and ORCA policies, including appropriate setbacks from verified features. Should any endangered or threatened SAR or their habitat be identified, environmental constraint areas will be developed to protect the habitat of these species, as required under the Endangered Species Act, 2007.

Please confirm your acceptance of these terms and let me know if you have any other input to provide with respect to this project. Your prompt response would be much appreciated.

Kind Regards,

Kristina



**Kristina Domsic, B.E.S**  
Project Coordinator / Ecologist

**Cambium Inc. - Peterborough**

Environmental | Building Sciences | Geotechnical | Construction Monitoring  
p: 705.742.7900 x 217 | c: 705.559.2136 | toll: 866.217.7900 | w: [cambium-inc.com](http://cambium-inc.com)

Under modified work conditions in response to the current pandemic and government directives, Cambium continues to provide the professional services you have come to expect to guide good decisions. The well-being and safety of our teams, clients, and communities are a top priority. We ask



VEGETATION  
COMMUNITY  
CLASSIFICATION:

CVC\_1 – Disturbed Area  
(Marina)

COMMUNITY #: 1

LOCATION: 426 Carveth's  
Marina Rd

COORDINATES: 44.5866798, -  
78.1534978

PROJECT NUMBER: 12908-001

DATE: May 19,  
2021

PROJECT  
MANAGER: Kristina Domsic

FIELD STAFF: Ernie Silhanek

FIELD SHEET – Vegetation Species List

Common Name	Scientific Name	Family	CoW	CoC	SARA	SARO	S-Rank
Common Dandelion	<i>Taraxacum officinale</i>	Asteraceae	3				SNA
Common Plantain	<i>Plantago major</i>	Plantaginaceae	3				SNA
English Plantain	<i>Plantago lanceolata</i>	Plantaginaceae	3				SNA
Kentucky Bluegrass	<i>Poa pratensis</i> ssp. <i>pratensis</i>	Poaceae	3				SNA
Red Clover	<i>Trifolium pratense</i>	Fabaceae	3				SNA
Tall Goldenrod	<i>Solidago altissima</i>	Asteraceae	3	1			S5
White Clover	<i>Trifolium repens</i>	Fabaceae	3				SNA
Wild Strawberry	<i>Fragaria virginiana</i> ssp. <i>virginiana</i>	Rosaceae	3	2			S5

NOTES: Areas around existing buildings - mostly manicured / mowed; No trees or shrubs present.

VEGETATION COMMUNITY PHOTOS:





VEGETATION  
COMMUNITY  
CLASSIFICATION:

FOM2-2: Dry-Fresh White  
Pine-Sugar Maple Mixed  
Forest

COMMUNITY #: 2

LOCATION: 426 Carveth's  
Marina Rd

COORDINATES: 44.5310959, -  
78.1479388

PROJECT NUMBER: 12908-001

DATE: May 19,  
2021

PROJECT  
MANAGER: Kristina Domsic

FIELD STAFF: Ernie Silhanek

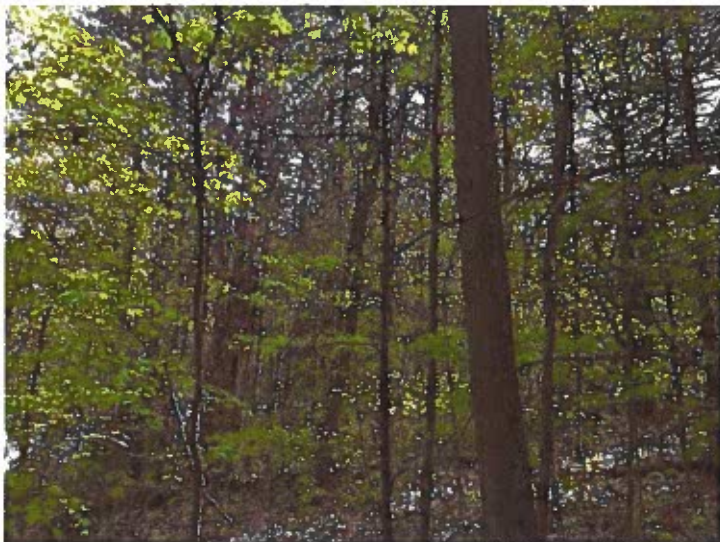
FIELD SHEET – Vegetation Species List

Common Name	Scientific Name	Family	CoW	CoC	SARA	SARO	S-Rank
Chokecherry	<i>Prunus virginiana</i> var. <i>virginiana</i>	Rosaceae	3	2			S5
Eastern Hop-hornbeam	<i>Ostrya virginiana</i>	Betulaceae	3	4			S5
Eastern White Cedar	<i>Thuja occidentalis</i>	Cupressaceae	-3	4			S5
Eastern White Pine	<i>Pinus strobus</i>	Pinaceae	3	4			S5
Large False Solomon's Seal	<i>Maianthemum racemosum</i>	Liliaceae	3	4			S5
Large-toothed Aspen	<i>Populus grandidentata</i>	Salicaceae	5	5			S5
Paper Birch	<i>Betula papyrifera</i>	Betulaceae	3	2			S5
Rose Twisted-stalk	<i>Streptopus lanceolatus</i>	Liliaceae	3	7			S5
Round-leaved Dogwood	<i>Cornus rugosa</i>	Comaceae	5	6			S5
Sugar Maple	<i>Acer saccharum</i>	Aceraceae	3	4			S5
White Ash	<i>Fraxinus americana</i>	Oleaceae	3	4			S4
White Trillium	<i>Trillium grandiflorum</i>	Liliaceae	3	5			S5
Wild Lily-of-the-valley	<i>Maianthemum canadense</i> ssp. <i>canadense</i>	Liliaceae	3	5			S5
Yellow Trout-lily	<i>Erythronium americanum</i> ssp. <i>americanum</i>	Liliaceae	5	5			S5

NOTES: White Pine dominant with Sugar Maple



VEGETATION COMMUNITY PHOTOS:





VEGETATION  
COMMUNITY  
CLASSIFICATION:

FOD5-1: Dry-Fresh Sugar  
Maple Deciduous Forest

COMMUNITY #: 3

LOCATION: 426 Carveth's  
Marina Rd

COORDINATES: 44.5273556, -  
78.1372807

PROJECT NUMBER: 12908-001

DATE: May 19,  
2021

PROJECT  
MANAGER: Kristina Domsic

FIELD STAFF: Ernie Silhanek

FIELD SHEET – Vegetation Species List

Common Name	Scientific Name	Family	CoW	CoC	SARA	SARO	S-Rank
Alternate-leaved Dogwood	<i>Cornus alternifolia</i>	Cornaceae	3	6			S5
Basswood	<i>Tilia americana</i>	Tiliaceae	3	4			S5
Bitternut Hickory	<i>Carya cordiformis</i>	Juglandaceae	0	6			S5
Blue Cohosh	<i>Caulophyllum thalictroides</i>	Berberidaceae	5	5			S5
Butternut	<i>Juglans cinerea</i>	Juglandaceae	3	6	END	END	S2?
Eastern Hop-hornbeam	<i>Ostrya virginiana</i>	Betulaceae	3	4			S5
Evergreen Wood Fern	<i>Dryopteris intermedia</i>	Dryopteridaceae	0	5			S5
Herb-Robert	<i>Geranium robertianum</i>	Geraniaceae	3	2			S5
Large False Solomon's Seal	<i>Maianthemum racemosum</i>	Liliaceae	3	4			S5
Large-leaved Aster	<i>Eurybia macrophylla</i>	Asteraceae	5	5			S5
Maple-leaved Viburnum	<i>Viburnum acerifolium</i>	Caprifoliaceae	5	6			S5
Paper Birch	<i>Betula papyrifera</i>	Betulaceae	3	2			S5
Pennsylvania Sedge	<i>Carex pennsylvanica</i>	Cyperaceae	5	5			S5
Red Columbine	<i>Aquilegia canadensis</i>	Ranunculaceae	3	5			S5
Red Elderberry	<i>Sambucus racemosa</i> ssp. <i>pubens</i> var. <i>pubens</i>	Caprifoliaceae	3	5			S5
Rose Twisted-stalk	<i>Streptopus lanceolatus</i>	Liliaceae	3	7			S5
Sharp-lobed Hepatica	<i>Hepatica acutiloba</i>	Ranunculaceae	5	8			S5
Sugar Maple	<i>Acer saccharum</i>	Aceraceae	3	4			S5
Tall Meadow-rue	<i>Thalictrum pubescens</i>	Ranunculaceae	-3	5			S5
Two-leaved Mitrewort	<i>Mitella diphylla</i>	Saxifragaceae	3	5			S5
Virginia Creeper	<i>Parthenocissus quinquefolia</i>	Vitaceae	3	6			S4?
White Ash	<i>Fraxinus americana</i>	Oleaceae	3	4			S4
White Baneberry	<i>Actaea pachypoda</i>	Ranunculaceae	5	6			S5
Wild Lily-of-the-valley	<i>Maianthemum canadense</i> ssp. <i>canadense</i>	Liliaceae	3	5			S5
Wild Sarsaparilla	<i>Aralia nudicaulis</i>	Araliaceae	3	4			S5
Wild Strawberry	<i>Fragaria virginiana</i> ssp. <i>virginiana</i>	Rosaceae	3	2			S5

Common Name	Scientific Name	Family	CoW	CoC	SARA	SARO	S-Rank
Yellow Trout-lily	<i>Erythronium americanum</i> ssp. <i>americanum</i>	Liliaceae	5	5			S5
Zigzag Goldenrod	<i>Solidago flexicaulis</i>	Asteraceae	3	6			S5

NOTES: Dominated by Sugar Maple

VEGETATION COMMUNITY PHOTOS:





VEGETATION  
COMMUNITY  
CLASSIFICATION: FOC2-2: Dry-Fresh White  
Cedar Coniferous Forest

PROJECT NUMBER: 12908-001

COMMUNITY #: 4

DATE: May 19,  
2021

LOCATION: 426 Carveth's  
Marina Rd

PROJECT  
MANAGER: Kristina Domsic

COORDINATES: 44.5866798, -  
78.1534978

FIELD STAFF: Ernie Silhanek

FIELD SHEET – Vegetation Species List

Common Name	Scientific Name	Family	CoW	CoC	SARA	SARO	S-Rank
Alternate-leaved Dogwood	<i>Cornus alternifolia</i>	Comaceae	3	6			S5
Blue Cohosh	<i>Caulophyllum thalictroides</i>	Berberidaceae	5	5			S5
Eastern Hop-hornbeam	<i>Ostrya virginiana</i>	Betulaceae	3	4			S5
Eastern White Cedar	<i>Thuja occidentalis</i>	Cupressaceae	-3	4			S5
Fragile Fern	<i>Cystopteris fragilis</i>	Dryopteridaceae	3	7			S4
Herb-Robert	<i>Geranium robertianum</i>	Geraniaceae	3	2			S5
Jack-in-the-pulpit	<i>Arisaema triphyllum</i> ssp. <i>triphyllum</i>	Araceae	-3	5			S5
Large False Solomon's Seal	<i>Maianthemum racemosum</i>	Liliaceae	3	4			S5
Rose Twisted-stalk	<i>Streptopus lanceolatus</i>	Liliaceae	3	7			S5
Sugar Maple	<i>Acer saccharum</i>	Aceraceae	3	4			S5
White Trillium	<i>Trillium grandiflorum</i>	Liliaceae	3	5			S5

NOTES: located along limestone ridge/escarpment. Dominant cover layer: trees. Dominant species: Eastern White Cedar, Sugar Maple, Eastern Hop-hornbeam

VEGETATION COMMUNITY PHOTOS:





VEGETATION  
COMMUNITY  
CLASSIFICATION:

FOC2-2: Dry-Fresh White  
Cedar Coniferous Forest

COMMUNITY #: 5

LOCATION: 426 Carveth's  
Marina Rd

COORDINATES: 44.5311574, -  
78.1446703

PROJECT NUMBER: 12908-001

DATE: May 19,  
2021

PROJECT  
MANAGER: Kristina Domsic

FIELD STAFF: Ernie Silhanek

FIELD SHEET -- Vegetation Species List

Common Name	Scientific Name	Family	CoW	CoC	SARA	SARO	S-Rank
Basswood	<i>Tilia americana</i>	Tiliaceae	3	4			S5
Chokecherry	<i>Prunus virginiana</i> var. <i>virginiana</i>	Rosaceae	3	2			S5
Common Dandelion	<i>Taraxacum officinale</i>	Asteraceae	3				SNA
Eastern Prickly Gooseberry	<i>Ribes cynosbati</i>	Grossulariaceae	3	4			S5
Eastern White Cedar	<i>Thuja occidentalis</i>	Cupressaceae	-3	4			S5
European Buckthorn	<i>Rhamnus cathartica</i>	Rhamnaceae	0				SNA
Kentucky Bluegrass	<i>Poa pratensis</i> ssp. <i>pratensis</i>	Poaceae	3				SNA
Kidney-leaved Violet	<i>Viola renifolia</i>	Violaceae	-3	7			S5
Large False Solomon's Seal	<i>Maianthemum racemosum</i>	Liliaceae	3	4			S5
Marginal Wood Fern	<i>Dryopteris marginalis</i>	Dryopteridaceae	3	5			S5
Rose Twisted-stalk	<i>Streptopus lanceolatus</i>	Liliaceae	3	7			S5
Sugar Maple	<i>Acer saccharum</i>	Aceraceae	3	4			S5
Tatarian Honeysuckle	<i>Lonicera tatarica</i>	Caprifoliaceae	3				SNA
White Ash	<i>Fraxinus americana</i>	Oleaceae	3	4			S4
White Trillium	<i>Trillium grandiflorum</i>	Liliaceae	3	5			S5
Woodland Strawberry	<i>Fragaria vesca</i> ssp. <i>vesca</i>	Rosaceae	3				SNA
Yellow Trout-lily	<i>Erythronium americanum</i> ssp. <i>americanum</i>	Liliaceae	5	5			S5

NOTES: located along escarpment. Dominant layer: trees.



VEGETATION COMMUNITY PHOTOS





VEGETATION  
COMMUNITY  
CLASSIFICATION: FODM4-4: Dry-Fresh Ironwood  
Deciduous Forest

COMMUNITY #: 6

LOCATION: 426 Carveths  
Marina Rd

COORDINATES: 44.5273556, -  
78.1372807

PROJECT NUMBER: 12908-001

DATE: May 19,  
2021

PROJECT  
MANAGER: Kristina Domsic

FIELD STAFF: Ernie Silhanek

FIELD SHEET – Vegetation Species List

Common Name	Scientific Name	Family	CoW	CoC	SARA	SARO	S-Rank
Basswood	<i>Tilia americana</i>	Tiliaceae	3	4			S5
Eastern Hop-hornbeam	<i>Ostrya virginiana</i>	Betulaceae	3	4			S5
Eastern Red Cedar	<i>Juniperus virginiana</i>	Cupressaceae	3	4			S5
Jack-in-the-pulpit	<i>Arisaema triphyllum</i> ssp. <i>triphyllum</i>	Araceae	-3	5			S5
Large False Solomon's Seal	<i>Maianthemum racemosum</i>	Liliaceae	3	4			S5
Large-flowered Bellwort	<i>Uvularia grandiflora</i>	Liliaceae	5	6			S5
Marginal Wood Fern	<i>Dryopteris marginalis</i>	Dryopteridaceae	3	5			S5
Pennsylvania Sedge	<i>Carex pensylvanica</i>	Cyperaceae	5	5			S5
Sharp-lobed Hepatica	<i>Hepatica acutiloba</i>	Ranunculaceae	5	8			S5
Sugar Maple	<i>Acer saccharum</i>	Aceraceae	3	4			S5
Tatarian Honeysuckle	<i>Lonicera tatarica</i>	Caprifoliaceae	3				SNA
White Ash	<i>Fraxinus americana</i>	Oleaceae	3	4			S4
White Trillium	<i>Trillium grandiflorum</i>	Liliaceae	3	5			S5

NOTES: Dominant layer: Trees (CVR > 60%). Dominant species: Eastern Hop-hornbeam.

VEGETATION COMMUNITY PHOTOS:







October 8, 2021

Ann Hamilton  
Secretary-Treasury  
Land Division Committee  
County of Peterborough  
470 Water Street  
Peterborough, ON K9H 3M3

Dear Ann Hamilton,

**Re: File: B-90-21, Hauth, 426 Carveths Marina Road (Lot #1), Township of Douro Dummer;  
Roll#1522.020.004.14400; ORCA File: PPLD-2204**

The Otonabee Region Conservation Authority (Otonabee Conservation) has received the circulation for Consent (severance) for the above noted property. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The purpose of the above noted application is to create a new residential lot with 83 metres fronting Birchview Road and an area of 0.4 hectares. The area of the proposed residential lot is currently a well treed, vacant lot, with a steep slope at the rear of the lot.

A Natural Heritage Evaluation (NHE) was submitted in support of the application by Cambium Inc., dated June 23, 2021.

Otonabee Conservation's Interest in this application is four-fold:

1. *Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

Figure 3 of the NHE illustrates an escarpment (steep slope) is present at the rear of the proposed lot. The report makes the recommendation to apply a 15 metre setback from the top of the escarpment to provide adequate protection from the hazardous lands. No further justification or calculations were provided.

However, ORCA staff consider it inappropriate to assess the safety of the hazard limit in this manner. Section 3.1 of the PPS directs development away from hazardous lands, including erosion hazards. To demonstrate consistency with PPS section 3.1 ORCA staff recommend the consultant provide cross-sections that:

- Delineate the toe of the slope;
- Determine the height of the slope;
- Calculate the 3:1 stable slope; and,
- Delineate the 3:1 stable slope on the cross-sections.

Applying this setback may result in lots which are too confined. In which case, a slope stability study might be used to assess the hazard, and apply a setback to be zoned appropriately.

**As such, it is the opinion of Otonabee Conservation that the application has not yet demonstrated consistency with PPS Section 3.1.**

2. *The Authority has reviewed the application as a service provider to the County of Peterborough and the Township of Douro Dummer, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

The NHE identified the proposed severance is outside 30 metres of the large, woodlot/treed area and key hydrologic features. The submitted NHE noted a number of Species-at-Risk (Butternut trees). However, the location, number and health of the trees were not included in the report. This may pose a large risk to the future landowner(s) in there may not be inefficient space for a residential building envelope be present on the proposed lot.

**Until this information is submitted it is the opinion of Otonabee Conservation that the application has not yet demonstrated consistency with PPS Section 2.1.7.**

3. Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.

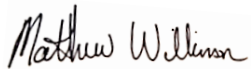
Otonabee Conservation mapping indicates the proposed severed lot is subject to Ontario Regulation 167/06; Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **If an erosion hazard is established, ORCA will regulate the hazard and a further 15 metres. Permits from this agency will be required in this area.**

4. Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.

**It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.**

If you have any questions, please do not hesitate to call.

Yours truly,



Matthew Wilkinson  
Planner



October 8, 2021

Ann Hamilton  
Secretary-Treasury  
Land Division Committee  
County of Peterborough  
470 Water Street  
Peterborough, ON K9H 3M3

Dear Ann Hamilton,

**Re: File: B-91-21, Hauth, 426 Carveths Marina Road (Lot #2), Township of Douro Dummer;  
Roll#1522.020.004.14400; ORCA File: PPLD-2205**

The Otonabee Region Conservation Authority (Otonabee Conservation/the Authority) has received the circulation for Consent (severance) for the above noted property. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The purpose of the above noted application is to create a new residential lot with 83 metres fronting Birchview Road and an area of 0.4 hectares. The area of the proposed residential lot is currently a well treed, vacant lot, with a steep slope at the rear of the lots.

A Natural Heritage Evaluation (NHE) was submitted in support of the application by Cambium Inc., dated June 23, 2021.

Otonabee Conservation's Interest in this application is four-fold:

1. *Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

Figure 3 of the NHE illustrates an escarpment (steep slope) is present at the rear of the proposed lot. The report makes the recommendation to apply a 15 metre setback from the top of the escarpment to provide adequate protection from the hazardous lands. No further justification or calculations were provided.

However, ORCA staff consider it inappropriate to assess the safety of the hazard limit in this manner. Section 3.1 of the PPS directs development away from hazardous lands, including erosion hazards. To demonstrate consistency with PPS section 3.1 ORCA staff recommend the consultant provide cross-sections that:

- Delineate the toe of the slope;
- Determine the height of the slope;
- Calculate the 3:1 stable slope; and,
- Delineate the 3:1 stable slope on the cross-sections.

Applying this setback may result in lots which are too confined. In which case, a slope stability study might be used to assess the hazard, and apply a setback.

**As such, it is the opinion of Otonabee Conservation that the application has not yet demonstrated consistency with PPS Section 3.1.**

2. *The Authority has reviewed the application as a service provider to the County of Peterborough and the Township of Douro Dummer, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

The NHE identified the proposed severance is outside 30 metres of the large, woodlot/treed area and key hydrologic features. The submitted NHE noted a number of Species-at-Risk (Butternut trees). However, the location, number and health of the trees were not included in the report. This may pose a large risk to the future landowner(s) in there may not be inefficient space for a residential building envelope be present on the proposed lot.

**Until this information is submitted it is the opinion of Otonabee Conservation that the application has not yet demonstrated consistency with PPS Section 2.1.7.**

3. *Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and*

*Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.*

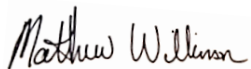
Otonabee Conservation mapping indicates the proposed severed lot is subject to Ontario Regulation 167/06; Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **If an erosion hazard is established, ORCA will regulate the hazard and a further 15 metres. Permits from this agency will be required in this area.**

4. *Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

**It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.**

If you have any questions, please do not hesitate to call.

Yours truly,

A handwritten signature in black ink that reads "Matthew Wilkinson". The signature is written in a cursive, flowing style.

Matthew Wilkinson  
Planner



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900  
(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



November 23, 2021

Carveth's Marina  
426 Carveth's Marina Rd.  
Lakefield, ON. K0L 2H0

Attn: Randy Hawth

**Re: Slope Stability Study – 426 Carveth's Marina Road, Lakefield**  
**Cambium Reference: 12908-002**

---

Dear Mr. Hawth,

As requested, Cambium Inc. (Cambium) has completed a survey and visual slope stability inspection at 426 Carveth's Marina Road near Lakefield, Ontario (Site). The slope study was required in order to satisfy Otonabee Conservation's (ORCA's) request to better define the slope and calculate the top of the 3 horizontal to 1 vertical (3H:1V) stable slope, based on the Ontario Ministry of Natural Resources and Forestry (MNRF) "Geotechnical Principles For Stable Slopes" (June 1998). It is understood that the two proposed lots, outlined in Figure 1, are to be severed from the existing parcel for the purpose of residential development.

**SLOPE STABILITY**

An assessment of the slope was completed on November 3, 2021. The inspection included a visual assessment of the site, completion of a slope inspection record and slope rating chart, and surveying, using both a one-person RTK unit as well as a two-person total station unit due to lack of signal in the dense hardwood bush, to assess slope extents including height and inclination. The field investigation work is summarized below with the Inspection Record and Rating Chart provided in Appendix A and site photographs presented in Appendix B.

**SLOPE INSPECTION**

The slope at the Site is defined as the inclination that extends landward from the marina below to the table flat land lakeward of the Birchview Road. The Site is



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900  
(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



November 23, 2021

currently vacant with no development other than a satellite dish mounted on a concrete pad, on bedrock, near the west end of the lots. The slope is made up of a lower slope, multiple escarpments of exposed limestone bedrock, and an upper slope. The lower slope ranges from slightly dipping to greater than 3 horizontal to 1 vertical (3H:1V). The escarpments are vertical in places and the upper slope ranges from steeper than 3H:1V to relatively flat in places. Survey data obtained from the site defines the overall slope as being 14 m to 20 m in height, from west to east, with vertical exposures within the escarpments in places. The average overall slope varies from 1.3H:1V to 2.1H:1V over the Site.

The Site, including the slope, has dense hardwood tree growth, significant shrub growth and considerable grass and weed throughout. Only areas where the near-vertical escarpment was exposed did vegetation not exist.

Outcropped bedrock was observed throughout the slope, including within the lower slope, in the escarpment, at the top of slope, over the table flat land atop the slope, and adjacent to the road on north side and south sides of Birchview Road. The bedrock in the area is known to be limestone of the Shadow Lake Formation. The limestone in outcrops near the road was massive intact limestone. The limestone exposed within the escarpments was also massive limestone however, considerable weathering of the bedrock along the face has occurred over years of exposure. Evidence of spalling bedrock exists, as both small and large limestone blocks have fallen off the escarpment over the years. Thin layers of topsoil were observed over the bedrock, above and below the escarpment.

As per the appended Slope Inspection Record and Slope Stability Rating Chart, found in Appendix A, the total ratings value sums to 32 for the slope. This deems the slope has a slight potential for instability. Specific items of interest that contribute to this rating are outlined below:

1. Slope Inclination – There slope includes and escarpment which is vertical or near-vertical in places, giving a rating value of 16.
2. Soil Stratigraphy –The slope consists mainly of limestone with minimal soil and rock debris cover, giving a rating of 0.





Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900  
(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



November 23, 2021

3. Seepage from Slope Face – At the time of the investigation, there was no apparent seepage from the slope face giving a best-case rating of 0.
4. Slope Height – The slope height for the site, ranges from 15 m to 20m across the site, resulting in a rating of 8.
5. Vegetation Cover on Slope Face – vegetation on the slope consists of dense mature hardwood forest with frequent brush, grasses and weeds, giving a rating of 0.
6. Table Land Drainage – There is a slight dip towards the slope in places, resulting in minor drainage over the slope, giving a rating of 2.
7. Proximity of Watercourse to Slope Toe – Stoney Lake is located well beyond (>15 m) the toe of the slope and therefore carries a rating of 0.
8. Previous Landslide Activity – Large limestone boulders at the base of the escarpment and smaller limestone blocks further down the slope provide evidence of previous slope failure, giving a rating of 6.

Based on the visual inspection, the presence of exposed bedrock on site, and the specific site conditions present, the slope at the site is considered to be unstable in its current condition, however the instability is related to surface spalling of rock, particularly in the near vertical sections, and there is not risk of deep seated slope failure. Many of these features can be seen in the site photos presented in Appendix B.

## SLOPE SURVEY

The purpose of the survey, as per ORCA's request in their letter dated October 8, 2021, was to better define the following slope characteristics:

- Toe of slope
- Height of slope
- Calculate 3H:1V stable slope

In order to obtain the data to support ORCA's request over the dense hardwood bush that is present throughout the site, Cambium utilized both one and two-



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900  
(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

[cambium-inc.com](http://cambium-inc.com)

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



November 23, 2021

person survey equipment and spent 14 hours of time surveying on site. The Site was challenging to survey due to the dense hardwood bush throughout most of the site, the cedar grove in the northeast of the site, and the steep escarpment along the north side of the proposed lots. Each of these conditions inhibited the ability to achieve satellite signal and limited lateral sight lines, preventing all areas of the slope from being shot in great detail. Cambium's team was able to define the toe of slope, top of escarpment and top of slope with the data we collected. While data points were collected along the road edge elevations were not obtained over the developable portion of the lots themselves, as this was not required to achieve the 3H:1V slope.

## DEVELOPMENT RECOMMENDATIONS

The top of 3H:1V stable slope falls within the proposed lots to be severed and is illustrated in Figure 1 and outlined in the cross sections in Figure 2. The 3H:1V stable slope represents a conservative estimate of the southern limit for the erosion hazard limit and may be further reduced through more detailed mapping escarpment. It is Cambium's opinion that residential development proposed south of the top of 3H:1V stable slope as illustrated in Figure1, is safe and will have no impact on the slope and vise versa.



Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

**Telephone**

(866) 217.7900  
(705) 742.7900

**Facsimile**

(705) 742.7907

**Website**

cambium-inc.com

**Mailing Address**

P.O. Box 325  
52 Hunter Street East  
Peterborough, ON  
K9H 1G5

**Locations**

Peterborough  
Kingston  
Barrie  
Oshawa

**Laboratory**

Peterborough



November 23, 2021

**CLOSING**

We trust the information in this report is sufficient for your current needs. If you have questions or comments regarding this document, please do not hesitate to contact Mr. Baird at (705) 742-7900 ext. 332 or Mr. Peterkin at ext. 301.

Respectfully submitted,

**Cambium Inc.**

Stuart Baird, P.Eng.  
General Manager -  
Geotechnical

Brian Peterkin, M.Eng., P.Geo  
Senior Project Manager.

SEB/bjp

Encl.

Standard Limitations

Figure 1: Site Plan with Top of 3H:1V Stable Slope

Figure 2: Site Cross Sections

Appendix A: Slope Stability Inspection Record and Rating Chart

Appendix B: Site Photographs

P:\12900 to 12999\12908-002 Carveth's Marina - 426 Carveth's Marina Rd., Slope Stability\Deliverables\2021-11-23 - LTR RPT - 426 Carveth's Marina Rd Slope Stability.docx



November 23, 2021

## STANDARD LIMITATIONS

### Limited Warranty

In performing work on behalf of a client, Cambium relies on its client to provide instructions on the scope of its retainer and, on that basis, Cambium determines the precise nature of the work to be performed. Cambium undertakes all work in accordance with applicable accepted industry practices and standards. Unless required under local laws, other than as expressly stated herein, no other warranties or conditions, either expressed or implied, are made regarding the services, work or reports provided.

### Reliance on Materials and Information

The findings and results presented in reports prepared by Cambium are based on the materials and information provided by the client to Cambium and on the facts, conditions and circumstances encountered by Cambium during the performance of the work requested by the client. In formulating its findings and results into a report, Cambium assumes that the information and materials provided by the client or obtained by Cambium from the client or otherwise are factual, accurate and represent a true depiction of the circumstances that exist. Cambium relies on its client to inform Cambium if there are changes to any such information and materials. Cambium does not review, analyze or attempt to verify the accuracy or completeness of the information or materials provided, or circumstances encountered, other than in accordance with applicable accepted industry practice. Cambium will not be responsible for matters arising from incomplete, incorrect or misleading information or from facts or circumstances that are not fully disclosed to or that are concealed from Cambium during the provision of services, work or reports.

Facts, conditions, information and circumstances may vary with time and locations and Cambium's work is based on a review of such matters as they existed at the particular time and location indicated in its reports. No assurance is made by Cambium that the facts, conditions, information, circumstances or any underlying assumptions made by Cambium in connection with the work performed will not change after the work is completed and a report is submitted. If any such changes occur or additional information is obtained, Cambium should be advised and requested to consider if the changes or additional information affect its findings or results.

When preparing reports, Cambium considers applicable legislation, regulations, governmental guidelines and policies to the extent they are within its knowledge, but Cambium is not qualified to advise with respect to legal matters. The presentation of information regarding applicable legislation, regulations, governmental guidelines and policies is for information only and is not intended to and should not be interpreted as constituting a legal opinion concerning the work completed or conditions outlined in a report. All legal matters should be reviewed and considered by an appropriately qualified legal practitioner.

### Site Assessments

A site assessment is created using data and information collected during the investigation of a site and based on conditions encountered at the time and particular locations at which fieldwork is conducted. The information, sample results and data collected represent the conditions only at the specific times at which and at those specific locations from which the information, samples and data were obtained and the information, sample results and data may vary at other locations and times. To the extent that Cambium's work or report considers any locations or times other than those from which information, sample results and data was specifically received, the work or report is based on a reasonable extrapolation from such information, sample results and data but the actual conditions encountered may vary from those extrapolations.

Only conditions at the site and locations chosen for study by the client are evaluated; no adjacent or other properties are evaluated unless specifically requested by the client. Any physical or other aspects of the site chosen for study by the client, or any other matter not specifically addressed in a report prepared by Cambium, are beyond the scope of the work performed by Cambium and such matters have not been investigated or addressed.

### Reliance

Cambium's services, work and reports may be relied on by the client and its corporate directors and officers, employees, and professional advisors. Cambium is not responsible for the use of its work or reports by any other party, or for the reliance on, or for any decision which is made by any party using the services or work performed by or a report prepared by Cambium without Cambium's express written consent. Any party that relies on services or work performed by Cambium or a report prepared by Cambium without Cambium's express written consent, does so at its own risk. No report of Cambium may be disclosed or referred to in any public document without Cambium's express prior written consent. Cambium specifically disclaims any liability or responsibility to any such party for any loss, damage, expense, fine, penalty or other such thing which may arise or result from the use of any information, recommendation or other matter arising from the services, work or reports provided by Cambium.

### Limitation of Liability

Potential liability to the client arising out of the report is limited to the amount of Cambium's professional liability insurance coverage. Cambium shall only be liable for direct damages to the extent caused by Cambium's negligence and/or breach of contract. Cambium shall not be liable for consequential damages.

### Personal Liability

The client expressly agrees that Cambium employees shall have no personal liability to the client with respect to a claim, whether in contract, tort and/or other cause of action in law. Furthermore, the client agrees that it will bring no proceedings nor take any action in any court of law against Cambium employees in their personal capacity.

Environmental

Geotechnical

Building Sciences

Construction  
Monitoring

#### Telephone

(866) 217.7900

(705) 742.7900

#### Facsimile

(705) 742.7907

#### Website

cambium-inc.com

#### Mailing Address

P.O. Box 325

52 Hunter Street East

Peterborough, ON

K9H 1G5

#### Locations

Peterborough

Kingston

Barrie

Oshawa

#### Laboratory

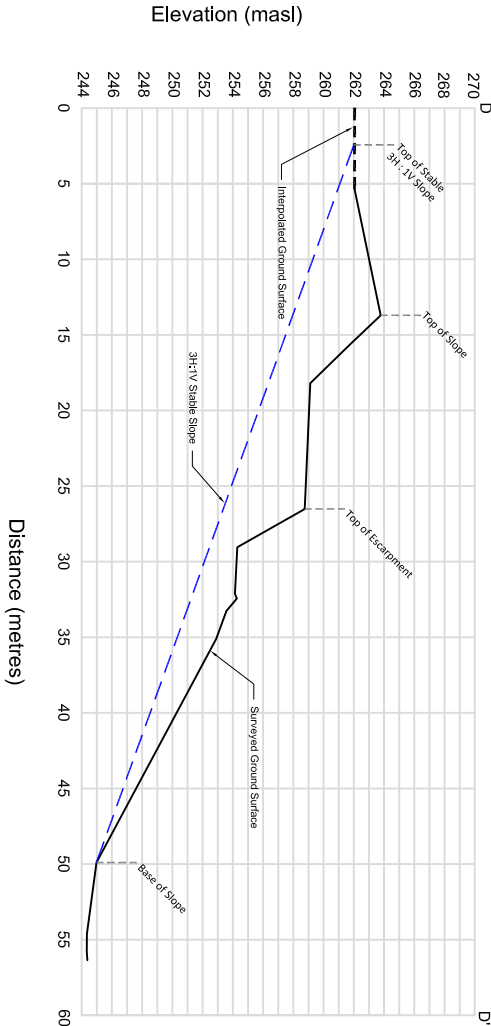
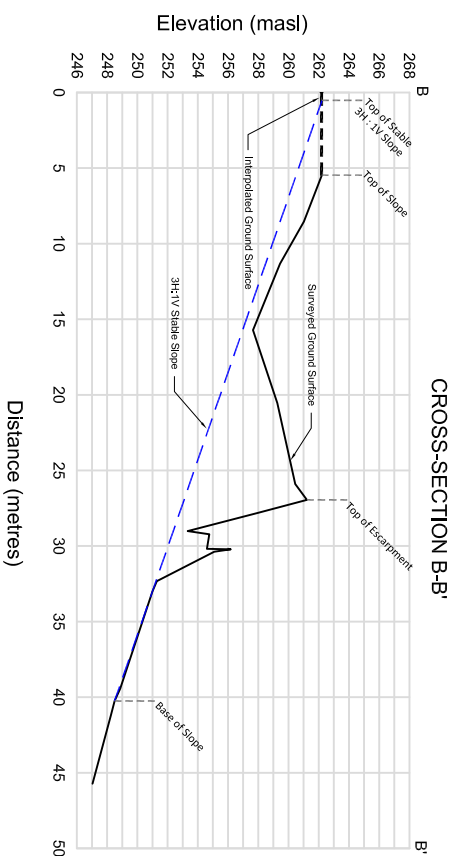
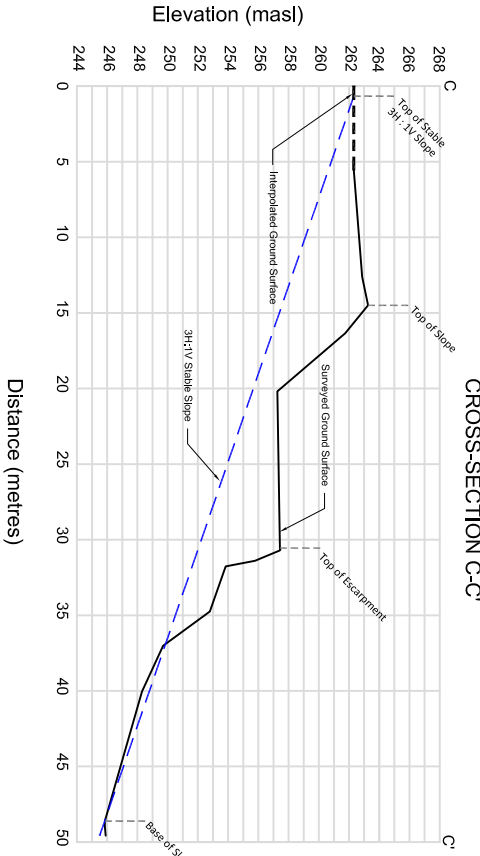
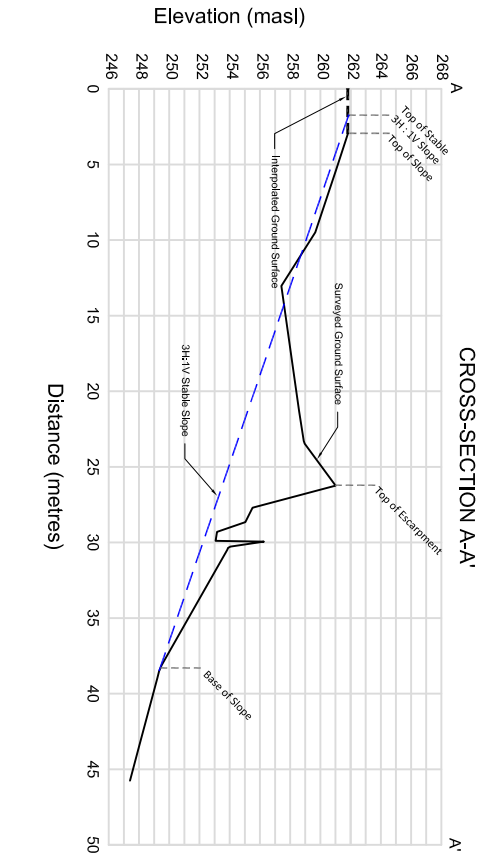
Peterborough



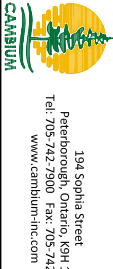




LEGEND



Notes:  
1. Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.



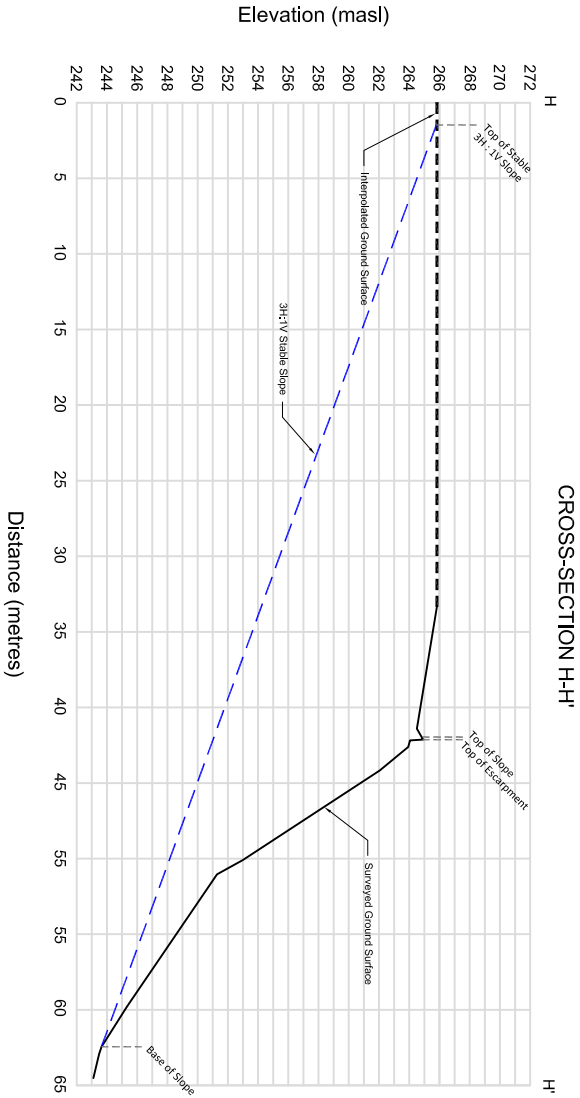
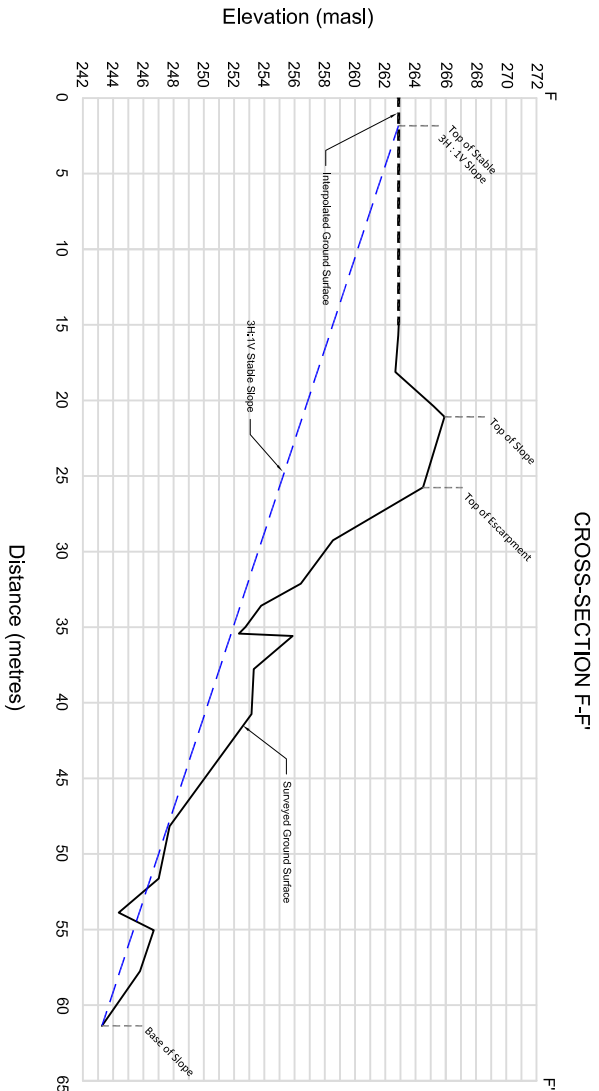
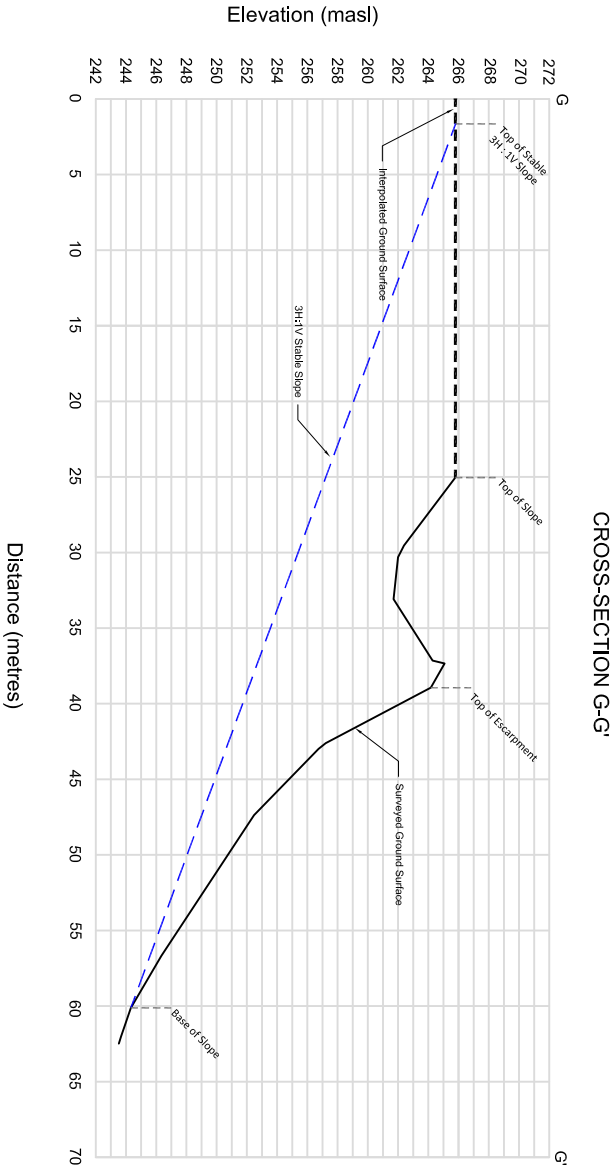
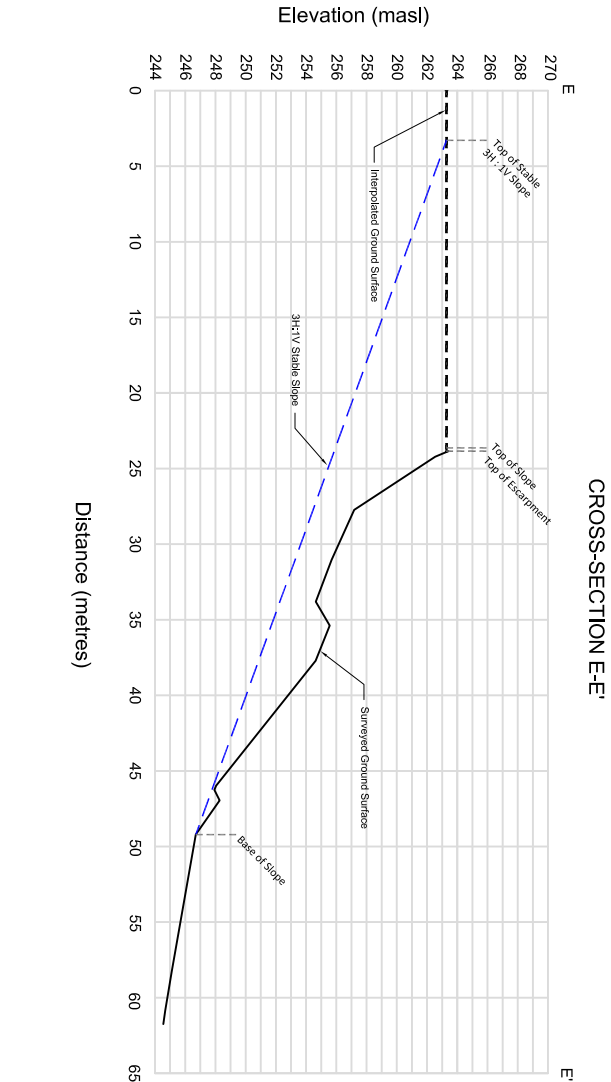
194 Sophia Street  
Peterborough, Ontario, K9H 1E5  
Tel: 705-742-7900 Fax: 705-742-7907  
www.camburn-inc.com

CROSS-SECTIONS A-A' TO D-D'

Project No.:	12908-002	Date:	November 2021
Horizontal Scale:	1:500	Vertical Scale:	1:1
Drawn By:	TLC	Checked By:	BP
Figure:	2		



LEGEND



Notes:  
1. Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.



CROSS-SECTIONS E-E' TO H-H'

Project No.:	12908-002	Date:	November 2021
Horizontal Scale:	1:500	Vertical Scale:	1:1
Drawn By:	TLC	Checked By:	BP
Figure:	3		

## SLOPE INSPECTION RECORD

TABLE 4.1 - Slope Inspection Record				
<b>1. FILE NAME/NO.</b> 12908-002 <b>INSPECTION DATE:</b> November 3, 2021 <b>WEATHER (circle):</b> <div style="display: flex; justify-content: space-around; align-items: flex-start; margin-top: 5px;"> <div style="text-align: center;"> <div style="background-color: #cccccc; padding: 2px 10px;">sunny</div> <div style="padding: 2px 10px;">calm</div> <div style="padding: 2px 10px;">clear</div> <div style="padding: 2px 10px;">cold</div> </div> <div style="text-align: center;"> <div style="padding: 2px 10px;">partly cloudy</div> <div style="padding: 2px 10px;">breeze</div> <div style="padding: 2px 10px;">fog</div> <div style="background-color: #cccccc; padding: 2px 10px;">cool</div> </div> <div style="text-align: center;"> <div style="padding: 2px 10px;">rain</div> <div style="padding: 2px 10px;">warm</div> </div> <div style="text-align: center;"> <div style="padding: 2px 10px;">cloudy</div> <div style="padding: 2px 10px;">windy</div> <div style="padding: 2px 10px;">snow</div> <div style="padding: 2px 10px;">hot</div> </div> </div> <div style="text-align: center; margin-top: 5px;"> <b>estimated air temperature:</b> 5°C         </div>				
<b>INSPECTED BY:</b> Brian Peterkin				
<b>2. SITE LOCATION (describe, main roads, features)</b>  <div style="margin-top: 10px;"> <b>SKETCH</b> See attache Documents         </div> <div style="margin-top: 10px;">           -Site located at 426 Carveth's Marina Road, Lakefield. The two lots in question are situate on the north side of Birchview Rd, atop the large escarpment immediately south of the Marina            Stoney Lake to the north is not within 15 m of the base of the slope.         </div>				
<b>3. WATERSHED</b>				
<b>4. PROPERTY OWNERSHIP (name, address, phone)</b> Carveths Marina, 426 Carveth's Road, Lakefield Randy Hauth 647-444-0503  <div style="margin-top: 10px;"> <b>LEGAL DESCRIPTION</b>            Lot            Concession            Township            County         </div> <div style="margin-top: 10px;"> <b>CURRENT LAND USE (circle and describe)</b>  <div style="background-color: #cccccc; padding: 2px 5px; margin-bottom: 5px;">             - vacant: field, bush, woods, forest, wilderness, tundra              -&gt; site has dense hardwood forrest with cedar grove to the northeast. An escarpment borders the north side of the two lots and Birchview Road borders the south side of the           </div> <div style="padding: 2px 5px; margin-bottom: 5px;">             - passive: recreational parks, golf courses, non-habitable structures, buried utilities, swimming pools           </div> <div style="padding: 2px 5px; margin-bottom: 5px;">             - active: habitable structures, residential, commercial, industrial, warehousing and storage           </div> <div style="padding: 2px 5px;">             - infrastructure or public use: stadiums, hospitals, schools, bridges, high voltage power lines, waste management sites           </div> </div>				
<b>5. SLOPE DATA:</b>				
<b>HEIGHT</b>	- 3-6 m	- 6-10 m	- 10-15 m	- 15-20 m
	- 20-25 m	- 25-30 m	- >30 m	
<b>estimated height (m):</b>	5.32 m			
<b>INCLINATION AND SHAPE</b>				
	4:1 or flatter 25% 14°	up to 3:1 33% 18°	up to 2:1 50% 26°	
	up to 1:1 100% 45°	up to :1 200% 63°	steeper than :1 >63°	



## SLOPE INSPECTION RECORD

### 6. SLOPE DRAINAGE (describe):

TOP Top of slope variable. Table flat land in places while there is minor drainage over the slope in other places.

FACE Exposed bedrock escarpment and this soil over bedrock, no sign of excessive drainage ov

BOTTOM No sign of excessive drainage on site

### 7. SLOPE SOIL STRATIGRAPHY (describe, positions, thicknesses, types)

TOP Thin cover of topsoil over limestone bedrock, where not exposed

FACE Exposed bedrock in escarpment and thin soil over bedrock in places

BOTTOM Thin cover of topsoil over limestone bedrock, where not exposed

### 8. WATER COURSE FEATURES (circle and describe)

SWALE, CHANNEL

GULLY No watercourse features observed on site.

STREAM, CREEK, RIVER:

POND, BAY, LAKE

SPRINGS

MARSHY GROUND

### 9. VEGETATION COVER (grasses, weeds, shrubs, saplings, trees)

TOP Dense hardwood forest with significant shrub growth, grasses and weed. Cedar Grove to the northeast.

FACE Dense hardwood forest with significant shrub growth, grasses and weed. Cedar Grove to the northeast.

BOTTOM Dense hardwood forest with significant shrub growth, grasses and weed. Cedar Grove to

### 10. STRUCTURES (buildings, walls, fences, sewers, roads, stairs, decks, towers)

TOP N/A

FACE N/A

BOTTOM N/A

### 11. EROSION FEATURES (scour, undercutting, bare areas, piping, rills, gully)

TOP None observed

FACE None observed

BOTTOM None observed

## SLOPE INSPECTION RECORD

### 12. SLOPE SLIDE FEATURES (tension cracks, scarps, bulges, grabens, ridges, bent trees)

TOP      Cracks observed in bedrock near top of escarpment

FACE      Large blocks of limestone fallen from escarpment face

BOTTOM   Small blocks of limestone that have tumbled down the slope from escarpment face.

### 13. PLAN SKETCH OF SLOPE

See attached Figure

### 13. PROFILE SKETCH OF SLOPE

See attached Cross Sections

## SLOPE STABILITY RATING CHART

Site Location: 426 Carveths Marina Road, Lakefield	File No. 12908-002
Property Owner: Carveths Marina	Inspection Date: November 3, 2021
Inspected By: Brian Peterkin	Weather: Sunny, cool

Inspection Task	Rating Value
<b>1. SLOPE INCLINATION</b>	
<b>Degrees</b>	
a) 18 or less	0
b) 18 to 26	6
c) more than 26	16
<b>Horizontal:Vertical</b>	
3:1 or flatter	
2:1 to more than 3:1	
Steeper than 2:1	
<b>2. SOIL STRATIGRAPHY</b>	
a) Shale, Limestone, Granite (Bedrock)	0
b) Sand, Gravel	6
c) Glacial Till	9
d) Clay, Silt	12
e) Fill	16
f) Leda Clay	24
<b>3. SEEPAGE FROM SLOPE FACE</b>	
a) None or near bottom only	0
b) Near mid-slope only	6
c) Near crest only or from several levels	12
<b>4. SLOPE HEIGHT</b>	
a) 2 m or less	0
b) 2.1 to 5 m	2
c) 5.1 to 10 m	4
d) more than 10 m	8
<b>5. VEGETATION COVER ON SLOPE FACE</b>	
a) Well vegetated, heavy shrubs or forested with mature trees	0
b) Light Vegetation; Mostly grass, weeds, occasional trees, shrubs	4
c) No vegetation, bare	8
<b>6. TABLE LAND DRAINAGE</b>	
a) Table land flat, no apparent drainage over slope	0
b) Minor drainage over slope, no active erosion	2
c) Drainage over slope, active erosion, gullies	4
<b>7. PROXIMITY OF WATERCOURSE TO SLOPE TOE</b>	
a) 15 m or more from slope toe	0
b) Less than 15 m from slope toe	6
<b>8. PREVIOUS LANDSLIDE ACTIVITY</b>	
a) No	0
b) Yes	6
<b>RATING VALUES TOTAL</b>	<b>32</b>

SLOPE INSTABILITY RATING	INVESTIGATION REQUIREMENTS
1. Low Potential <24	Site inspection only, confirmation, report letter
2. Slight Potential 25 - 35	Site inspection and surveying, preliminary study, detailed report
3. Moderate Potential >35	Boreholes, piezometers, lab tests, surveying detailed report

**Notes:**

a) Choose only one rating value from each category; compare total rating value with above requirements

b) If there is a waterbody (stream, creek, river, pond, bay, lake) at the slope toe, the potential for toe erosion and undercutting should be evaluated in detail and protection provided if required.

c) For leda clay and rock slopes, additional evaluation must be carried out

## Site Photographs



Photo 1: Exposed limestone on the south side of the property – north side of Birchview Road. Dense trees and brush immediately north of the road.

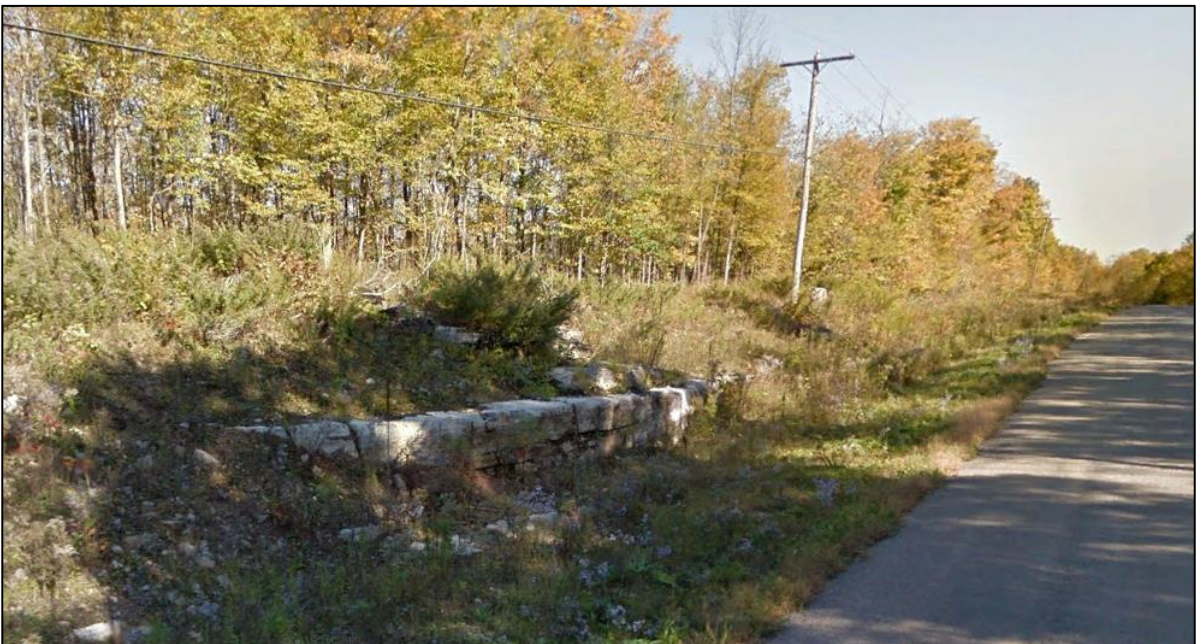


Photo 2: Exposed limestone on the south side of the property – north side of Birchview Road. Slight incline from the road north into the proposed lots.





Photo 3: Dense hardwood forest in table flat land atop the slope, within the proposed lots. Grasses and weeds present throughout



Photo 4: Another view of dense hardwood forest on table flat land. Some brush within the forest along with grass and weeds. Roots of tree in bottom right of photo are growing on bedrock and exposed bedrock is visible immediately behind the tree.





Photo 5: Limestone escarpment on the north side of the west lot, looking up from below.



Photo 6: View of slope from base. The escarpment protrudes to the south in the right of the of the photo and in the middle of the photo. The escarpment is less significant between the two and the slope is more gradual.





Photo 7: Exposed limestone escarpment on the north side of the west lot looking east to the cut in the escarpment with more constant slope.



Photo 8: Up-close view of limestone with erosion between bedding planes.





Photo 9: Significant vertical escarpment on the north side of the east lot. Near vertical exposed limestone of greater than 3m in height atop a steep slope. Cedar trees visible at the base of the escarpment growing at an angle to vertical.



Photo 10: Small limestone blocks that have fallen/tumbled down the slope in the area of the cedar grove on the north side of the east lot.





Photo 11: General greater than 3H:1V slope below the escarpment leveling out to the north (right in the photo). Exposed limestone bedrock within the 3H:1V slope and below the base of the slope.



Photo 12: View of the slope and escarpment from the base of the slope, looking north.



December 13, 2021

Ann Hamilton  
Secretary-Treasury  
Land Division Committee  
County of Peterborough  
470 Water Street  
Peterborough, ON K9H 3M3

Dear Ann Hamilton,

**Re: File: B-90-21, Hauth, 426 Carveths Marina Road (Lot #1), Township of Douro  
Dummer; Roll#1522.020.004.14400; ORCA File: PPLD-2204**

The Otonabee Region Conservation Authority (Otonabee Conservation) has received additional information in a second submission, regarding the circulation for Consent (severance) for the above noted property. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The purpose of the above noted application is to create a new residential lot with 83 metres fronting Birchview Road and an area of 0.4 hectares. The area of the proposed residential lot is currently a well treed, vacant lot, with a steep slope at the rear of the lot.

The second submission included a Slope Stability Study prepared by Cambium Inc., dated November 23, 2021. A Natural Heritage Evaluation (NHE) was submitted in support of the application by Cambium Inc., dated June 23, 2021.

Otonabee Conservation's Interest in this application is four-fold:



1. *Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

Figure 3 of the NHE illustrates an escarpment (steep slope) is present at the rear of the proposed lot. The submitted Slope Stability Study provided an analysis of the cross-sections of the slope. Figure 4 (Site Plan) illustrates the extent of safe building area. The 3:1 Stable Slope line from Figure 4 will be delineated on the Site/Grading Plan for the proposed severance.

It is unclear from the report if this setback will result in lots which are too confined for an appropriate building envelope. No development including filling and/or grading will be allowed beyond the 3:1 Stable Slope line without additional slope stability studies. A building envelope should be provided at the time of the building permit. **Provided the above notes are incorporated to future applications, it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS Section 3.1.**

2. *The Authority has reviewed the application as a service provider to the County of Peterborough and the Township of Douro Dummer, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

The NHE identified the proposed severance is outside 30 metres of the large, woodlot/treed area and key hydrologic features. The submitted NHE noted a number of Species-at-Risk (Butternut trees). However, the location, number and health of the trees were not included in the report.

As part of the second submission in an email from Cambium (October 14, 2021) It was noted that this species was found on the east portion of the subject property during the field investigations and as such, it was documented in the field data sheet for Community 3, which spans the property east-west. The tree locations were outside of the proposed severances (Site) and their 120 metre adjacent lands; as such, health assessments were not carried out and this species was not addressed in the report. This species should have been removed from the plant list for the proposed severances given their distance from the Site and adjacent lands.

**With the addition of this information it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS sections 2.1 and 2.2 and Growth Plan for the Greater Golden Horseshoe section 4.2.3 and 4.2.4.**

3. Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage. Otonabee Conservation mapping indicates the proposed severed lot is subject to Ontario Regulation 167/06; Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **With the establishment of the erosion hazard, the ORCA regulated area extends includes the erosion hazard and a further 15 metres. Permits from this agency will be required in this area.**

4. Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.

**It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.**

If you have any questions, please do not hesitate to call.

Yours truly,

A handwritten signature in black ink that reads "Matthew Wilkinson". The signature is written in a cursive, flowing style.

Matthew Wilkinson  
Planner



December 13, 2021

Ann Hamilton  
Secretary-Treasury  
Land Division Committee  
County of Peterborough  
470 Water Street  
Peterborough, ON K9H 3M3

Dear Ann Hamilton,

**Re: File: B-91-21, Hauth, 426 Carveths Marina Road (Lot #2), Township of Douro  
Dummer; Roll#1522.020.004.14400; ORCA File: PPLD-2205**

The Otonabee Region Conservation Authority (Otonabee Conservation) has received additional information in a second submission, regarding the circulation for Consent (severance) for the above noted property. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The purpose of the above noted application is to create a new residential lot with 83 metres fronting Birchview Road and an area of 0.4 hectares. The area of the proposed residential lot is currently a well treed, vacant lot, with a steep slope at the rear of the lot.

The second submission included a Slope Stability Study prepared by Cambium Inc., dated November 23, 2021. A Natural Heritage Evaluation (NHE) was submitted in support of the application by Cambium Inc., dated June 23, 2021.

Otonabee Conservation's Interest in this application is four-fold:

1. *Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

Figure 3 of the NHE illustrates an escarpment (steep slope) is present at the rear of the proposed lot. The submitted Slope Stability Study provided an analysis of the cross-sections of the slope. Figure 4 (Site Plan) illustrates the extent of safe building area. The 3:1 Stable Slope line from Figure 4 will be delineated on the Site/Grading Plan for the proposed severance.

It is unclear from the report if this setback will result in lots which are too confined for an appropriate building envelope. No development including filling and/or grading will be allowed beyond the 3:1 Stable Slope line without additional slope stability studies. A building envelope should be provided at the time of the building permit. **Provided the above notes are incorporated to future applications, it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS Section 3.1.**

2. *The Authority has reviewed the application as a service provider to the County of Peterborough and the Township of Douro Dummer, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

The NHE identified the proposed severance is outside 30 metres of the large, woodlot/treed area and key hydrologic features. The submitted NHE noted a number of Species-at-Risk (Butternut trees). However, the location, number and health of the trees were not included in the report.

As part of the second submission in an email from Cambium (October 14, 2021) It was noted that this species was found on the east portion of the subject property during the field investigations and as such, it was documented in the field data sheet for Community 3, which spans the property east-west. The tree locations were outside of the proposed severances (Site) and their 120 metre adjacent lands; as such, health assessments were not carried out and this species was not addressed in the report. This species should have been removed from the plant list for the proposed severances given their distance from the Site and adjacent lands.

**With the addition of this information it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS sections 2.1 and 2.2 and Growth Plan for the Greater Golden Horseshoe section 4.2.3 and 4.2.4.**

3. Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage. Otonabee Conservation mapping indicates the proposed severed lot is subject to Ontario Regulation 167/06; Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **With the establishment of the erosion hazard, the ORCA regulated area extends includes the erosion hazard and a further 15 metres. Permits from this agency will be required in this area.**

4. Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.

**It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.**

If you have any questions, please do not hesitate to call.

Yours truly,

A handwritten signature in black ink that reads "Matthew Wilkinson". The signature is written in a cursive, flowing style.

Matthew Wilkinson  
Planner

## Severance Review

File No: B-90-21 & B-91-21 - Hauth  
Name: Randy Hauth  
Agent: Elaine Webster  
Location: 426 Carveth's Marina Road  
Lots 28 and 29, Con 3, Dummer Ward  
New Lots to Front on Birchview Road

**Purpose of the applications** – Creation of two new residential lots

### Official Plan Designation:

<b>Severed 1 &amp; 2:</b>	Rural
<b>Retained:</b>	Rural, Recreation Commercial and Environmental Constraint

### OP Conformity:

Residential uses are permitted uses in the Rural Designation, provided that fragmentation of farm lands and conflict with adjacent farm operations are not created.

A maximum of two consents to create new lots may be permitted from a property within the Rural designation, as it existed 25 years prior to the date of application.

### Previous Severances:

None within the last 25 years.

### Zoning:

### Rezoning Required:

<b>Severed Lots 1 &amp; 2:</b>	Rural (RU)	Yes – ORCA Recommendation due to Slope
<b>Retained:</b>	Rural (RU) and Commercial Tourist (CT)	No

### Zoning Conformity:

The severed lots will meet the area and frontage requirements for residential use in the Rural Zone (Section 9.2.4). The retained lot will meet the area and frontage requirements for residential use in the Rural Zone (Section 9.2.4).

### PPS Conformity:

The severance applications appear to be in conformity with the PPS. The proposed lots are located within 120 metres of key natural heritage and hydrologic features including unevaluated wetlands and potential habitat of endangered and threatened species. A Natural Heritage Evaluation was required.



The County of Peterborough Official Plan Section 4.1.3.1 states that development and site alteration such as filling, grading and excavating may be permitted within or adjacent to the natural heritage features (i.e. significant woodlands, wetlands, etc.), provided that it has been demonstrated by an impact assessment that there will be no negative impacts on the natural features or ecological functions for which the area is identified. A Natural Heritage Evaluation was submitted with the application and reviewed by ORCA – see their comments attached dated October 8, 2021 and December 13, 2021.

### **Entrance Report:**

Due to winter storm events, an entrance report was not available at the time of writing this report.

### **CBO Report:**

The CBO report had not been received at the time of writing this report.

### **Comments:**

A copy of the County's Preliminary Review is attached. Discussions with County and Township Planning staff, Otonabee Conservation and Cambium have resolved most issues with the application as summarized.

ORCA made a number of recommendations in order to comply with provincial policy (Provincial Policy Statement and Growth Plan for Greater Golden Horseshoe) and address any impacts on key hydrologic features and natural heritage features. Rezoning is recommended to place a holding symbol on the severed parcels to limit development near the slope.

ORCA also recommended that the development of the lots proceed through Site Plan Control to address the grading and fill issues that are present due to the slope and escarpment. The Natural Heritage Evaluation also makes a number of recommendations and mitigation measures for both lots to address woodlands and potential habitat of endangered and threatened species including limits on vegetation removal, site leveling, and erosion control measures that may be made enforceable through Site Plan Control. Township By-law No. 2002-71 sets out what properties are subject to Site Plan Control, and includes "any project where site plan control is imposed as a condition of an application to the County Land Division Committee," therefore a condition has been recommended for both lots in order to implement the recommendations and mitigation measures.

Given the one-year timeline to meet conditions of a consent approval, requesting a rezoning to include a holding provision may be the most appropriate way to implement Site Plan Control for these proposed lots. A holding zone means that the development of the subject lands cannot commence until the final site plan and agreement is approved by Council, registered on title and holding provision removed by by-law. Holding provisions are typically used when development is anticipated in accordance with the provisions of the bylaw but where details of the development have not been determined, or are otherwise constrained and require further study. Rather than risk lapsing of the pending consent approval if the property owners cannot complete the site

plan approval process within 1 year, the holding provision will offer them more flexibility in the design stage.

All department managers have been circulated for comment on this application.

**Recommendation:**

That it be recommended to Council that Severance Applications B-90-21 & B-91-21 for Randy Hauth be approved, and if approved by the Peterborough County Land Division Committee that the following conditions be imposed for both lots:

- \$1250.00 cash-in-lieu of parkland be paid to the municipality
- That the severed lot be rezoned with a Holding (H) provision subject to approval of site plan and agreement to the satisfaction of the municipality in accordance with Township of Douro-Dummer Site Plan Control By-law 2002-71
- That a safe entrance be approved by the Manager of Public Works
- A Mitigation Measures Agreement is to be entered into between the Owner and the Municipality and registered on title at the owner's expense, which would recognize the recommendations included in in Summary of Recommendation of the Natural Heritage Evaluation prepared by Cambium Inc. dated June 23, 2021

**Report Approval Details**

Document Title:	Township Staff Report - Files B-90-21 and B-91-21.docx
Attachments:	<ul style="list-style-type: none"> <li>- 90 91 -21 orca EMAIL - December 13, 2021 - Site Plan.pdf</li> <li>- B-90-21 Hauth 426 Carveths Marina Road (Lot 1) ; ORCA File PPLD-2204-13DEC2021.pdf</li> <li>- B-91-21 Hauth 426 Carveths Marina Road (Lot 2) ; ORCA File PPLD-2205-13DEC2021.pdf</li> <li>- B-90-21, Hauth, 426 Carveths Marina Road (Lot 1) ; ORCA File PPLD-2204.pdf</li> <li>- B-91-21, Hauth, 426 Carveths Marina Road (Lot 2), ; ORCA File PPLD-2205.pdf</li> <li>- 90-21 Application.pdf</li> <li>- 91-21 Application.pdf</li> <li>- scanned - Cambium Natural Heritage Evaluation June 2021.pdf</li> <li>- Hauth - PSR.pdf</li> <li>- Location Map - B-90-21 and B-91-21.pdf</li> </ul>
Final Approval Date:	Feb 18, 2022

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

**No Signature - Task assigned to Elana Arthurs was completed by workflow administrator Martina Chait-Hartwig**

Elana Arthurs

SCHEDULE				
PART	LOT	CON	PIN	AREA
1	PART OF LOT 29	3	PART OF 28186-0235(LT)	4047sq.m.
2	PART OF LOTS 28 AND 29			4047sq.m.

PLAN 45R-17389

Received and deposited

December 7<sup>th</sup>, 2022

Nicole Griffin

Representative for the  
Land Registrar for the  
Land Titles Division of  
Peterborough (No.45)

PLAN OF SURVEY OF  
**PART OF LOTS 28 AND 29**  
**CONCESSION 3**  
GEOGRAPHIC TOWNSHIP OF DUMMER  
**TOWNSHIP OF DOURO-DUMMER**  
COUNTY OF PETERBOROUGH

J.D. BARNES LIMITED

SCALE 1 : 1000  
20 0 20 40 60 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 609mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:1000

**METRIC** DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT SET
  - SIB DENOTES STANDARD IRON BAR
  - SSIB DENOTES SHORT STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - RB DENOTES ROCK BAR
  - WT DENOTES WITNESS
  - M DENOTES MEASURED
  - JDB DENOTES J.D. BARNES LIMITED
  - P&P DENOTES PIERCE & PIERCE INC.
  - P&L DENOTES PIERCE & LYONS INC.
  - 712 DENOTES G.W. ELLIOTT O.L.S.
  - E&P DENOTES ELLIOTT & PARR (PETERBOROUGH) LTD.
  - 873 DENOTES W.A. BENINGER O.L.S.
  - P1 DENOTES PLAN 45R-4999
  - P2 DENOTES PLAN 45R-8107
  - P3 DENOTES PLAN BY ELLIOTT & PARR LTD, DATED 20 NOVEMBER 2003
  - P4 DENOTES PLAN BY G.W. ELLIOTT O.L.S., DATED 24 AUGUST 1966
  - HP DENOTES UTILITY POLE

ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

**NOTES**

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 1.000193

FOR BEARING COMPARISONS, A ROTATION OF 1°59'30" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P1,P2,P3 AND P4.

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010.0).		
COORDINATES TO RURAL ACCURACY PER SECTION 14 (2) OF O.REG 216/10.		
POINT ID	EASTING	NORTHING
ORP (A)	726 104.7	4 934 726.1
ORP (B)	726 648.9	4 934 656.7
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		
THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 548.6 N82°44'00"W		

Properties

PIN28186 - 0235    LT

DescriptionPT LTS 28-29 CON 3 PT 2 45R-17389; TOWNSHIP OF DOURO-DUMMER

AddressDOURO

☒ Affects Part of Prop

Consideration

Consideration\$0.00

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

NameCARVETH'S MARINA LTD.

Address for Servicec/o 426 Carveths Marina Road

Lakefield, Ontario K0L 2H0

A person or persons with authority to bind the corporation has/have consented to the registration of this document.  
This document is not authorized under Power of Attorney by this party.

Party To(s)CapacityShare

NameTOWNSHIP OF DOURO-DUMMER

Address for Service894 South Street, PO Box 92

Warsaw, Ontario K0L 3A0

This document is being authorized by a municipal corporation Township of Douro-Dummer, Heather Watson, Mayor and Martina Chait-Hartwig, Acting Clerk.  
This document is not authorized under Power of Attorney by this party.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.  
The land registrar is authorized to delete the notice on the consent of the following party(ies) Township of Douro-Dummer Director of Development Services  
Schedule: See Schedules  
I Angus McNeil solicitor make the following law statement the agreement is being entered into pursuant to Section 53(12) of the Planning Act.

Signed By

Angus James McNeil

10 William St. South

Lindsay

K9V 3A4

acting for

Signed

2023 02 22

Applicant(s)

Tel705-324-6222

Fax705-324-4168

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

STAPLES & SWAIN PROFESSIONAL CORPORATION

10 William St. South

Lindsay

K9V 3A4

2023 02 27

Tel705-324-6222

Fax705-324-4168

Fees/Taxes/Payment

Statutory Registration Fee\$69.00

Total Paid\$69.00



# Mitigation Measures Agreement

THIS AGREEMENT made in duplicate this 10 day of February , 2023  
BETWEEN:

CARVETH'S MARINA LTD.

Hereinafter called the Applicant

OF THE FIRST PART

AND

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

Hereinafter called the Corporation

OF THE SECOND PART

WHEREAS the Applicant has applied to the Peterborough County Land Division Committee for consent to sever part of LT 29 CON 3, in the Township of Douro-Dummer, in the County of Peterborough, being described on Schedule "A" attached hereto.

AND WHEREAS the Committee file no. is B-91-21.

AND WHEREAS the said Peterborough County Land Division Committee or Planning Director has signified its decision to grant an approval subject to the condition that the Applicant shall enter into an agreement with the Corporation agreeing to abide by the said condition imposed by Committee and that such agreement shall be registered on title prior to the granting of the certificate of consent.

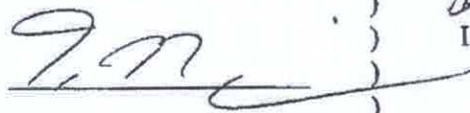
Now therefore this agreement witnesseth that in consideration of the covenants, provisos and conditions herein contained and pursuant to the condition imposed by the Committee, the Applicant agree with the Corporation both personally and on behalf of their respective heirs, executors, administrators, successors and assigns as follows:

1. This agreement, as per Schedule "B" attached hereto, and all conditions herein may be enforced by the Municipality by court action.
2. This agreement shall be registered upon the title of the said lands at the Land Registry Office at the sole expense of the applicant prior to the registration or delivery of any other document and prior to the issuance of certificate of consent to sever and in default thereof the consent to sever shall be deemed to have been refused.
3. The lands affected by this agreement are described in Schedule "A" attached hereto.
4. This agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators and assigns.
5. The applicant shall be responsible for all costs of preparation, review, registration and release from title if the same is required.

IN WITNESS WHEREOF the Applicant has affixed their respective Hands and seals and the Corporation has affixed it corporate seal under the hands of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED

In the presence of




) Carveth's Marina Ltd.

)   
Applicant: Randy Hauth

) I have authority to bind the Corporation

)  
) The Corporation of the Township of Douro-Dummer

)   
) Mayor: Heather Watson

)   
) Acting Clerk: Martina Chait-Hartwig

## SCHEDULE "A"

### Description of Severed Parcel:

PT LTS 28-29 CON 3 PT 2 45R-17389; TOWNSHIP OF DOURO-DUMMER (being part of PIN:  
28186-0235 (LT))



## SCHEDULE "B"

### Mitigation Measures

1. All required permits and approvals should be obtained prior to any Site alterations or construction. Note that there are no wetlands within 30 m of the proposed severance, and they conform to provincial policy.
2. It is recommended that future development be located as far as possible from the escarpment feature.
3. All foundational work (eg. rock blasting, excavation) should take place from May to September to avoid potential impacts to hibernating Eastern Hog-nosed Snakes.
4. Site plans developed for the proposed severance and residential dwelling should include the location of Wildlife Exclusion Fencing (around the perimeter of future building envelopes), and the location of the escarpment and 15 m hazard setback.
5. Wildlife Exclusion Fencing should be erected prior to the earlier of May 1 or the commencement of any Site alteration or development. This should be maintained in proper working order until the Site has been successfully revegetated or all loose substrate have been stabilized. All fencing should be removed following construction.
6. Wildlife Exclusion Fencing should consist of light-duty silt fencing, staked at regular intervals, trenched in at least 20 cm, and with an above-ground height of at least 60 cm. Fencing with synthetic mesh backing should be avoided as wildlife can be entangled and killed by such materials.
7. Workers should be aware if the nesting season for turtles which extends from May 15 to August 15, with hatchling emergence through until September 30. Should any nesting turtles be encountered, work should stop immediately and the turtle should be left to finish nesting undisturbed. The turtle should be photographed and the nest marked to ensure it is not disturbed during construction until it has hatched (late August-September). If a nest is laid in a stockpile or other area that requires disturbance, Cambium should be contacted to determine if the nest can be relocated.
8. All future site preparation, storage and stockpiling, and construction on the new severance should be conducted at least 15 m away from the escarpment.
9. Not vegetation removal should occur within the 15 m escarpment setback; tree removal within the setback should be limited to the removal of hazard trees, if required.
10. Vegetation clearing at the Site should occur outside the peak breeding bird season, which extends from April 15 to August 15 in this area (as per Environment and Climate Change Canada Guidelines).
11. If vegetation clearing is to occur between April 15 and August 15, the vegetation should be investigated by a qualified biologist to confirm if any nests are present.
12. The construction area should be investigated daily for the presence of breeding birds and nests containing eggs and/or young. Nests discovered on Site should be left undisturbed until young have fledged or the nest is determined to be inactive.
13. Construction activities involving earthworks (ie. grading, excavation) should be scheduled to avoid dates of heavy rainfall events and high runoff volumes (eg. spring melt, spring/summer/fall rainstorms).
14. All machinery, equipment, construction materials and stockpiles should be stored within the construction area throughout the construction period, outside of the escarpment setback and forested areas protected by the Wildlife Exclusion Fencing.
15. Though not identified in the field inventories, any subsequently identified SAR discovered on the property will be left undisturbed as dictated by the *Endangered Species Act*, 2007. If any SAR individuals are encountered, they should be photographed and allowed time to move out of harm's way. SAR observations should be reported to the Natural Heritage Information Centre.
16. It is recommended that educational information on the characteristics and habitat needs of Eastern Hog-Nosed Snake be distributed to future buyers of the severed lot in order to improve their perceptions of this often misunderstood species.



Properties

PIN28186 - 0235    LT

DescriptionPT LT 29 CON 3 PT 1 45R-17389; TOWNSHIP OF DOURO-DUMMER

AddressDOURO

☒ Affects Part of Prop

Consideration

Consideration\$0.00

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

NameCARVETH'S MARINA LTD.

Address for Servicec/o 426 Carveths Marina Road  
Lakefield, Ontario K0L 2H0

A person or persons with authority to bind the corporation has/have consented to the registration of this document.  
This document is not authorized under Power of Attorney by this party.

Party To(s)CapacityShare

NameTOWNSHIP OF DOURO-DUMMER

Address for Service894 South Street, PO Box 92  
Warsaw, Ontario K0L 3A0

This document is being authorized by a municipal corporation Township of Douro-Dummer, Heather Watson, Mayor and Martina Chait-Hartwig, Acting Clerk.  
This document is not authorized under Power of Attorney by this party.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.  
The land registrar is authorized to delete the notice on the consent of the following party(ies) Township of Douro-Dummer, Director of Development Services  
Schedule: See Schedules  
I Angus McNeil solicitor make the following law statement the Agreement is being entered into pursuant to Section 53(12) of the Planning Act.

Signed By

Angus James McNeil10 William St. Southacting forSigned2023 02 24  
LindsayApplicant(s)  
K9V 3A4

Tel705-324-6222

Fax705-324-4168

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

STAPLES & SWAIN PROFESSIONAL CORPORATION10 William St. South2023 02 27  
Lindsay  
K9V 3A4

Tel705-324-6222

Fax705-324-4168

Fees/Taxes/Payment

Statutory Registration Fee\$69.00

Total Paid\$69.00

**Mitigation Measures Agreement**

THIS AGREEMENT made in duplicate this 10 day of February, 2023  
BETWEEN:

CARVETH'S MARINA LTD.

Hereinafter called the Applicant

OF THE FIRST PART

AND

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

Hereinafter called the Corporation

OF THE SECOND PART

WHEREAS the Applicant has applied to the Peterborough County Land Division Committee for consent to sever part of LT 29 CON 3, in the Township of Douro-Dummer, in the County of Peterborough, being described on Schedule "A" attached hereto.

AND WHEREAS the Committee file no. is B-90-21.

AND WHEREAS the said Peterborough County Land Division Committee or Planning Director has signified its decision to grant an approval subject to the condition that the Applicant shall enter into an agreement with the Corporation agreeing to abide by the said condition imposed by Committee and that such agreement shall be registered on title prior to the granting of the certificate of consent.

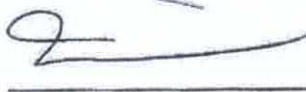
Now therefore this agreement witnesseth that in consideration of the covenants, provisos and conditions herein contained and pursuant to the condition imposed by the Committee, the Applicant agree with the Corporation both personally and on behalf of their respective heirs, executors, administrators, successors and assigns as follows:


1. This agreement, as per Schedule "B" attached hereto, and all conditions herein may be enforced by the Municipality by court action.
2. This agreement shall be registered upon the title of the said lands at the Land Registry Office at the sole expense of the applicant prior to the registration or delivery of any other document and prior to the issuance of certificate of consent to sever and in default thereof the consent to sever shall be deemed to have been refused.
3. The lands affected by this agreement are described in Schedule "A" attached hereto.
4. This agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators and assigns.
5. The applicant shall be responsible for all costs of preparation, review, registration and release from title if the same is required.

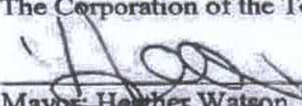

IN WITNESS WHEREOF the Applicant has affixed their respective Hands and seals and the Corporation has affixed its corporate seal under the hands of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED

In the presence of



) Carveth's Marina Ltd.  
)   
) Applicant: Randy Hauth  
) I have authority to bind the Corporation

)  
) The Corporation of the Township of Douro-Dummer  
)   
) Mayor: Heather Watson  
)   
) Acting Clerk: Martina Chait-Hartwig



## SCHEDULE "A"

### Description of Severed Parcel:

PT LT 29 CON 3 PT 1 45R-17389; TOWNSHIP OF DOURO-DUMMER (being part of PIN:  
28186-0235 (LT))

## SCHEDULE "B"

### Mitigation Measures

1. All required permits and approvals should be obtained prior to any Site alterations or construction. Note that there are no wetlands within 30 m of the proposed severance, and they conform to provincial policy.
2. It is recommended that future development be located as far as possible from the escarpment feature.
3. All foundational work (eg. rock blasting, excavation) should take place from May to September to avoid potential impacts to hibernating Eastern Hog-nosed Snakes.
4. Site plans developed for the proposed severance and residential dwelling should include the location of Wildlife Exclusion Fencing (around the perimeter of future building envelopes), and the location of the escarpment and 15 m hazard setback.
5. Wildlife Exclusion Fencing should be erected prior to the earlier of May 1 or commencement of any Site alteration or development. This should be maintained in proper working order until the Site has been successfully revegetated or all loose substrate have been stabilized. All fencing should be removed following construction.
6. Wildlife Exclusion Fencing should consist of light-duty silt fencing, staked at regular intervals, trenched in at least 20 cm, and with an above-ground height of at least 60 cm. Fencing with synthetic mesh backing should be avoided as wildlife can be entangled and killed by such materials.
7. Workers should be aware of the nesting seas for turtles which extends from May 15 to August 15m with hatchling emergence through until September 30. Should any nesting turtles be encountered, work should stop immediately and the turtle should be left to finish nesting undisturbed. The turtle should be photographed and the nest marked to ensure it is not disturbed during construction until it has hatched (late August-September). If a nest is laid in a stockpile or other area that requires disturbance, Cambium should be contacted to determine if the nest can be relocated.
8. All future site preparation, storage and stockpiling, and construction on the new severance should be conducted at least 15 m away from the escarpment.
9. No vegetation removal should occur within the 15m escarpment setback; tree removal within the setback should be limited to the removal of hazard trees, if required.
10. Vegetation clearing at the Site should occur outside the peak breeding bird season, which extends from April 15 to August 15 in this area (as per Environment and Climate Change Canada Guidelines).
11. If vegetation clearing is to occur between April 15 to August 15, the vegetation should be investigated by a qualified biologist to confirm if any nests are present.
12. The construction area should be investigated daily for the presence of breeding birds and nests containing eggs and/or young. Nests discovered on Site should be left undisturbed until young have fledged or the nest is determined to be inactive.
13. Construction activities involving earthworks (ie grading, excavation) should be scheduled to avoid dates of heavy rainfall events and high runoff volumes (e.g. spring melt, spring/summer/fall rainstorms).
14. All machinery, equipment, construction materials, and stockpiles should be stored within the construction area throughout the construction period, outside of the escarpment setback and forested areas protected by the Wildlife Exclusion Fencing.
15. Though not identified in the field inventories, any subsequently identified SAR discovered on the property will be left undisturbed as dictated by the *Endangered Species Act*, 2007. If any SAR individuals are encountered, they should be photographed and allowed time to move out of harm's way. SAR observations should be reported to the Natural Heritage Information Centre.
16. It is recommended that educational information on the characteristics and habitat needs of Eastern Hog-Nosed Snake be distributed to future buyers of the severed lots in order to improve their perceptions of this often misunderstood species.

**From:** [Martina Chait](#)  
**To:** [Christina Coulter](#)  
**Subject:** FW: R-01-23 (Hauth) 894 South Street  
**Date:** March 28, 2023 9:02:28 AM  
**Attachments:** [image001.png](#)

---

---

**From:** Municipal Planning <[MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com)>  
**Sent:** Tuesday, March 28, 2023 9:01 AM  
**To:** Leisha Newton <[LeishaN@dourodummer.on.ca](mailto:LeishaN@dourodummer.on.ca)>; Martina Chait <[MartinaC@dourodummer.on.ca](mailto:MartinaC@dourodummer.on.ca)>  
**Subject:** RE: R-01-23 (Hauth) 894 South Street

Thank you for your circulation.

Enbridge Gas does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to [MunicipalPlanning@Enbridge.com](mailto:MunicipalPlanning@Enbridge.com).

Regards,

**Jasleen Kaur**

Municipal Planning Coordinator  
**Engineering**

---

**ENBRIDGE**  
TEL: 437-929-8083  
500 Consumers Rd, North York, ON M2J1P8  
[enbridge.com](http://enbridge.com)  
**Safety. Integrity. Respect. Inclusion.**

---

**From:** Leisha Newton <[LeishaN@dourodummer.on.ca](mailto:LeishaN@dourodummer.on.ca)>  
**Sent:** Tuesday, March 14, 2023 4:42 PM  
**To:** [executivevp.lawanddevelopment@opg.com](mailto:executivevp.lawanddevelopment@opg.com); [landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com); [planning@ptbocounty.ca](mailto:planning@ptbocounty.ca); [ppressick@peterboroughpublichealth.ca](mailto:ppressick@peterboroughpublichealth.ca); [kevhickey@pvnccdsb.on.ca](mailto:kevhickey@pvnccdsb.on.ca); [jeannette\\_thompson@kprdsb.ca](mailto:jeannette_thompson@kprdsb.ca); [ian\\_dyck@kprdsb.ca](mailto:ian_dyck@kprdsb.ca); [planning@otonabeeconservation.com](mailto:planning@otonabeeconservation.com); Municipal Planning <[MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com)>; [circulations@mmm.ca](mailto:circulations@mmm.ca); [JulieK@curvelake.ca](mailto:JulieK@curvelake.ca); Kaitlin Hill ([KaitlinH@curvelake.ca](mailto:KaitlinH@curvelake.ca)) <[KaitlinH@curvelake.ca](mailto:KaitlinH@curvelake.ca)>; 'Tiffany McLellan' <[TiffanyM@curvelake.ca](mailto:TiffanyM@curvelake.ca)>; [planification@csmiamonde.ca](mailto:planification@csmiamonde.ca); [jeffreychalmers@yahoo.ca](mailto:jeffreychalmers@yahoo.ca); [roslyn.moore@rogers.com](mailto:roslyn.moore@rogers.com); [daviesjim@yahoo.ca](mailto:daviesjim@yahoo.ca); [roblit3@outlook.com](mailto:roblit3@outlook.com); [ian\\_mole@hotmail.com](mailto:ian_mole@hotmail.com); [ian\\_mole@hotmail.com](mailto:ian_mole@hotmail.com); [andi.glaeser@gmail.com](mailto:andi.glaeser@gmail.com); [andi.glaeser@gmail.com](mailto:andi.glaeser@gmail.com); [tcowie@hiawathafn.ca](mailto:tcowie@hiawathafn.ca); [sdavison@hiawathafn.ca](mailto:sdavison@hiawathafn.ca); 'Alanna Boulton' <[Alanna.Boulton@Canada.ca](mailto:Alanna.Boulton@Canada.ca)>; [roslyn.moore@rogers.com](mailto:roslyn.moore@rogers.com)  
**Cc:** Christina Coulter <[ChristinaC@dourodummer.on.ca](mailto:ChristinaC@dourodummer.on.ca)>



**Subject:** [External] R-01-23 (Hauth) 894 South Street

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?

DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Good Afternoon;

A copy of the Notice of Complete Application and Public Meeting are attached for R-01-23 (Hauth, 894 South Street). For additional information, please visit the [Township Website](#).

Please provide feedback to Christina Coulter by **Wednesday March 22, 2023**. Please direct any questions to Christina Coulter, copied on this email or 705-652-8392 ext. 226.

Regards,

*(My working hours and your working hours may be different. Please do not feel obligated to reply outside your normal working hours.)*

**Leisha Newton**

Building Administrator

Building & Planning Dept.

Township of Douro-Dummer

Phone: 705-652-8392 x 211



-



March 28, 2023

Christina Coulter,  
Planner  
Township of Douro Dummer  
Warsaw, ON, K0L 3A0

Dear Christina Coulter,

**Re: File: R-01-23, Hauth, 426 Carveth's Marina Road, Township of Douro Dummer;  
Roll#1522.020.004.14400; ORCA File: PPLD-2268**

The Otonabee Region Conservation Authority (Otonabee Conservation/the Authority) has received the circulation for a Zoning By-law Amendment as a condition of the Consent files (B-90-21 and B-91-21) for the above noted property. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The condition of consent required by the Township imposed in the decision for each application stated "that the severed lot be rezoned with a Holding (H) provision subject to approval of site plan and agreement to the satisfaction of the municipality in accordance with Township of Douro-Dummer Site Plan Control By-law 2002-71." This was requested to limit development in the area of an escarpment (steep slope/ erosion hazard) which is present at the rear of the proposed lots as noted in the Natural Heritage Evaluation (NHE) by Cambium Inc., dated June 23, 2021.

Otonabee Conservation's Interest in this application is four-fold:

- 1. Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

Figure 1 of Cambium's NHE (dated November 23, 2021) illustrates an escarpment (steep slope/ Erosion Hazard) at the rear of the proposed lots. The submitted Slope Stability Study provided an analysis of the cross- sections of the slope and illustrates the extent of safe building area. At the time of the severance, it was requested that the 3:1 Stable Slope line from the report should be delineated on the Site/Grading Plan for

250 Milroy Drive, Peterborough ON K9H 7M9

P: 705-745-5791 F: 705-745-7488

otonabee@otonabeeconservation.com

otonabeeconservation.com

the proposed severance. However, with the revisions to the Planning Act through Bill 23, Site Plan control is no longer permitted for this type of application.

**Therefore, it is the opinion of Otonabee Conservation that the zoning in this area should be made appropriate to protect (e.g., Environmental Constraint) future owners from site alteration or construction in the erosion hazard area, as shown in the figure 1 of Cambium's NHE (dated November 23, 2021). This recommendation will allow future occupants to build without the need for additional studies and allow the township to demonstrate consistency with PPS Section 3.1.**

2. *The Authority has reviewed the application as a service provider to the County of Peterborough and the Township of Douro Dummer, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

The NHE identified the proposed severances area outside 30 metres of the large, woodlot/treed area and key hydrologic features. The submitted NHE noted a number of Species-at-Risk (Butternut trees). However, the location, number and health of the trees were not included in the report. As part of the second submission in an email from Cambium (October 14, 2021) It was noted that this species was found on the east portion of the subject property during the field investigations and as such, it was documented in the field data sheet for Community 3, which spans the property east-west. The tree locations were outside of the proposed severances and their 120 metre adjacent lands.

**Therefore, it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS sections 2.1 and 2.2 and Growth Plan for the Greater Golden Horseshoe section 4.2.3 and 4.2.4.**

3. *Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.*

Otonabee Conservation mapping indicates the proposed severed lot is subject to Ontario Regulation 167/06; Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation.

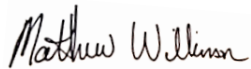
The reports submitted with the severance application noted the establishment of the erosion hazard. The ORCA Regulated Area includes the erosion hazard and a further 15 metres into the site. Permits from this agency will be required in this area prior to any site alteration or construction.

4. *Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

**It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.**

If you have any questions, please do not hesitate to call.

Yours truly,



Matthew Wilkinson  
Planner

---

250 Milroy Drive, Peterborough ON K9H 7M9

P: 705-745-5791 F: 705-745-7488

[otonabeeca@otonabeeconservation.com](mailto:otonabeeca@otonabeeconservation.com)

[otonabeeconservation.com](http://otonabeeconservation.com)



**From:** [Martina Chait](#)  
**To:** [Steve Shannon](#); [Christina Coulter](#)  
**Cc:** [Randy At Carveths](#)  
**Subject:** RE: Application R-01-23  
**Date:** March 25, 2023 4:47:06 PM

---

Hi Steve and Judy,

Thank you for your comments. I have included Township Planner, Christina Coulter on this email to respond to your question.

All the best,

Martina

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

From: Steve Shannon <[steve.michael.shannon@gmail.com](mailto:steve.michael.shannon@gmail.com)>  
Sent: March 25, 2023 2:35 PM  
To: Martina Chait <[MartinaC@dourodummer.on.ca](mailto:MartinaC@dourodummer.on.ca)>  
Cc: Randy At Carveths <[carvethsmarina1928@hotmail.com](mailto:carvethsmarina1928@hotmail.com)>  
Subject: Application R-01-23

Randy it is great to see that you are progressing with the lots on Birchview Road. The fact that you will be providing the opportunity for two families to enjoy country living, have the opportunity for access to the beauty of Stoney Lake and see the fantastic sunrises and sunsets from the elevated location of your lots.

Randy and Martina, the only concern that I would have and I am quite sure it has been addressed by the Township, is: if there will be any change to the water table as it relates to the properties on Carveth's Marina Road located to the North between the lots and Stoney Lake.

Steve and Judi Shannon  
394 Carveth's Marina Road  
Douro Dummer On.  
K0L 2H0

**The Corporation of the Township of Douro-Dummer**

**By-law Number 2023-17**

**Being a By-law to amend By-law Number 10-1996, as amended,  
otherwise known as "The Township of Douro-Dummer  
Comprehensive Zoning By-law"**

**Whereas** By-law Number 10-1996, as amended, regulates the use of land and the use and erection of buildings and structures within the Township of Douro-Dummer;

**And Whereas** Section 34 of The Planning Act, RSO 1990, as amended, permits the Council to pass an amending Zoning By-law;

**And Whereas** the Council of the Township of Douro-Dummer required the rezoning of the subject lands as a condition of Peterborough County Consent Applications B-90-21 and B-91-21;

**And Whereas** the Council of the Township of Douro-Dummer deems it advisable to further amend By-law No. 10-1996 as amended;

**Now Therefore** the Council of the Township of Douro-Dummer hereby enacts as follows:

1. Schedule B6 to By-law No. 10-1996, as amended, is hereby further amended by changing the zone category on a portion of lands known municipally as 426 Carveth's Marina Road and described as Part Lot 28 and 29, Concession 3 of the Dummer Ward from the Rural Zone (RU) to the Rural – Holding Zone (RU-H) and to the Environmental Conservation Zone (EC) as shown on Schedule "1" attached hereto and forming part of this By-law.
2. In accordance with Section 3.15 of By-law No. 10-1996, as amended, development within the (RU-H) Zone may only proceed upon the submission of additional slope stability studies and a Site/Grading Plan suitable to the Otonabee Region Conservation Authority and the Township which delineates the Top of 3:1 Stable Slope and the Top of Slope as identified on Figure 1 of the Site Plan prepared by Cambium dated November 2021 and attached hereto as Schedule "2" and forming part of this By-law.
3. All other relevant provisions of By-law 10-1996, as amended, shall apply.

If no notice of objection is filed with the Acting Clerk within the time provided, this By-law shall become effective on the date of passing hereof, subject to the provisions of The Planning Act, RSO 1990, as amended.

Passed in Open Council this 4th day of April, 2023.

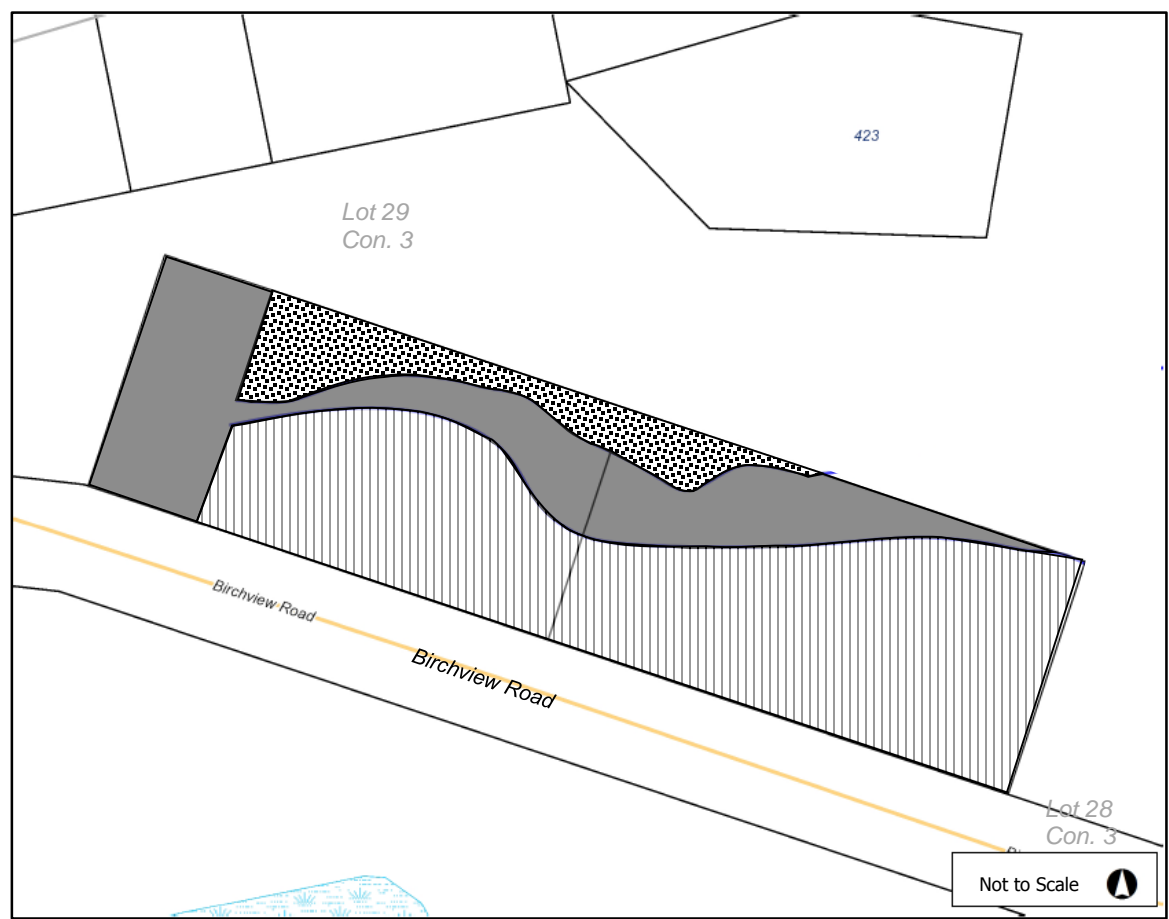
---




Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig

Schedule "1" to By-law 2023-17



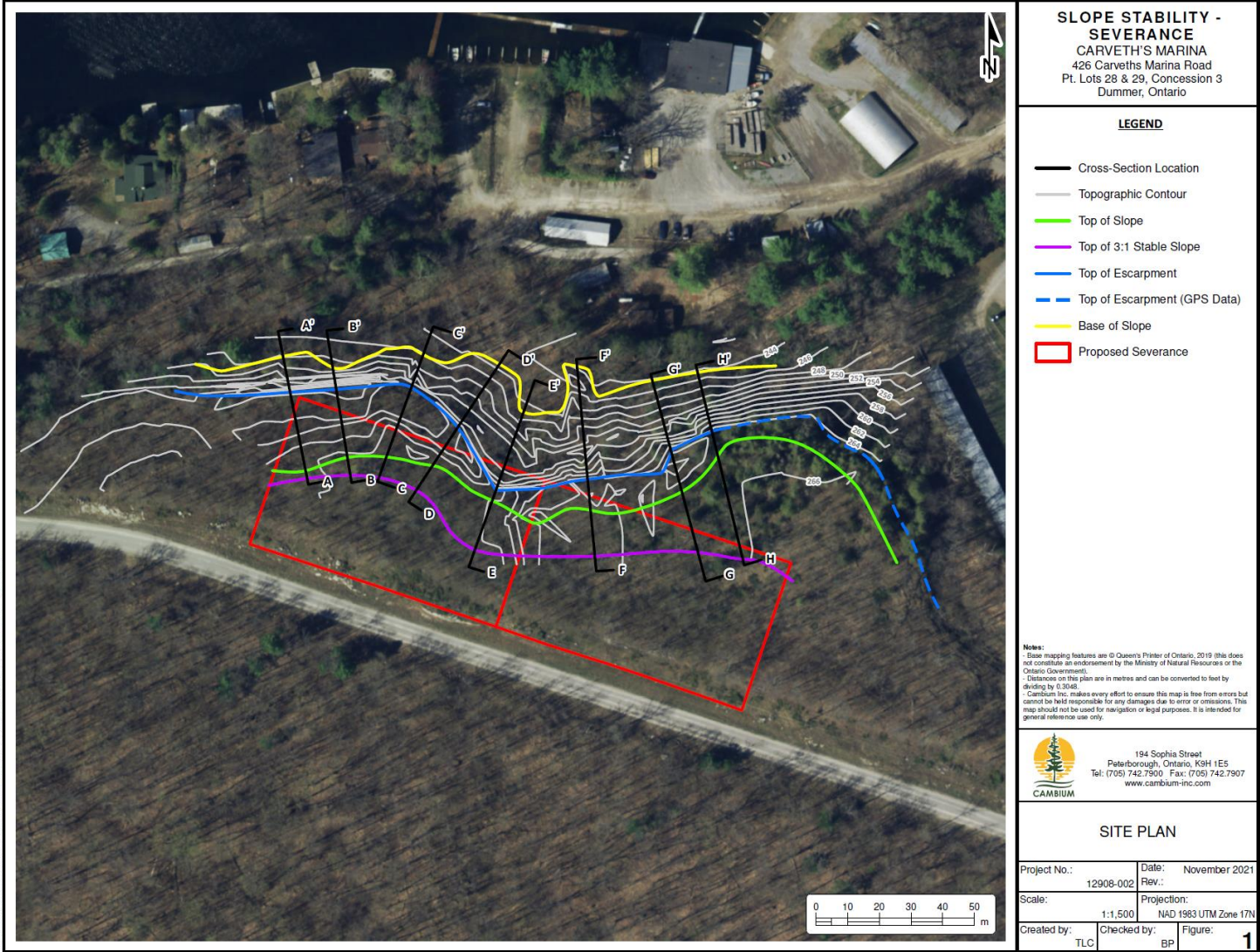
-  Rezone from the 'Rural Zone (RU)' to the 'Rural-Holding Zone (RU-H)'
-  Rezone from the 'Rural Zone (RU)' to the 'Environmental Conservation Zone (EC)'
-  Area to remain zoned the 'Rural Zone (RU)'

This is Schedule '1' to By-law  
No. 2023-17 passed this  
4th day of April, 2023.

\_\_\_\_\_  
Mayor, Heather Watson

\_\_\_\_\_  
Acting Clerk, Martina Chait-Hartwig

Schedule "2" to By-law 2023-17



This is Schedule '2' to By-law No. 2023-17 passed this 4th day of April, 2023.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig



March 27, 2023

Council Members  
Township of Douro-Dummer  
894 South St.  
Warsaw ON  
K0L 3A0

Dear Mayor Watson and Members of Township Council:

**RE: County of Peterborough Douro Depot (Public Works Yard)  
713 County Road 4  
Site Plan Control Exemption Request**

On May 21, 2022, a derecho swept through parts of central and eastern Ontario creating mass destruction as it wreaked havoc on residents, landowners and visitors. It created power outages and road closures as well as producing damaging effects on buildings. This natural event impacted the social, cultural, economic and natural elements of our surroundings. One such impact saw the total destruction of one of the County's sand storage domes at its main Public Works Yard located at the intersection of County Road 4 and Highway 28. Since that time, the remains of the building have been removed and a temporary fabric salt shed constructed as an interim measure to assist us with winter control measures this past winter. We are now in the process of wanting to re-build a permanent structure to replace the storage dome that was demolished and have been in contact with the Township's Building Department in this regard.

The purpose of this letter is to request exemption from Site Plan Control (SPC). Under Section 4.8 of the Township's Site Plan Control By-law (#2022-58), Council has the authority to provide such relief. By requesting such relief, the County is not attempting to circumvent the necessity of undertaking studies, submitting pertinent information or asking for leniency. We feel that SPC, in this particular case, is a duplication of effort and that exemption would reduce the amount of staff time and energy involved in proceeding through SPC.

We are specifically requesting exemption based on the following:

- SPC may lengthen the process for obtaining a Building Permit as time is of the essence in trying to get a building constructed as quickly as possible



- This can be considered an emergency circumstance as the health and safety of road travellers may be impacted by our plow trucks not having proper access to required quantities of stored sand and salt
- The destruction of the sand dome was a premature, unplanned demolition caused by a natural disaster
- This is the replacement of a pre-existing structure although the size may be slightly enlarged
- The building is being sited in the same approximate location
- The County will be undertaking a number of studies/analyses as follows: geotechnical, traffic, hydrogeological, stormwater drainage
- The County will also need the approval of MTO and ORCA in addition to satisfying the Township's Building and Planning Departments
- There will be no impacts to neighbouring properties as this is an isolated parcel of land completely surrounded by roads.

As mentioned, the County is not seeking special consideration for the need to provide information on traffic, stormwater drainage, soil and groundwater information, etc. or to obtain approvals from other agencies and levels of government. We believe that the application of SPC does not serve any value to the approval process in this case but creates a situation where regulatory steps are applied unnecessarily.

The County does have a Pre-consultation meeting with Township staff near the end of April. Consideration by Council would be extremely appreciated by this time so we know how to approach this project.

Thank you for your time in considering this request.

I would be pleased to answer any questions that you may have in this regard.

Sincerely,

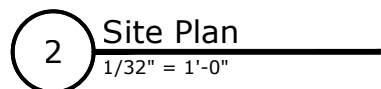
*BWeir*

Bryan Weir, RPP, MCIP  
Sr. Director, Planning & Public Works

bweir@ptbocounty.ca  
(705) 743-0380 ext. 2400

c: Sheridan Graham, County CAO, Deputy Clerk, Deputy Treasurer  
David Justynski, County Manager of Facilities  
Bill Linnen, General Manager, County Public Works

Attach.: Concept/Location Plan



NOTES

DRAWINGS AND SPECIFICATIONS ARE PROVIDED AS AN INSTRUMENT OF SERVICE AND REMAIN THE PROPERTY OF RONALD A. AMICE ARCHITECT. ALL COPYRIGHT NOTICES ARE RESERVED BY THE ARCHITECT WITH RESPECT TO THESE DOCUMENTS. THESE DOCUMENTS SHALL NOT BE DUPLICATED OR USED FOR OTHER WORK FOR THE PURPOSE FOR WHICH THEY WERE ISSUED.

THE CONTRACTOR WILL VERIFY ALL DIMENSIONS FOR THE WORK AND SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO COMMENCEMENT OF WORK.

DRAWINGS ARE NOT TO BE SCALED FOR CONSTRUCTION PURPOSES.

THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE WORKING DRAWINGS, MECHANICAL, ELECTRICAL, ETC. INFORMATION SHOWN ON THE DRAWINGS. REFER TO THE APPROPRIATE CONSULTING ENGINEERS' DRAWINGS BEFORE PROCEEDING WITH THE WORK.

CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

THE CONTRACTOR WORKMAN FROM DRAWINGS NOT SPECIFICALLY MARKED "FOR CONSTRUCTION" MUST ASSUME FULL RESPONSIBILITY AND BEAR COSTS FOR ANY CORRECTIONS OR DAMAGES RESULTING FROM THIS WORK.

NO CHANGES SHALL BE MADE TO THE WORK DESCRIBED IN THESE DRAWINGS WITHOUT THE WRITTEN AUTHORIZATION OF THE ARCHITECT.

PROJECT  
County of Peterborough  
New Storage Building

[illegible]

0	2023-02-17	Concept Review
MARK	DATE	ISSUE

PROJECT NO:	2016-23
DRAWN BY:	C.C.
CHECK'D BY:	R.A.
SHEET TITLE	
Site Plan	

DRAWING NO. A01.1

# Request to Address Council



If you would like to attend as a delegation before Council for the Township of Douro-Dummer or the Committee of the Whole, you must complete this form and submit it to the Municipal Office. Please note that the deadline for delegation requests is 12-noon, on the Tuesday prior to the meeting date (seven days before the meeting date).

A copy of any presentation or supporting materials is also required to be submitted at 12-noon, on the Tuesday prior to the meeting date. The only formats accepted are as follows: PFD, PowerPoint, Word, Excel or Jpeg.

Please note that as per Procedural By-law 2021-73, only three Delegations shall be scheduled for each meeting. The time limit of 10 minutes shall be strictly enforced.

## **Name of Individual(s) \***

Margie Morrissey

## **Name of Organization:**

Chair of current Historical Committee... there may be others come with me...hope that is okay.\

## **Please Provide an Email Address:**

mmorrissey135@yahoo.ca

**Please provide a phone number:**

[REDACTED]

**Nature of delegation request: \***

We had a meeting with the Mayor last night and would like to talk about continuing as the Historical Committee...

**Please upload any additional information you wish to submit.**

**Please provide a signature \***

Margie Monney

For the purposes of the Freedom of Information and Protection of Privacy Act, by submitting this form, I/we authorize and consent to the use by, or the disclosure, to any person or public body or publishing on the Municipal website any information that is contained in this submission and recognize that my/our name may become part of the public record.

# Thank You

Change the text for this message.





# Township of Douro-Dummer

## Report and Capital Project Status

- Directed by Council and/or CAO
- Directed by the Province/legislation
- Directed by an Agency

### Report Status

Department	Date Requested	Directed By	Resolution/Direction	Est. Report Date
Building Department	December 21, 2021	Council	Building Department Customer Service Policy with Wait Times	Completed
CAO	August 3, 2021	Council	Committee Recommendation on Short-Term Rentals	August 2023
Corporate	May 3, 2022	Council	Future Gravel Resources	Spring 2023
Clerk	February 14, 2023	Council	Review of Retention Policy	Summer 2023
Finance/Clerk	February 21, 2023	Council	Policy/Program for Community Grants	Spring 2023
Finance	April 4, 2023		Ministry of Natural Resources and Forestry Derecho Funding	April 2023
Finance/Clerk	December, 2022	Council	Policy to allow for multi-year budgets	Summer 2023

Park and Recreational	March 21, 2023	Council	Douro CC – Sewage Pump	March 2023 – April 2023
Planning	June 7, 2022	Council/ <b>Province</b>	Bill 109 – Update to Site Plan Control By-law, Create Pre-Consultation By-law, ensure the language in Official Plan allows for Peer Review as part of Complete Application	Changes pending release of final provincial regulations
Public Works/CAO	February 21, 2023	Council	Establishing Speed Limits on Douro-Dummer Roads	Complete
Public Works/CAO	March 7, 2023	Council	Indacom Drive Lot 3	Summer 2023
Public Works	April 4, 2023	Council	Culvert Pipe Supply	April 2023

## Capital Project Status

Department	Capital Project List	Status
Fire	Douro Station Reconfiguration	Ongoing
Fire	Resurfacing of the parking lot at Fire Station 2	Summer 2023
Fire	Station 2 Pumper	RFP Awarded – waiting on date for delivery
Fire	Fans for the Trucks	2023
Fire	Paging Infrastructure Fees	Spring 2023
Fire	Bunker Gear	Ordered – awaiting arrival
Fire	Master Fire Plan & Community Risk Assessment	Due 2024
General Government	Demolition of Old House at Fifth Line	Barn is removed – August 2022 Tender for house demolition and clean up – Required
General Government	New Sloped Roof - Town Hall	RFP in Spring 2023
General Government	Asset Management Plan	Ongoing

General Government	Computer Modernization	Ongoing
General Government	Finance Modernization	In progress – will continue into 2023 - New Payroll Module in place – Jan 2023
General Government	Municipal Office Front Door Replacement	Summer 2023
General Government	Pay Equity Review	Summer 2023
General Government	Development Charge Study	2023
General Government	Strategic Plan	Starting March 2023
General Government	Marriage License and Civil Marriage Ceremonies	Spring 2023
Parks and Recreation	Parks and Rec Master Plan – Implementation	On hold due to Covid-19
Parks and Recreation	Tables and Chairs	Tables Delivered
Parks and Recreation	Lime Kiln Restoration – 2022 Budget	Spring 2023
Parks and Recreation	Consultant Fees - Arena Facilities Future Ad-Hoc Committee	Summer 2023
Parks and Recreation	Back Dam Shelter Roof	Due 2023



Parks and Recreation	New Parks Mower	Obtaining/Reviewing Quotes
Parks and Recreation	Garage Door Replacement – Douro Community Centre	Due 2023
Parks and Recreation	Water Softener Replacement – Warsaw Community Centre	2023
Parks and Recreation	Compressor Replacement Reserve Contribution	2024
Planning	Zoning By-Law Update	On hold until Province Approves OP
Public Works	Spot Gravel Repairs - Centre Dummer Road	2023
Public Works	Gravel Pit Purchase	Late 2023
Public Works	Snowblower	2023
Public Works	Excavator with Brush head (John Deere 190)	2023

**Recommendation:**

That the Clerk's Office-2023-08 report, dated April 4, 2023, regarding a new draft Refrigeration Plant Safety Policy be received,

- That Council endorse the direction of this draft policy and request that staff created the required appendices for this policy and bring back the finalized version for approval.

**Overview:**

The Township of Douro-Dummer currently operates two refrigeration plants. One is located within the Warsaw Community Centre and the other is located within the Douro Community Centre. These plants maintain the ice sheets that provide the community access to recreational services and activities within the Township. Refrigeration plants are regulated to ensure the safety of the operators who oversee day-to-day operations and to the public who use facilities that have refrigeration plants. The regulation that governs refrigeration plant operations and safety is the Ontario Regulation 219/01 under the Technical Standards and Safety Act, 2001.

Currently, there is no Township policy that recognizes this regulation and the framework it sets out for standards and safety within refrigeration plants. What this proposed policy aims to accomplish is to codify the standards laid out within the provincial regulations for Township application within refrigeration plants. This policy includes outlining refrigeration plant administration, employee training standards, logbook entries, equipment inspection standards, and contractor roles and expectations. Many of the practices included within this policy are already being followed by recreation staff. Township refrigeration plant operators are aware of and follow these regulations set out by the province currently. While recreation staff follow standard procedures set out by regulation, there are certain best practices informed by industry professionals that are unknown to staff. This policy incorporates some best practices set out by the Ontario Recreation and Facilities Association to improve safety and bring best practices up to date and improve current procedures. Most importantly though, is that this policy will codify these as standards as official township policy to improve safety.

This Policy will also call for workplace-specific training plans in an effort to further increase safety within the refrigeration plants. These plans are designed to familiarize staff that work within the refrigeration plants with the specific safety hazards and inspection requirements required to maintain safety. There will be two of these plans developed, one for the Warsaw Community Centre and one for the Douro Community

Centre. These plans will be based upon the specific nuances of each plant and will only require staff time to complete.

**Conclusion:**

As the Township streamlines and updates its policies in all departments following recommendations from the Service Delivery Review, policies like the Refrigeration Plant Safety Policy should be seen as the beginning of policy modernization, and also a commitment to safety for staff and the public. The current lack of policy regarding the day-to-day operations of Township refrigeration plants is a gap that leaves the Township liable in case of a serious accident. This policy addresses this issue by providing guidelines based off of current government regulations and industry best practices.

When this policy is in place, it will improve the Township's understanding of provincial regulation, reduce Township liability, and promote a better culture of safety and responsibility within Township facilities. This policy could set a standard of research and detail expected within new and updated policies.

**Financial Impact:**

There are no immediate financial impacts of this draft policy. Financial impacts may change in the future in the case of higher training regulations or standards set out by the provincial government.

**Strategic Plan Applicability:**

To develop and/or assist with the development and delivery of social and recreational programs as well as effectively maintaining and updating recreational facilities to promote healthy lifestyles and meet the broad range of community needs.

### Report Approval Details

Document Title:	Refrigeration Plant Policy .docx
Attachments:	- Refrigeration Plant Safety Policy.docx
Final Approval Date:	Mar 31, 2023

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

Martina Chait-Hartwig

**No Signature - Task assigned to Elana Arthurs was completed by workflow administrator Anu Mundahar**

Elana Arthurs

## Refrigeration Plant Safety Policy

Approved By:  
Approval Date:  
Effective Date:  
Revision Date:

### Policy Statement

This Policy shall establish a safe operating environment and standards for the Township's refrigeration plants which adheres to and complies with the Operating Engineers Regulation (O.Reg.219/01) under the Technical Standards and Safety Act (TSSA), 2000.

### Definitions:

**"Chief Operator"**- means an operator who at all times has charge of and responsibility for the safe management, operation and maintenance of a compressor plant or a refrigeration plant, this role is filled by the Manager of Recreation Facilities;

**"Competent Person"**- an individual who

- a) is qualified because of knowledge, training and experience to organize the work and its performance;
- b) is familiar with this Act and the regulations that apply to the work;
- c) has knowledge of any potential or actual danger to health and safety in the workplace;

**"Guarded"**- in relation to a fail-safe device, means the controls and safety devices that safely limit the operation of the equipment that is being guarded to preset parameters, and that will cause an audible or visual alarm, or both, to the operator of the equipment, as the case requires;

**"Maintenance"**- means the inspection, testing, service or repair of a unit, equipment, plant or installation to ensure that it is safe and that it meets the requirements of its design and this Regulation, and "maintain" has a corresponding meaning;

**"Operator"**- means a holder of a subsisting certificate of qualification as an operator;



**"Qualifying Experience"**- means the training and practical operating experience obtained during regular work periods in Canada or training and may include the time spent in performing mechanical maintenance work on registered plant equipment, as long as such maintenance time does not exceed one third of the required practical qualifying time;

**"Refrigeration Plant"**- means an installation comprised of one or more refrigeration compressors, prime movers, equipment, pressure vessels and any associated piping;

**"Supervisor"**- means a person who has charge of a workplace or authority over a worker;

**"Training"**- means a formal and consistent process that is recorded and that includes technical guidance given to plant employees engaged in the operation, maintenance and service of a plant;

**"Unattended"**- in relation to a guarded plant or guarded installation, means that the plant or installation may be operated,  
a) without the appointment of a chief operator, and  
b) without an operator on shift duty providing supervision;

**"User"**- includes the corporation in control of a plant as owner, lessee or otherwise, but does not include the operators who operate, control or maintain the plant;

#### **Purpose:**

To establish standards and procedures for:

- Maintaining the safety and maintenance of the Township's refrigeration plants within the Warsaw Community Centre and the Douro Community Centre.
- Ensuring compliance with any regulations or laws relating to the operations of refrigeration plants within the Township.
- Formalizing operator training so that operators can become competent individuals responsible for the operations of the refrigeration plant.
- Creating and Maintaining Logbooks that document day to day operations within the refrigeration plant.
- Establishing standards for equipment inspections when facilities are open to the public and when closed to the public.

**Application:**

This policy applies to all Township employees who are responsible for managing, operating, or maintaining any unattended refrigeration plant within the Township.

**Refrigeration Plant Administration:**

TSSA Certification for unattended refrigeration plants owned by the Township must be placed outside the entrance of the plant room. In addition to this, refrigeration plant operators must provide the Township with current training certificates. Secondary copies of certificates for the plant and operators must be kept in a secure location outside of the refrigeration plant room as well. In addition to being physically kept outside of the refrigeration plant these certificates will be retained by the Township digitally and will be updated when the employee or refrigeration plant undergoes recertification.

All emergency plans and personal protective equipment are to be stored outside of the refrigeration plant in case of an emergency event that would render the refrigeration plant unsafe to enter.

**Operator Training:**

Operators employed by the Township must have certain qualifications that will ensure the safety of themselves and the public during daily operations. This will include qualifying experience and professional qualifications obtained through the ORFA Basic Refrigeration Course. Experience and qualification are critical to personal and public safety, operators currently employed by the Township will be offered time for refresher training when necessary and be reimbursed for their training to ensure safety for themselves and the public.

In addition to these personal qualifications, the Township will develop workplace specific training plans for the Douro Community Centre and the Warsaw Community Centre. These training plans will make trainees aware of all-important information and shall include the following:

- Making the Trainee aware of the associated hazards in the plant room which may include but not limited to, emergency exits, electrical shock hazards, equipment starting without warning, slip hazards, levels of noxious gasses, excessive noise levels, required and limits of personal protective equipment, MSDS, ventilation and air quality issues, and fire or explosive dangers within the plant.
- Actively monitoring and reviewing all acts, regulations and general legislation that control ice facility plant room operations.
- Able to identify all primary parts of the refrigeration systems and what basic function they serve; able to start, stop and test all refrigeration equipment.

- Able to accurately complete logbook entries.
- Able to recognize worker and public safety hazards and be prepared to initiate a general facility evacuation and worker emergency rescue plan.
- Able to recognize that untrained staff shall not be permitted to enter refrigeration plant rooms without proper supervision.

Upon completion, the trainee should be competent to safely enter the refrigeration plant room and conduct an inspection of the equipment and make entries in the logbook documenting their observations from the inspection. This workplace specific training does not grant authority to the trainee to carry out adjustments, repairs, or conduct maintenance without other qualifications necessary to conduct this type of work.

Emergency plans and procedures should be reviewed by Township operators and be practiced at least once annually. This includes fire and bomb threat procedures, the ammonia leak procedure, and the loss of power for over 20 minutes procedure. Conducting these procedures in training exercises will allow operators to become familiar with procedures on a practical level and ensure that operators are competent to carry out these procedures in an emergency situation.

### **Logbook:**

Under Ontario Regulation 219/01 there is a requirement for a logbook in either physical or electronic form kept within the refrigeration plant for the user of the plant. This log is required to be bound where pages cannot be removed, have consecutive numbering of pages, and be large enough to fit all entries which are required. Logbooks are critical in documenting all happenings during operator shifts and prove that internal standards are being followed in case of investigation or legal proceedings resulting from accidents or incidents relating to the refrigeration plant.

Required entries in the logbook include:

- The date, shift start time and end time, the names of all plant operating personnel on shift during their periods of duty.
- Instructions for the shift operation or for individual staff, with the name of the individual who gave the instruction.
- Any changes to normal operating procedure, and the time of the change.
- Any abnormal conditions overserved in the plant and the time they were observed.
- The starting and stopping times of primary equipment not being recorded in any other log.

- Documentation of any repairs or maintenance, including any fail-safe systems, protective device, or any other part within the plant. Documentation must also include the times the repair or maintenance took place, if they were completed, and who attended the repair or maintenance.
- Any work performed by plant operating personnel outside the plant, the time spent doing the work, and who attended the work.
- The entry of any unauthorized person to the plant, together with the purpose of the entry, and the time of entry and leaving.
- Primary shift functions, including the times of at least the following functions:
  - Boiler blow down
  - Water column blow down
  - Controls tests
  - Safety valve tests
  - Sootblower operation
  - Water sampling and chemical treatment

All entries made within the logbook shall be done with a pen. The operator will read and sign the log at least once each business day. Corrections to the logbook shall not be erased, instead mistakes will be crossed out, circled, and initialed followed by the correction. No person is to damage, deface, destroy or, without permission from the Manager of Recreation Facilities or the CAO, remove the logbook from the plant. Logbooks shall be stored in a safe place within the refrigeration plant and shall be kept for 5 years after the last entry in the log.

If necessary a supplementary logbook can be used if notes/observations to be filled out do not fit within the parameters of the primary logbook. This supplementary logbook can be used to provide a more detailed record if there were any incidents, repairs, or maintenance operations that occurred on shift. Operators must make note of the supplementary log entry within the primary logbook entry. Entries in the supplementary log must also have their date and time of occurrence noted so entries between logbooks can be matched. Supplementary logbooks shall also be kept for 5 years after last entry.

### **Equipment Inspection:**

Regulations regarding unattended plants require that multiple visual inspections must take place to ensure that the plant is functioning safely. All visual inspections of the plant shall be noted in the plant's logbook with the operator filling out all applicable sections in the log. If there are no significant changes to standard operating procedures during the shift, the operator should inspect the plant at least 3 times for every 8 hours. If there are any incidents, accidents, adjustments, repairs or maintenance to plant equipment then these must be

noted in the logbook and inspections should then take place once every hour until the operator deems the plant to be safe.

Along with making log entries operators should be inspecting equipment and the plant room environment. Inspections should include but are not limited to:

- A review of air quality and temperature in the plant room;
- All equipment gauges for temperature and pressure fluctuations;
- All equipment for fluid and noxious gas leaks;
- All equipment for excessive noise or an increase in noise levels;
- A dedicated approach to housekeeping, fire protection, and overall safety of the plant room.

In the case of any equipment not meeting inspection standards, the faulty equipment must be replaced or repaired within a safe amount of time as determined by a competent operator. If a replacement piece of equipment can not be found and installed within a safe amount of time as determined by the competent operator, the refrigeration plant must be shut down and deemed safe from further failure. If any parts, equipment, or refrigerant are replaced, substituted, or added to the refrigeration plant they must comply with CSA B52:18 standards that govern the machinery standards of mechanical refrigeration plants.

Any variation from normal operating procedures should be reported to the Manager of Recreation Facilities. In the case of accidents or a catastrophic equipment failure resulting in a chemical leak contact the necessary emergency services immediately before contacting the manager for recreation facilities.

#### **Role of the Refrigeration Contractor:**

The Refrigeration Contractor have no responsibility to the Township to inform of regulations and legislation governing the safe use of refrigeration plants. All equipment within the refrigeration plant fall under the Township's responsibility to maintain them in a safe condition. Contractors are expected however to provide guidance and advice to the owner in regards to safe and maintained refrigeration plant operations. Township/service contractor relations should have common goals of plant safety, and maximizing the life-cycle of refrigeration equipment.

The Township will develop clear documentation outlining what work is expected of the contractor when service visits are required. Documentation like this will allow the Township to keep track of what work has been conducted in the refrigeration plant previously and ensures that there are no gaps in equipment maintenance which can lead to failure of equipment.



**References & Related Policies:**

[Occupational Health and Safety Act, R.S.O. 1990, c. O.1](#)

Canadian Standards Association: B52:18, Mechanical Refrigeration Code.

[Technical Standards and Safety Act, 2000, S.O. 2000, c. 16](#)

[O.Reg.219/01: Operating Engineers](#)

[2.4: Continuing Education and Training Policy, Within the Human Resources Policy Manual](#)

[R-12: Douro Arena Emergency Plan](#)

[R-13: Warsaw Arena Emergency Plan](#)

[R-18: Ammonia Leak Policy](#)

[R-22: Emergency Procedure for dealing with a power failure greater than 20 minutes in duration or inclement weather for the Douro Community Centre](#)

[R-23: Emergency Procedure for dealing with a power failure greater than 20 minutes in duration or inclement weather for the Warsaw Community Centre](#)

[R-26: Adding Oil to Ammonia Compressors Policy](#)

[R-27: Draining/Purging Oil from the Ammonia Chiller Policy](#)

**Appendices:**

- a) Refrigeration plant logbook example page
- b) Douro Community Centre workplace specific training plan
- c) Warsaw Community Centre workplace specific training plan

**Consequences of Non-Compliance:**

It is important that all employees comply with the appropriate procedures and standards as set out by the Township. Failure to comply with this policy may result in disciplinary actions as per the Corrective Action Policy in the Human Resources Policy Manual.

Additionally, The Township and individuals employed by the Township may be issued fines if the relevant legislation is knowingly contravened under the Technical Standards and Safety Act and the Occupational Health and Safety Act.

**Review Cycle:** This policy will be reviewed on a quadrennial basis or when relevant legislation or regulations are changed.

**Recommendation:**

That the Public Works-2023-05 report, dated April 4, 2023, regarding the Culvert Pipe Supply be received; and

That Council approve the purchase of culvert pipes from Armtec Inc and E.S. Hubbell and Sons.

**Overview:**

A tender was issued regarding the supply and delivery of culvert pipes tender PW-2023-01. The tender closed on Wednesday, March 15, 2023, and three tender packages were received: E.S. Hubbell and Sons, Armtec Inc., and Atlantic Industries. Attached to this report are the results of the submissions for your review.

**Conclusion:**

Upon review of the tender packages, the submission from Armtec Inc. was the lowest submission for HDPE (plastic) and select sizes of galvanized culvert pipes. E.S. Hubbell was the lowest on select sizes of galvanized culvert pipes therefore staff recommend the purchase of culvert pipes from Armtec Inc and E.S. Hubbell as required.

**Financial Impact:**

The tenders received will meet our budget for the various construction projects and municipal culvert replacements for 2023.

**Strategic Plan Applicability:**

To ensure that the public works department operates efficiently and effectively.

### Report Approval Details

Document Title:	Culvert Pipe Supply.docx
Attachments:	- Culvert Tender Results 20231.xlsx
Final Approval Date:	Mar 28, 2023

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

Martina Chait-Hartwig

Elana Arthurs

Supply and Delivery of Culvert Pipes  
Tender # 2016-02

	<b>E.S Hubbell &amp; Sons Ltd.</b>	<b>Armtec Ltd. Partnership</b>	<b>Atlantic Industries Limited</b>
<b>Galvanized Corrugated Steel Pipes (price per metre)</b>			
300 millimetres	\$ 23.80	\$ 27.65	\$ 24.54
400 millimetres	\$ 30.60	\$ 34.18	\$ 33.12
450 millimetres	\$ 35.70	\$ 37.93	\$ 37.13
500 millimetres	\$ 38.25	\$ 42.35	\$ 41.27
600 millimetres	\$ 47.60	\$ 49.72	\$ 49.53
800 millimetres	\$ 61.20	\$ 65.93	\$ 66.02
1000 millimetres	\$ 71.40	\$ 84.56	\$ 82.53
<b>Couplers (price per unit)</b>			
300 millimetres	\$ 17.42	\$ 28.53	\$ 17.57
400 millimetres	\$ 20.72	\$ 33.93	\$ 20.92
450 millimetres	\$ 22.39	\$ 36.63	\$ 22.14
500 millimetres	\$ 24.05	\$ 39.38	\$ 23.37
600 millimetres	\$ 27.38	\$ 44.82	\$ 25.83
800 millimetres	\$ 34.34	\$ 56.21	\$ 36.73
1000 millimetres	\$ 45.01	\$ 78.03	\$ 39.57
<b>HDPE Pipes (price per 6 m. length)</b>			
100 millimetres	\$ 25.20	\$ 16.26	
150 millimetres	\$ 55.38	\$ 36.96	
200 millimetres	\$ 80.76	\$ 66.18	
250 millimetres	\$ 125.94	\$ 103.68	
300 millimetres	\$ 139.98	\$ 119.58	
375 millimetres	\$ 217.80	\$ 194.04	
450 millimetres	\$ 288.72	\$ 258.54	
525 millimetres	\$ 363.60	\$ 338.76	
600 millimetres	\$ 484.68	\$ 423.54	
750 millimetres	\$ 721.44	\$ 608.34	
900 millimetres	\$ 1,260.60	\$ 865.44	
<b>Couplers for HDPE Pipe</b>			
100 millimetres	\$ 2.96	\$ 4.46	
150 millimetres	\$ 3.34	\$ 5.00	
200 millimetres	\$ 4.62	\$ 6.93	
250 millimetres	\$ 6.26	\$ 9.41	
300 millimetres	\$ 7.53	\$ 9.80	
375 millimetres	\$ 9.80	\$ 14.70	
450 millimetres	\$ 18.28	\$ 27.42	
525 millimetres	\$ 27.65	\$ 41.48	
600 millimetres	\$ 30.30	\$ 45.49	
750 millimetres	\$ 68.15	\$ 102.22	
900 millimetres	\$ 170.77	\$ 256.16	
<b>Delivery Charge to Warsaw Roads Depot (truck load)</b>	Included	\$650.00 / load	Included
<b>Estimated Delivery Date after order is placed</b>	3 - 4 weeks	2 - 3 weeks	1 - 2 weeks

2016 Supply and Delivery of Culvert Pipes  
Tender # 2016-02

	<b>E.S Hubbell &amp; Sons Ltd.</b>	<b>Armtec Ltd. Partnership</b>	<b>Atlantic Industries Limited</b>
<b>Galvanized Corrugated Steel Pipes (price per metre)</b>			
300 millimetres	\$ 25.20	\$ 28.48	\$ 26.99
400 millimetres	\$ 32.40	\$ 35.21	\$ 36.43
450 millimetres	\$ 37.80	\$ 39.07	\$ 40.84
500 millimetres	\$ 40.50	\$ 43.62	\$ 45.40
600 millimetres	\$ 50.40	\$ 51.21	\$ 54.48
800 millimetres	\$ 64.80	\$ 67.91	\$ 72.62
1000 millimetres	\$ 75.60	\$ 87.10	\$ 90.78
<b>Couplers (price per unit)</b>			
300 millimetres	\$ 18.47	\$ 29.39	\$ 19.33
400 millimetres	\$ 21.96	\$ 34.95	\$ 23.01
450 millimetres	\$ 23.73	\$ 37.73	\$ 24.35
500 millimetres	\$ 25.49	\$ 40.56	\$ 25.71
600 millimetres	\$ 29.02	\$ 46.16	\$ 28.41
800 millimetres	\$ 36.40	\$ 57.90	\$ 40.40
1000 millimetres	\$ 47.71	\$ 80.37	\$ 43.53
<b>HDPE Pipes (price per 6 m. length)</b>			
100 millimetres		\$ 16.74	
150 millimetres		\$ 38.04	
200 millimetres		\$ 68.16	
250 millimetres		\$ 106.80	
300 millimetres		\$ 123.18	
375 millimetres		\$ 199.86	
450 millimetres		\$ 266.28	
525 millimetres		\$ 348.90	
600 millimetres		\$ 436.26	
750 millimetres		\$ 626.58	
900 millimetres		\$ 891.42	
<b>Couplers for HDPE Pipe</b>			
100 millimetres		\$ 4.39	
150 millimetres		\$ 5.15	
200 millimetres		\$ 7.19	
250 millimetres		\$ 9.69	
300 millimetres		\$ 10.09	
375 millimetres		\$ 15.14	
450 millimetres		\$ 28.24	
525 millimetres		\$ 42.72	
600 millimetres		\$ 46.85	
750 millimetres		\$ 105.29	
900 millimetres		\$ 263.84	
<b>Delivery Charge to Warsaw Roads Depot (truck load)</b>	Included in Price of Pipe	\$650.00 / load	Included
<b>Estimated Delivery Date after order is placed</b>	3-4 weeks	2 - 3 weeks	1 - 2 weeks

Supply and Delivery of Culvert Pipes  
Tender # 2019-03 - revised

	<b>E.S Hubbell &amp; Sons Ltd.</b>	<b>Armtec Ltd. Partnership</b>
<b>Galvanized Corrugated Steel Pipes (price per metre)</b>		
300 millimetres	\$ 39.20	\$ 46.00
400 millimetres	\$ 50.40	\$ 62.45
450 millimetres	\$ 58.80	\$ 70.65
500 millimetres	\$ 63.00	\$ 78.85
600 millimetres	\$ 78.40	\$ 92.00
800 millimetres	\$ 100.80	\$ 151.20
1000 millimetres	\$ 171.95	\$ 186.60
<b>Couplers (price per unit)</b>		
300 millimetres	\$ 40.40	\$ 46.00
400 millimetres	\$ 46.62	\$ 62.45
450 millimetres	\$ 50.76	\$ 70.65
500 millimetres	\$ 53.87	\$ 78.85
600 millimetres	\$ 62.16	\$ 92.00
800 millimetres	\$ 75.63	\$ 121.55
1000 millimetres	\$ 103.21	\$ 154.40
<b>HDPE Pipes (price per 6 m. length)</b>		
100 millimetres	\$ 34.92	\$ 33.30
150 millimetres	\$ 76.68	\$ 50.10
200 millimetres	\$ 111.72	\$ 87.60
250 millimetres	\$ 167.34	\$ 134.70
300 millimetres	\$ 193.80	\$ 168.60
375 millimetres	\$ 301.44	\$ 270.30
450 millimetres	\$ 399.66	\$ 380.40
525 millimetres	\$ 503.28	\$ 498.90
600 millimetres	\$ 670.86	\$ 623.40
750 millimetres	\$ 998.70	\$ 938.40
900 millimetres	\$ 1,744.80	\$ 1,414.50
<b>Couplers for HDPE Pipe</b>		
100 millimetres	\$ 2.73	\$ 2.80
150 millimetres	\$ 3.79	\$ 4.00
200 millimetres	\$ 7.45	\$ 7.80
250 millimetres	\$ 9.06	\$ 8.00
300 millimetres	\$ 10.06	\$ 8.30
375 millimetres	\$ 13.87	\$ 12.70
450 millimetres	\$ 23.04	\$ 18.80
525 millimetres	\$ 33.13	\$ 27.80
600 millimetres	\$ 33.71	\$ 33.60
750 millimetres	\$ 78.30	\$ 66.95
900 millimetres	\$ 87.87	\$ 73.95
<b>Delivery Charge to Warsaw Roads Depot (truck load)</b>	n/c	\$ 565.00
<b>Estimated Delivery Date after order is placed</b>	3-4 weeks	2-4 weeks



	<b>E.S Hubbell &amp; Sons Ltd.</b>	<b>Armtec Ltd. Partnership</b>
<b>Galvanized Corrugated Steel Pipes (price per metre)</b>		
300 millimetres	\$ 39.24	\$ 40.95
400 millimetres	\$ 50.45	\$ 55.60
450 millimetres	\$ 58.86	\$ 62.90
500 millimetres	\$ 63.06	\$ 70.20
600 millimetres	\$ 78.48	\$ 81.90
800 millimetres	\$ 100.90	\$ 108.25
1000 millimetres	\$ 172.12	\$ 137.50
<b>Couplers (price per unit)</b>		
300 millimetres	\$ 35.92	\$ 24.90
400 millimetres	\$ 40.96	\$ 33.35
450 millimetres	\$ 45.16	\$ 37.75
500 millimetres	\$ 46.84	\$ 42.15
600 millimetres	\$ 53.57	\$ 49.15
800 millimetres	\$ 64.50	\$ 64.95
1000 millimetres	\$ 89.16	\$ 82.50
<b>HDPE Pipes (price per 6 m. length)</b>		6
100 millimetres	\$ 35.88	\$ 33.30
150 millimetres	\$ 78.66	\$ 50.10
200 millimetres	\$ 114.84	\$ 87.60
250 millimetres	\$ 171.78	\$ 134.70
300 millimetres	\$ 180.96	\$ 168.60
375 millimetres	\$ 281.40	\$ 270.30
450 millimetres	\$ 373.08	\$ 380.40
525 millimetres	\$ 469.92	\$ 498.90
600 millimetres	\$ 626.34	\$ 623.40
750 millimetres	\$ 932.40	\$ 938.40
900 millimetres	\$ 1,873.14	\$ 1,414.50
<b>Couplers for HDPE Pipe</b>		
100 millimetres	\$ 3.65	\$ 2.80
150 millimetres	\$ 4.80	\$ 4.00
200 millimetres	\$ 6.90	\$ 7.80
250 millimetres	\$ 8.04	\$ 8.00
300 millimetres	\$ 6.17	\$ 8.30
375 millimetres	\$ 10.26	\$ 12.70
450 millimetres	\$ 17.46	\$ 18.80
525 millimetres	\$ 20.82	\$ 27.80
600 millimetres	\$ 24.20	\$ 33.60
750 millimetres	\$ 57.26	\$ 66.95

900 millimetres	\$ 88.97	\$ 73.95
<b>Delivery Charge to Warsaw Roads Depot (truck load)</b>	no charge	\$400/load
<b>Estimated Delivery Date after order is placed</b>	3 weeks	2 weeks

	<b>E.S Hubbell &amp; Sons Ltd.</b>	<b>Armtec Ltd. Partnership</b>
<b>Galvanized Corrugated Steel Pipes (price per metre)</b>		
300 millimetres	\$97.23	\$72.04
400 millimetres	\$125.00	\$97.77
450 millimetres	\$145.83	\$110.63
500 millimetres	\$156.25	\$123.49
600 millimetres	\$194.44	\$144.09
800 millimetres	\$250.00	\$191.54
1000 millimetres	\$428.52	\$241.87
<b>Couplers (price per unit)</b>		
300 millimetres	\$49.12	\$43.23
400 millimetres	\$57.33	\$58.66
450 millimetres	\$64.16	\$66.40
500 millimetres	\$66.90	\$74.08
600 millimetres	\$77.82	\$89.00
800 millimetres	\$95.60	\$114.23
1000 millimetres	\$128.74	\$145.08
<b>HDPE Pipes (price per 6 m. length)</b>		
100 millimetres	\$81.97	\$42.71
150 millimetres	\$131.33	\$64.07
200 millimetres	\$201.71	\$111.87
250 millimetres	\$292.90	\$171.87
300 millimetres	\$328.56	\$215.27
375 millimetres	\$520.43	\$345.10
450 millimetres	\$733.94	\$485.45
525 millimetres	\$947.17	\$636.64
600 millimetres	\$1,260.06	\$795.29
750 millimetres	\$1,831.14	\$1,197.35
900 millimetres	\$2,910.38	\$1,804.83
<b>Couplers for HDPE Pipe</b>		
100 millimetres	built in	\$3.16
150 millimetres	built in	\$4.46
200 millimetres	built in	\$7.46
250 millimetres	built in	\$8.08
300 millimetres	\$13.55	\$8.70
375 millimetres	\$21.64	\$16.95
450 millimetres	\$36.76	\$25.82
525 millimetres	\$43.84	\$37.35
600 millimetres	\$50.94	\$43.79

750 millimetres	\$120.62	\$90.06
900 millimetres	built in	\$99.50
<b>Delivery Charge to Warsaw Roads Depot (truck load)</b>	included	\$678/load
<b>Estimated Delivery Date after order is placed</b>	3 weeks	1-2 weeks

	<b>E.S Hubbell &amp; Sons Ltd.</b>	<b>Armtec Ltd. Partnership</b>
<b>Galvanized Corrugated Steel Pipes (price per metre)</b>		
300 millimetres	\$55.39	\$56.00
400 millimetres	\$71.21	\$76.00
450 millimetres	\$83.08	\$86.00
500 millimetres	\$89.02	\$96.00
600 millimetres	\$110.78	\$112.00
800 millimetres	\$142.43	\$148.00
1000 millimetres	206.19 (2mm)	\$188.00
<b>Couplers (price per unit)</b>		
300 millimetres	\$62.63	\$33.60
400 millimetres	\$70.48	\$45.60
450 millimetres	\$78.31	\$51.60
500 millimetres	\$80.91	\$57.60
600 millimetres	\$84.74	\$67.20
800 millimetres	\$88.51	\$88.20
1000 millimetres	\$119.19	\$112.80
<b>HDPE Pipes (price per 6 m. length)</b>		
100 millimetres	\$56.01	\$33.60
150 millimetres	\$89.72	\$50.70
200 millimetres	\$137.80	\$88.50
250 millimetres	\$200.14	\$135.90
300 millimetres	\$231.56	\$170.10
375 millimetres	\$366.80	\$272.70
450 millimetres	\$517.25	\$383.70
525 millimetres	\$667.42	\$503.10
600 millimetres	\$888.00	\$628.50
750 millimetres	\$1,290.38	\$946.20
900 millimetres	\$2,039.18	\$1,426.50
<b>Couplers for HDPE Pipe</b>		
100 millimetres	built in	\$2.60
150 millimetres	built in	\$3.70
200 millimetres	built in	\$6.20
250 millimetres	built in	\$5.05
300 millimetres	\$8.73	\$7.20
375 millimetres	\$14.56	\$14.00
450 millimetres	\$24.73	\$21.30
525 millimetres	\$29.49	\$30.85
600 millimetres	\$34.26	\$36.15
750 millimetres	\$81.12	\$74.40

900 millimetres	built in	\$82.20
<b>Delivery Charge to Warsaw Roads Depot (truck load)</b>	included	\$678/load
<b>Estimated Delivery Date after order is placed</b>	2-3 weeks	1-2 weeks



<b>Atlantic Industries Ltd.</b>
\$179.47
\$239.85
\$269.17
\$299.10
\$358.91
\$478.50
\$598.13
\$127.15
\$149.22
\$156.67
\$161.55
\$173.39
\$279.70
\$304.30
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid
no bid

no bid
\$4265.87/load
3-4 weeks

**Recommendation:**

That the Treasurer-2023-09 report, dated April 4, 2023, regarding the Ministry of Natural Resources and Forestry Derecho Funding be received for information.

**Overview:**

On March 3, 2023, a letter was provided to selected municipalities from the Ministry of Natural Resources and Forestry (MNRF) regarding a funding opportunity for those municipalities that were impacted by the storms that occurred on May 21, 2022, and July 21, 2022, that did not qualify for other funding. The Township of Douro-Dummer was missed in the distribution of this letter and staff were unaware of the opportunity to apply for funding.

On Thursday, March 9, 2023, Mayor Watson was made aware and provided the information promptly to staff, along with a copy of the letter, as the deadline was March 13, 2023. Staff worked together quickly and were able to gather the data that was collected during the clean-up and estimates that had been provided on projects that still required clean-up as well as tree replacement and a proposal was submitted before the deadline.

The request for funding was due to the cost the Township experienced due to the clean-up of the storm on May 21, 2022, and totalled \$141,323.20.

\$90,323.23 was money already spent as a result of additional staff time, contracted services and machinery rentals and material and supplies.

\$51,000 was an additional request to continue clean up still required by our Public Works staff at the Transfer Station and on Douro Second Line and repairs and reforestation of the Johnson Trails, and Douro North and South Parks.

**Conclusion:**

On March 27, 2023, the MNRF released a document including all the municipalities that were receiving funding, and it included the Township of Douro-Dummer in the amount of \$141,323.20. The link is provided below.

<https://news.ontario.ca/en/backgrounder/1002868/ontario-supporting-communities-affected-by-extreme-weather>

Thank you to Mayor Watson for the notice and the quick work of staff to pull together the submission that resulted in funding for the Township.

**Financial Impact:**

\$90,323.23 will be allocated to 2022 to offset the expenses incurred.

\$51,000 will be required for 2023 to pay for additional tree planting, clean-up and repair costs.

**Recommendation:**

That the Clerk's Office-2023-05 report, dated April 4, 2023, regarding the lease agreement for the mobile canteen at the Douro Community Centre be received and that a By-law be passed at the appropriate time during the meeting to approve the lease with Mammoth BBQ.

**Overview:**

For the past four years, the Township has been in a lease agreement with Chuckwagon BBQ to allow a mobile canteen to operate in the parking lot of the Douro Community Centre close to the Rec Centre.

The lease expired at the end of 2022 and at that time the mobile canteen was sold to Nik Astrom and John Ellis who had worked for Chuckwagon BBQ.

Mr. Astrom and Mr. Ellis, have approached the Township to enter into a new four-year lease agreement to allow them to place their mobile canteen (formerly Chuckwagon BBQ and now Mammoth BBQ) in the Douro Community Centre parking lot in the same location. They are proposing to operate their business inline with what has taken place in the past.

**Conclusion:**

Staff have negotiated a draft lease agreement which is attached to this report. The lease fee for 2023 is set at \$300.00 a month for the mobile canteen, \$100.00 per month for the Rec Centre (to be used when not rented by the public) and the full cost of hydro for the Rec Centre minus \$50.00 to run from May 1 to October 31 each year. The rent for years 2024, 2025 and 2026 shall rise by 3% per year.

Once the lease is in place, Mammoth BBQ will be able to complete the inspections required to receive a mobile canteen license from the Township.

**Financial Impact:**

The approval of this lease will generate \$400.00 in rental income per month from May to the end of October for four years. This is an increase of \$125.00 per month over 2022 and it will generate income for the Rec Centre which historically has a low rate of use.

**Strategic Plan Applicability:** To set out a direction of focus for economic development while utilizing resources to facilitate the promotion of the community.

### Report Approval Details

Document Title:	Mobile Canteen Lease - Douro Community Centre.docx
Attachments:	- Lease Agreement - Mammoth BBQ.docx
Final Approval Date:	Mar 28, 2023

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

Elana Arthurs



This Lease made the 16<sup>th</sup> day of March, 2023.

In Pursuance of the Short Forms of Leases Act and The Commercial Tenancy Act, R.S.O. 1990 c. L7 (formerly The Landlord and Tenant Act)

Between:

**The Corporation of the Township of Douro-Dummer,**

hereinafter called the "Landlord"

Of The First Part

And

**Nik Astrom and John Ellis/Operator (Mammoth BBQ)**

hereinafter called the "Tenant"

Of The Second Part

In Consideration of the rents reserved and the covenants and agreements herein on the part of the Tenant, the Landlord leases to the Tenant the premises (the "Premises") in the geographic Township of Douro, situated in the Township of Douro-Dummer, Province of Ontario as more particularly described in Schedule A annexed hereto.

### 1. Term

To locate a Mobile Canteen at the Premises for the term (the "Term"), of six (6) months to be computed from the 1<sup>st</sup> day of May, 2023, and fully to be complete on the 31<sup>st</sup> day of October, 2023.

This Agreement shall annually renew automatically for the ensuing three (3) years of 2024, 2025 and 2026, following October 31, 2023, but any annual renewal shall be subject to a review of the conditions of this Agreement (including the rental fee) and such renewal shall not be effective until it is mutually agreed upon, in writing, by both the Landlord and the Tenant.

### 2. Rent

The Tenant paying therefor during the term to the Landlord at its offices, 894 South Street, Warsaw, Ontario K0L 3A0 or at the place that the landlord may hereinafter designate, the following rental. The first payment is to be made on the 1<sup>st</sup> day of May of each year.

Year 2023 Monthly payment is \$300.00 for the canteen to be placed in the parking lot, \$100.00 per month for the Recreation Centre and the full cost of the Recreation Centre Hydro bill minus \$50.00.

The rent shall rise 3% at the beginning of each rental season for 2024-2026.

The monthly rental shall be paid on the 1<sup>st</sup> day of each and every month throughout the term of the lease. Each and every month throughout the term of the lease, staff will provide the Tenant with a copy of the Hydro bill for payment.

### 3. Tax adjustment

(1) In this paragraph:

(a) "Tax" means all taxes, rates, duties and assessments whether municipal, provincial, federal or otherwise, charged upon the demised premises or upon the Landlord on account thereof including municipal taxes for local improvements.

#### 4. Recovery of adjustments

The Landlord has the same rights and remedies in the event of default by the Tenant in payment of an amount payable by him pursuant to paragraph 3, as the Landlord has in the case of default in payment of rent.

#### 5. Tenant's covenants

The Tenant covenant with the Landlord:

- (1) Rent -- to pay rent:
- (2) Utility charges -- to pay the Hydro bill for the Recreation Centre minus \$50.00;
- (3) Leasehold Improvements – to pay for all leasehold improvements required to operate a mobile canteen on the Premises (permission for leasehold improvements shall be granted by the Manager of Recreation Facilities)
- (4) Permits -- to pay for all required permits required to operate a mobile canteen on the Premises;
- (5) Cost of repair where Tenant at fault -- that if the Premises become damaged or destroyed through the negligence, carelessness or misuse of the Tenant, or anyone permitted by him to be on the Premises, the expense of any necessary repairs, replacements or alterations shall be paid by the Tenant to the Landlord forthwith on demand;
- (6) Assigning or subletting – not to assign, sublet or part with possession of any part of the Premises without the consent in writing of the Landlord.
- (7) Rules and regulations -- that the Tenant and his employees and all persons visiting or doing business with them on the Premises are bound by and will observe and perform the rules and regulations made from time to time by the Landlord of which notice in writing shall be given to the Tenant and that all such rules and regulations are deemed to be incorporated in and form part of this lease;
- (8) Use of Premises and insurance -- (a) not to use the Premises except for the purposes of a licenced mobile canteen for which a licence has been issued from the Township of Douro-Dummer; (b) not to do, omit, or permit any activity upon the Premises which causes the rate of insurance to be increased; (c) if the rate of insurance is increased by the use made of the Premises or by anything done, omitted or permitted by the Tenant or by anyone permitted by the Tenant to be upon the Premises, the Tenant shall pay to the Landlord the amount of the increase; (d) if any insurance policy is canceled by the insurer because of the use of the Premises by the Tenant or by any assignee or subtenant of the Tenant or by anyone permitted by the Tenant to be upon the Premises the Landlord may at its option determine this lease forthwith by leaving upon the Premises notice in writing of its intention to terminate and thereupon rent and any other payments for which the Tenant is liable under this lease shall be apportioned and paid in full to the date of determination and the Tenant shall immediately deliver up possession of the Premises to the Landlord and the Landlord may re-enter and repossess them;
- (9) Observance of law -- in his use and occupation of the Premises, not to violate any law or ordinance or any order, rule, regulation or requirement of any federal, provincial or municipal government or any department, commission, board or officer thereof;
- (10) Waste and nuisance -- not to do or suffer any waste or damage, disfiguration or injury to the Premises or the fixtures and equipment therein; and not to use or permit the use of any part of the Premises for any dangerous, noxious or offensive trade or business and not to cause or maintain any nuisance on the Premises;
- (11) Entry by Landlord -- to permit the Landlord or its agents to enter upon the Premises at any time and from time to time for the purpose of inspecting and of making repairs, alterations or improvements to the Premises, and the Tenant is not entitled to compensation for any inconvenience, nuisance or discomfort occasioned thereby;
- (12) Indemnity -- to indemnify the Landlord against all claims by any person, firm, or corporation arising from the conduct of work by or through any act of negligence of the Tenant or any assignee, subtenant, agent, contractor, servant, employee or licensee of the Tenant, and against all costs, counsel fees, expenses and liabilities incurred in any claim or action or proceeding brought

- thereon;
- (13) Alterations, etc. -- not to make or erect in or to the Premises any installation, alteration, addition, or partition without submitting plans and specifications to the Landlord and obtaining the Landlord's prior written consent; the work shall if the Landlord so elects be performed by employees of or contractors designated by the Landlord; in the absence of the election, the work may be performed with the Landlord's consent in writing by contractors engaged by the Tenant but in each case only under written contract approved in writing by the Landlord and subject to all conditions which the Landlord may impose; the Tenant shall submit to the Landlord's supervision over construction and promptly pay to the Landlord or the Tenant's contractors, when due the cost of all work and of all materials, labour and services involved therein and of all decoration and all changes in the Premises, its equipment or services, necessitated thereby;
  - (14) Signs -- not to paint, display, inscribe or affix any sign, picture, advertisement, notice, lettering or direction on any part of the Premises; save and except for an identification sign or fixture the colour, size, style, character and material of the same shall be as approved by the Manager of Recreation Facilities.
  - (15) Name of Building -- not applicable.
  - (16) Janitor service - not applicable.
  - (17) Sidewalks and Parking Lot – not applicable.
  - (18) Liability Insurance -- at its sole cost and expense, take out and maintain in full force and effect, at all times throughout the Term, the following insurance:
    - (a) fire and extended perils under a standard extended form of fire insurance policy, in such amounts and on such terms and conditions as would be carried by a prudent owner of a similar project, having regard to the size, age and location of the project on the Lands, and such insurance shall add the Landlord as an additional insured, with coverage in the minimum amount of \$2,000,000.00
    - (b) general liability and property damage insurance, including personal liability, contractual liability, tenants' legal liability, non-owned automobile liability and owners' and contractors' protective insurance coverage with respect to the Lands, written on a comprehensive basis with inclusive limits of at least two million dollars (\$2,000,000.00) on an annual aggregate basis with an incident limit of two million dollars (\$2,000,000.00) with the Township as a named insured for each occurrence, or such higher limit as the Landlord, acting reasonably, or any Mortgagee requires from time to time;
    - (c) All public liability insurance shall contain a provision for cross liability or severability of interest as between the Landlord and the Tenant. All the foregoing property policies shall contain a waiver of any right of subrogation or recourse by the Tenant's insurers against the Landlord or its contractors, agents and employees, whether or not any loss is caused by the act, omission or negligence of the Landlord, its contractors, agents or employees. The Tenant shall obtain, from the insurers, undertakings to notify the Landlord in writing at least thirty (30) days prior to any cancellation thereof. The Tenant shall furnish to the Landlord, upon written request, certificates of all such policies. The Tenant agrees that if the Tenant fails to take out or to keep in force such insurance or provide a certificate of every policy and evidence of continuation of coverage as herein provided, the Landlord shall have the right to take out such insurance and to pay the premium thereof and, in such event, the Tenant shall pay to the Landlord the amount paid as premium plus fifteen percent (15%), which payment shall be deemed to be Additional Rent payable on the first day of the next month following the said payment by the Landlord.
  - (19) Personal Use of Recreation Centre – the Tenant and any of his employees can temporarily use the Recreation Centre for personal use and to monitor the water system during the hours of operation of the Mobile Canteen. Rental groups of the Recreation Centre have priority use of the facility.
  - (20) Designated Parking – the Tenant shall provide signage for designated parking spots/area for Mammoth BBQ as approved by the Manager of Recreation Facilities so as to not to interfere with the parking of renters of the Recreation Centre.
  - (21) Interference with Rental Groups – the Tenant and any of his employees shall not hinder

or interfere with any rental groups of the parking lot, Recreation Centre or Douro Community Centre at the Premises.

## 6. Landlord's covenants

The Landlord covenants with the Tenant:

- (1) Quiet enjoyment -- for quiet enjoyment;

## 7. Provisos

Provided always and it is agreed as follows:

- (1) Fixtures. The Tenant may remove his fixtures.
- (2) Damage to property. The Landlord is not liable nor responsible in any way for any loss of or damage or injury to any property belonging to the Tenant or to its employees or to any other person while the property is on the Premises or in the yard unless the loss, damage or injury is caused by the negligence of the Landlord or of its employees, servants or agents and the Landlord is not liable in any event for damage to the property caused by steam, water, rain or snow from any other place or quarter nor for any damage caused by or attributable to the condition or arrangement of any electric or other wiring nor for any damage caused by anything done or omitted by any other Tenant.
- (3) Impossibility of performance. It is agreed that whenever the Landlord is unable to fulfill, or is delayed or restricted in fulfilling any obligation hereunder for the supply or provision of any service or utility or the doing of any work or the making of any repairs because it is unable to obtain the material, goods, equipment, service, utility or labour required to enable it to fulfill the obligation or by reason of any statute, law or order-in-council or any regulation or order passed or made pursuant thereto or by reason of the order or direction of any administrator, controller or board, or of any government department or officer or other authority, or by reason of not being able to obtain any permission or authority required thereby, or by reason of any other cause beyond its control, the Landlord is relieved from the fulfillment of the obligation and the Tenant is not entitled to compensation for any inconvenience, nuisance or discomfort thereby occasioned.
- (4) Default of Tenant. If the rent is not paid when due, whether lawfully demanded or not, or in case of breach or non-observance or non-performance of any of the covenants or agreements or rules or regulations herein contained or referred to on the part of the Tenant to be observed and performed, or in case the Premises are vacated or remain unoccupied or in case the Term is taken in execution or attachment for any cause, then the Landlord is entitled to enter upon the Premises or any part thereof in the name of the whole and to repossess and enjoy the Premises as of its former estate.
- (5) Bankruptcy of Tenant. In the event, without the written consent of the Landlord, the Premises remain vacant or not used for the period of fifteen days or are used by a person other than the Tenant or for any other purpose than that for which they were let or in case the Term or any of the goods and chattels of the Tenant are seized in execution or attachment by a creditor of the Tenant or if the Tenant makes any assignment for the benefit of creditors or any bulk sale or becomes bankrupt or insolvent or takes the benefit of any act for bankrupt or insolvent debtors, then this lease shall at the option of the Landlord cease and the Term shall immediately be forfeited and the current month's rent and the next ensuing three months' rent shall immediately become due and payable and the Landlord may re-enter and take possession of the Premises as though the Tenant or other occupant of the Premises was holding over after the expiration of the Term.
- (6) Distress. The Tenant waives the benefit of any present or future statute taking away or limiting the Landlord's right of distress, and agrees that none of the goods and chattels of the Tenant on the Premises at any time during the Term is exempt from levy by distress for rent in arrears.

- (7) Right of re-entry. On the Landlord's becoming entitled to re-enter the Premises under any of the provisions of this lease, the Landlord, in addition to all other rights, may do so as the agent of the Tenant, using force if necessary, without being liable for prosecution therefor, and may relet the Premises as agent of the Tenant, and receive the rent therefor, and as agent of the Tenant may take possession of furniture or other property on the Premises and sell it at public or private sale without notice and apply the proceeds of sale and rent derived from reletting the Premises upon account of the rent under this lease, and the Tenant is liable to the Landlord for any deficiency.
- (8) Right of termination. On the Landlord's becoming entitled to re-enter the Premises under any of the provisions of this lease, the Landlord, in addition to all other rights, has the right to terminate this lease forthwith by leaving upon the Premises notice in writing of its intention, and thereupon rent and any other payments for which the Tenant is liable under this lease shall be computed, apportioned and paid in full to the date of such determination, and the Tenant shall immediately deliver up possession of the Premises to the Landlord, and the Landlord may re-enter and repossess the Premises.
- (9) Non-waiver. Any condoning, excusing or overlooking by the Landlord of any default, breach or non-observance by the Tenant of any covenant, proviso or condition herein contained does not operate as a waiver of the Landlord's rights hereunder in respect of subsequent defaults, breaches or non-observances and does not defeat or affect in any way the rights of the Landlord herein in respect of any subsequent defaults or breaches.
- (10) Overholding. If the Tenant continues to occupy the Premises after the expiration of this lease with or without the consent of the Landlord, and without any further written agreement, the Tenant shall be a monthly tenant at the rent and on the terms and conditions herein set out except as to length of tenancy.
- (11) Notice. Any notice required by this lease is deemed sufficiently given if contained in writing enclosed in a sealed envelope addressed, in the case of notice to the Landlord, to it at The Corporation of the Township of Douro-Dummer, 894 South Street, P.O. Box 92, Warsaw, Ontario K0L 3A0 and in the case of notice to the Tenant, at Mammoth BBQ, 309 Cottonwood Drive, Peterborough, ON K9J 6N5, attention: Nik Astrom and John Ellis, and deposited in one of Her Majesty's post offices in registered and postage prepaid. The date of receipt of the notice shall be deemed to be on the 5th day after mailing thereof. Provided that either party may, by notice to the other, designate another address in Canada to which notices mailed or delivered more than ten days thereafter shall be addressed.
- (12) HST shall be in addition to the rental set out herein.
- (13) Mobile Canteen Licence. Prior to taking locating at the Premises, the Tenant covenants and agrees, at its expense, to obtain a Mobile Canteen Licence from the Township of Douro-Dummer. Any conditions imposed upon the Licence by the Township of Douro-Dummer shall be implemented at the sole and only cost of the Tenant.
- (14) Early Cancellation of Lease. It is understood and agreed that either the Landlord or the Tenant may cancel the within lease upon providing two (2) months' written notice to the other as set out in Paragraph 7(11) of the within lease. It is agreed that the lease shall come to an end two (2) months after delivery of the aforesaid notice.
- (15) Notice of Work at Premises. It is understood and agreed that the Landlord will provide two (2) weeks' notice to the Tenant should any work/maintenance/repair be commencing at the Premises that may interfere with the rental of the Premises.

## 8. Headings

The headings in this lease have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this lease nor of any provisions hereof.

9. Effect of Lease

This lease and everything herein contained shall extend to and bind and may be taken advantage of by the heirs, executors, administrators, successors and assigns, of each of the parties hereto, subject to the granting of consent by the Landlord to any assignment or sublease, and where there is more than one Tenant or there is a female party or a corporation, the provisions hereof shall be read with all grammatical changes thereby rendered necessary and all covenants are deemed joint and several.

**WITNESS** the respective corporate seals of the respective corporate parties hereto, duly affixed under the hands of their respective signing officers, duly authorized in that behalf.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Signed, Sealed and Delivered**  
in the presence of,

**Mammoth BBQ**

\_\_\_\_\_  
Per: \_\_\_\_\_  
Nik Astrom

\_\_\_\_\_  
Per: \_\_\_\_\_  
John Ellis

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**The Corporation of the Township of  
Douro-Dummer**

\_\_\_\_\_  
Per: \_\_\_\_\_  
Mayor, Heather Watson

\_\_\_\_\_  
Per: \_\_\_\_\_  
Acting Clerk, Martina Chait-Hartwig

We have authority to bind the corporation.



**Schedule A**

Legal Description of Property:

W Part of Lot 6, Concession 6, geographic Township of Douro, now in the Township of Douro-Dummer, County of Peterborough, Province of Ontario designated as Part 1 on Plan 45R-3174.

Location of Mobile Canteen:

South-East side of the Recreation Centre – exact location to be approved by the Manager of Recreation Facilities.

**Recommendation:**

That the Clerk's Office-2023-09 report, dated April 4, 2023 regarding the introduction of a Routine Disclosure Policy be received for information.

**Overview:**

Over the past few years the Township has seen an increase in requests for information and Freedom of Information requests under the Municipal Freedom of Information and Privacy Act (MFIPPA). These requests can be onerous and can take up a significant amount of resources to complete.

While MFIPPA lays out a process for formal requests under the Act, municipalities may choose to release records in response to requests made informally or under MFIPPA, or periodically release general records in the absence of a request. This can be achieved through Routine Disclosure or Active Dissemination. The Township has used both routine disclosure and active dissemination in the past but due to capacity issues and a lack of a robust website many documents and items that were requested could not be shared.

Now that the Township has a more modern website that has the ability to house large amounts of data in a variety of formats plus an electronic agenda and minutes program, it is an advantageous time to put a Routine Disclosure Policy into place to guide the release of information and to enable the tracking of requests so that the Township can be more responsive to the needs of the community.

**Conclusion:**

The Information and Privacy Commission of Ontario recommends that all municipalities have a Routine Disclosure Policy in place to provide a framework for the release of information and to foster a culture of transparency.

Using Policy C08 – Policy Governing Policies, the Clerk's Department has developed a Routine Disclosure Policy and Procedure that will be rolled out to staff at the start of April along with training on the Policy and Procedure. The goal is to provide more information to the public in a timely way while reducing the number of FOI requests the Township receives.

This Policy will hopefully lead to a reduction in FOI requests which can use a large amount of time and staff capacity to process. This Policy should reduce the number of FOIs the Township receives allowing staff to focus on customer service and other projects.

**Financial Impact:** None at this time.

**Strategic Plan Applicability:** To ensure and enable an effective and efficient municipal administration.

### Report Approval Details

Document Title:	Routine Disclosure Policy.docx
Attachments:	- A31 - Routine Disclosure Policy.docx - A31a - Routine Disclosure Procedure.docx
Final Approval Date:	Mar 29, 2023

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

Elana Arthurs

## Routine Disclosure Policy

Approved By: Acting Clerk  
Approval Date: March 31, 2023  
Effective Date: March 31, 2023  
Revision Date:

### Policy Statement

The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) provides for a process for obtaining access to municipal records through filing a written request with the Clerk. MFIPPA provides that the Town may establish a Routine Disclosure Policy, where there is nothing in the Act to prevent giving access to information contained within the municipal records.

The Township of Douro-Dummer endorses practices that will facilitate open access to public records, while at the same time protecting the privacy of personal information which is within the custody and control of the municipality in accordance with MFIPPA.

### Purpose:

In order to improve public accessibility of records and information and support improved transparency, this policy establishes principles and procedures for releasing certain types of records and information without requiring the submission of a formal Freedom of Information (FOI) request. The policy identifies records and information that may be requested and disclosed routinely. It will also identify records and information that could be regularly and actively shared with the public.

**Application:** This policy shall apply to all municipal employees of the Township of Douro-Dummer.

### References & Related Policies:

Records Retention By-law

*Municipal Act*

*MFIPPA*

A30 - Customer Service Standard and Conduct Policy

C8 – Policy Governing Policies

**Consequences of Non-Compliance:**

It is important that all employees are in compliance with the appropriate procedures as set out by the Township. Failure to comply with this policy may result in disciplinary actions as per the HR Handbook.

**Review Cycle:** This policy will be reviewed on an as needed basis.

## Customer Service Standards Procedure

Approved By: Clerk  
Approval Date: March 31, 2023  
Effective Date: March 31, 2023  
Revision Date:

### Procedure Statement

Various records and types of information are available to the public through routine disclosure and may not require a formal review through an FOI request. Accessing municipal information and application records will, whenever possible, be made available to the public on the municipal website, orally, or through public inspection at each respective municipal department.

**Application:** This policy shall apply to all municipal employees of the Township of Douro-Dummer.

### References & Related Policies and Procedures:

Records Retention By-law

*Municipal Act*

*MFIPPA*

A30 - Customer Service Standard and Conduct Policy

A31 – Routine Disclosure Policy

C8 – Policy Governing Policies

### Consequences of Non-Compliance:

It is important that all employees are in compliance with the appropriate procedures as set out by the Township. Failure to comply with this procedure may result in disciplinary actions as per the HR Handbook.

**Review Cycle:** This procedure will be reviewed on an as needed basis.



## Procedures

### 1) Routine Disclosure

Various records and types of information are available to the public through routine disclosure and may not require a formal review through an FOI request. Accessing municipal information and application records will, whenever possible, be made available to the public on the municipal website, orally, or through public inspection at each respective municipal department.

#### Appendix A

- Documents to be Routinely Disclosed outlines various records which may be routinely disclosed. Prior to disclosure, the Township will consider MFIPPA exemptions, information content, current practices, and the nature of the request.
- Requests that meet the requirements of Appendix A may be released by all municipal employees. However, prior to the disclosure of any records, staff may consult with their Manager / Supervisor. Where uncertain about any disclosure, the Clerk or designate may be consulted.

### 2) Requests for Routine Disclosure

Requests may be verbal or in writing. The Township reserves the right to require that a request be submitted in writing where the request is unclear or where the information being requested is of a personal, detailed or sizeable nature. To assist with the request, requesters are encouraged to use **Appendix B – Routine Disclosure Request Form**.

Requests for records made under the Routine Disclosure Policy should be directed to the Clerk who will then forward the request to the appropriate department. Notwithstanding, the Township reserves the right to request at any time that requestors make their requests through a single point of contact to be determined by the Township.

### 3) Personal Information

The Policy does not include disclosure of personal information as defined by MFIPPA:

- a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- c) any identifying number, symbol or other particular assigned to the individual,

- d) the address, telephone number, fingerprints or blood type of the individual,
- e) the personal opinions or views of the individual except if they relate to another individual,
- f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- g) the views or opinions of another individual about the individual, and
- h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

#### **4) Not Required to Create or Re-Crete Records**

The Township is not required to provide information discussed but not recorded or create records which do not otherwise exist.

Records are disposed of as per the authority of the Records Retention By-law. The Township is not required to re-create records disposed of in accordance with the By-law.

#### **5) Records in Accessible Formats**

Where possible, records and information will be published or made available in accessible formats in accordance with accessibility related policies and procedures. Applicants are requested to contact the municipality if an alternate format is required.

#### **6) Denied Routine Disclosure Request**

The Township has the authority to deny a request for routine disclosure, as well as redact certain portions of any document that is being disclosed as permitted within MFIPPA. If a request for routine disclosure is denied, a formal FOI request can be submitted.

#### **7) Fees**

The following provisions shall apply to this policy for the recovery of all reasonable direct and indirect costs associated with responding to requests for information.

The charging of fees is authorized under MFIPPA, the Municipal Act (through the Township's User Fee By-law), and applicable regulations. There will be no initial charge applied for the request. However, fees may be required for the following:

- o Manually searching for records
- o Preparing a record for disclosure
- o Computer and other costs incurred in locating, retrieving, processing and copying a record
- o Shipping
- o Other costs incurred in responding to a request

Where the total fee is estimated to exceed \$100 an estimate will be provided prior to staff processing the request. Payment for 50% of the estimate will be required prior to proceeding. The applicant may work with staff to amend the request with the intention of reducing the fee.

The full payment of all fees will be required before providing the requested information.

### **8) Response to Routine Disclosure Request**

The time to complete a request will be based on an individual request basis as determined by staff.

Staff will strive to provide a response to the request within 30 days which may include:

- clarification of the requested records,
- completion and distribution of the requested records;
- estimate to complete the request; or
- request for additional time to complete the application.

### **Responsibilities**

Employees are responsible for:

Complying with this procedure and speaking to their supervisor when it is not possible.

## **Appendix A**

### **Documents to be Routinely Disclosed**

The following list outlines possible records and types of information which are available or can be made available through the routine disclosure process.

<b>Document</b>	<b>Location and Special Notes</b>
<b>General and Governance</b>	
Municipal Policies	Municipal Website
By-laws	Agenda and Minute Manager on Municipal Website
Staff Reports	Agenda and Minute Manager on Municipal Website
Official Studies	Municipal Website
Information regarding municipally owned surplus land	Planning Department
Summary of Tender Results	Respective Department
Strategic Plan	Municipal Website
Media Releases	Municipal Website
Agreements and contracts a. Subdivision, site plan, encroachment b. Leases c. Facility rentals	a. Planning Department b. Clerk's Department c. Provided to the signing partners
<b>Finance</b>	
Annual Approved Budget	Municipal Website
Audited Financial Statements	Municipal Website
Council Expenses/ Remuneration	Agenda and Minute Manager on Municipal Website
Tax certificates, statement of accounts, statements of taxes paid	Provided to the property owner or agent
Tax rolls and records	Ownership information can be viewed at the Municipal Office only.
<b>Building and Planning</b>	
Building permits	Permit application forms are released to property owners or their representatives
Building or property standards inspections	Released to property owner or representative
Planning related documents and development records	Municipal Website
Subdivision / site plan agreement information	Municipal Website

Building services reports or compiled statistics	Agenda and Minute Manager on Municipal Website
Official plans and amendments	Municipal Website
Zoning and Official Plan Designations	Municipal Website and County of Peterborough Public GIS
Zoning applications, notices and decisions	Municipal Website
Zoning and Work Order Certificates	Released to property owner or representative
<b>Municipal Election</b>	
Election candidate information	Municipal website
Election candidate financial reports	Municipal website
Voters' List	Available for viewing during and immediately prior to the municipal election by registered candidates
<b>Fire &amp; Emergency Services</b>	
Emergency Management Plan	Applicable sections only
Fire prevention and public safety information	Municipal Website
Fire code inspections	Released to property owner or representative
<b>Parks and Recreation</b>	
Recreational programming and facility rental information	Municipal website
Information pertaining to tourism or special events and activities	Municipal website

**Appendix B**

**Township of Douro-Dummer  
Routine Disclosure Request Form**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

Provide a detailed description of the requested information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Preferred Method of Access to Record:

☐ Examine Original Onsite    ☐ Receive Physical Copy    ☐ Receive Copy Electronically

\_\_\_\_\_  
Requester's Signature

\_\_\_\_\_  
Date

Personal information contained on this form is collected under the Municipal Freedom of Information Act and will be used to answer your request. Questions about this collection should be directed to the Municipal Clerk.

**Internal Use Only:**

\_\_\_\_\_

Date Received	Request No.	Comments
---------------	-------------	----------



**Recommendation:**

That the C.A.O.-2023-10 report, dated April 4, 2023 regarding the Peterborough Humane Society Agreement be received; and  
That Council approve an additional amount of \$8,000.00 from the working fund reserve to be allocated to the 2023 Animal Control budget.

**Overview:**

In 2022 staff worked with the Peterborough Humane Society (PHS) to review the existing services provided and revisit the financial relationship between the PHS and the Township of Douro-Dummer. As we have worked with this new agreement over the past year, we have determined we are lacking in resources to address animal control in the Township. Currently, the PHS will take in animals if they are brought to the Humane Society although there is inadequate Township staff, time, or equipment to capture and transport animals. When calls are received regarding dogs running at large, staff attempt to get a description of the dog and to find the owner or suggest to the caller that the PHS is an option if they can capture and transport the dog. This level of service is below the level expected from many of our residents.

Staff met with Mr. Morey to review the agreement and discuss options for the Township to address the need for additional service. An enhanced arrangement was discussed and in addition to what is currently provided the enhancements would include:

- PHS would provide Animal Support Staff to assist the Municipality with transport of animals within the Municipality back to PHS for impound and care
- Animal Support Staff will assist residents with fielding calls regarding animals at large, abandoned, or need of medical care
- Animal Support Staff would support the Municipality's by-law officer as required to contain and transport an at large animal within Municipal boundaries
- Includes all housing, animal care and animal support service staffing, equipment, training, supplies, PPE, food, minor & major medical (up to \$1000 per animal) during stray hold period, commercial and auto insurance, dispatch support.

Animal Support Services would be additionally billed on a monthly basis based on staff time and kilometres at the current CRA rate.

**Conclusion:**

Based on the revisions to the level of service and the expected increase cost of \$8,000 per year, staff feel this is the best approach to deal with our animal control needs at this time. Should Council support the proposed changes, staff will finalize the agreement with PHS for the balance of 2023.

**Financial Impact:**

The allocated budget for Animal Control in 2023 is \$12,000. This increase would provide an annual budget of \$20,000.

## **Minutes of the Township of Douro-Dummer Committee of Adjustment Meeting**

**January 13, 2023, 9:00 AM**

**Township Douro-Dummer YouTube Channel**

**[https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R\\_A](https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A)**

**Present:**

**Chair – Harold Nelson**  
**Member - Rod Manley**  
**Member - Jim Patterson**  
**Member - Robert Lamarre**  
**Member - Mark Porter**

**Staff Present**

**Secretary-Treasurer/Acting Clerk - Martina Chait-Hartwig**  
**Planner - Christina Coulter**

1. Call to Order by Chair:

The Chair called the meeting to order at 9:11 a.m.

2. Disclosure of Pecuniary Interest:

The Chair reminded members of their obligation to declare any pecuniary interest they might have. None were declared.

3. Introduction of Committee Members and Township Staff

Members of the Committee and staff members introduced themselves.

4. Approval of Minutes:

4.1 Committee of Adjustment Minutes - February 25, 2022

**Resolution Number 01-2023**

Moved By: Jim Patterson

Seconded By: Rod Manley

That the Minutes from the Planning Committee Meeting, held on February 25, 2022, be received and approved, as circulated. Carried

5. Minor Variance Applications:

5.1 A-02-2022 - Durzi, Planning Department -2023-02

Location - Part Lot 21, Con. 6

Lot 1, Plan 41

1081 Moodie Drive

Roll No: 1522-010-001-38300 Douro Ward

**Purpose of Application:** Minor Variance is to decrease the minimum setback requirement for an accessory structure.

Christina Coulter, Planner reviewed the Minor Variance report for the application.

**In attendance:**

Ken Currie, Agent

**Comments:**

Curve Lake First Nation – In support

Otonabee Region Conservation Authority (ORCA) – No concerns

**Resolution Number 02-2023**

Moved By: Robert Lamarre

Seconded By: Mark Porter

That the Committee review and consider all verbal and written comments received regarding Minor Variance Application File A-02-22;

That the Committee approve Minor Variance Application A-02-22 as requested, for the life of the structure, to facilitate the issuance of a building permit for the construction of a detached accessory garage (proposed garage as staked) as shown on the Surveyor's Real Property Report prepared by Elliott and Parr (Peterborough), Ontario Land Surveyors, dated October 19, 2022 attached to the Decision as Schedule 'A' and to bring the proposed structure into compliance with the Zoning By-law. This variance is deemed to be minor in nature and is appropriate for the development of this land. The application maintains the general intent and purpose of the Official Plan and Zoning By-law. Approval is conditional on the following:

- i. Obtaining any necessary permits from ORCA, Douro-Dummer Building Department and any other required ministry/agency;

- ii. That verification from an Ontario Land Surveyor be provided to the Township's Chief Building Official after the structure is framed to confirm that all applicable setback requirements have been met and to ensure compliance with any relief granted by this decision of the Committee; and
- iii. That if any archaeological artifacts are found during construction, that all development shall be halted immediately and the proper agency be contacted.

Carried

6. Next Meeting Date: February 24th, 2023 (If Required)

Committee of Adjustment Meeting - February 24th, 2023

7. Adjournment

**Resolution Number 03-2023**

Moved By: Jim Patterson

Seconded By: Rod Manley

That this meeting adjourn at 9:31 a.m.

Carried

---

Chair, Harold Nelson

---

Secretary-Treasurer, Martina Chait-Hartwig



# THE CORPORATION OF THE TOWN OF COBOURG

The Corporation of the Town of Cobourg  
Legislative Services Department  
Victoria Hall  
55 King Street West  
Cobourg, ON K9A 2M2

Brent Larmer  
Municipal Clerk/  
Director of Legislative Services  
Telephone: (905) 372-4301 Ext. 4401  
Email: blarmer@cobourg.ca  
Fax: (905) 372-7558

## SENT VIA EMAIL

March 2, 2023

David Piccini, Member of Provincial Parliament  
Hon. Doug Ford, Premier  
Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Hon. Merrilee Fullerton, Minister of Children, Community and Social Services  
Hon. Sylvia Jones, Minister of Health

### **Re: Town of Cobourg Resolution – Homeless and Unsheltered Persons**

---

At a meeting held on February 27, 2023, the Municipal Council of the Town of Cobourg approved the following Resolution #045-23:

#### **Homeless and Unsheltered Persons**

*Moved by Deputy Mayor Nicole Beatty*

*Seconded by Councillor Adam Bureau*

WHEREAS at the Regular Council meeting on February 27, 2023, Council considered a Delegation Action from the Committee of the Whole meeting on February 21, 2023, regarding Homelessness and Unsheltered Residents with an understanding and appreciation of the impacts and importance of the issue of homelessness has to the local community; and

WHEREAS the Town of Cobourg acknowledges that there are complex issues which can be presented through the challenges of homelessness and a lack of transitional and affordable housing, which are most significantly felt at the local level on a daily basis; and therefore have a measurable and detrimental impact on the well-being of all citizens of the Town of Cobourg; and

WHEREAS the Town of Cobourg does not have the resources, capacity or tools to address these complex challenges without the partnership of the designated service providers being the County of Northumberland, and the Province of Ontario;

NOW THEREFORE BE IT RESOLVED THAT Council acknowledges that homelessness in the Town of Cobourg is a social, economic and health crisis; and

FURTHER THAT Council requests the support of the County of Northumberland as the regional service manager and facilitator of the Community Safety and Well-Being Taskforce by including Cobourg representatives and people with lived experience on it in an effort to address the local issues of homelessness in the Town of Cobourg; and



# THE CORPORATION OF THE TOWN OF COBOURG

The Corporation of the Town of Cobourg  
Legislative Services Department  
Victoria Hall  
55 King Street West  
Cobourg, ON K9A 2M2

Brent Larmer  
Municipal Clerk/  
Director of Legislative Services  
Telephone: (905) 372-4301 Ext. 4401  
Email: [blarmer@cobourg.ca](mailto:blarmer@cobourg.ca)  
Fax: (905) 372-7558

FURTHER THAT Council requests a need for immediate action from the Province of Ontario to develop, resource and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario; and,

FURTHER THAT Council invites the delegates to submit their presentations to the Northumberland County Social Services Standing Committee and County Council and member municipalities; and

FURTHER that a copy of this motion be sent to all Northumberland County Lower-Tier municipalities for support; and

FURTHER THAT that a copy of this motion be sent to Premier Doug Ford, MPP David Piccini, the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services, the Minister of Health, HKPR Board of Health, the Association of Municipalities of Ontario (AMO) and all 444 municipalities in Ontario.

**045-23**

**Carried**

If you have any questions regarding this matter, please do not hesitate to contact the undersigned at [blarmer@cobourg.ca](mailto:blarmer@cobourg.ca) or by telephone at (905)-372-4301 Ext. 4401.

Sincerely,

Brent Larmer  
Municipal Clerk/Director of Legislative Services  
Returning Officer  
Legislative Services Department



<b>Moved By</b>	Deputy Mayor Nicole Beatty	<b>Resolution No.:</b>
<b>Last Name Printed</b>	BEATTY	045-23
<b>Seconded By</b>	Councillor Adam Bureau	<b>Council Date:</b>
<b>Last Name Printed</b>	BUREAU	February 27, 2023

WHEREAS at the Regular Council meeting on February 27, 2023, Council considered a Delegation Action from the Committee of the Whole meeting on February 21, 2023, regarding Homelessness and Unsheltered Residents with an understanding and appreciation of the impacts and importance of the issue of homelessness has to the local community; and

WHEREAS the Town of Cobourg acknowledges that there are complex issues which can be presented through the challenges of homelessness and a lack of transitional and affordable housing, which are most significantly felt at the local level on a daily basis; and therefore have a measurable and detrimental impact on the well-being of all citizens of the Town of Cobourg; and

WHEREAS the Town of Cobourg does not have the resources, capacity or tools to address these complex challenges without the partnership of the designated service providers being the County of Northumberland, and the Province of Ontario;

NOW THEREFORE BE IT RESOLVED THAT Council acknowledges that homelessness in the Town of Cobourg is a social, economic and health crisis; and

FURTHER THAT Council requests the support of the County of Northumberland as the regional service manager and facilitator of the Community Safety and Well-Being Taskforce by including Cobourg representatives and people with lived experience on it in an effort to address the local issues of homelessness in the Town of Cobourg; and

FURTHER THAT Council requests a need for immediate action from the Province of Ontario to develop, resource and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario; and,



FURTHER THAT Council invites the delegates to submit their presentations to the Northumberland County Social Services Standing Committee and County Council and member municipalities; and

FURTHER that a copy of this motion be sent to all Northumberland County Lower-Tier municipalities for support; and

FURTHER THAT that a copy of this motion be sent to Premier Doug Ford, MPP David Piccini, the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services, the Minister of Health, HKPR Board of Health, the Association of Municipalities of Ontario (AMO) and all 444 municipalities in Ontario.

***Recorded vote requested by Councillor Adam Bureau***

	<b>For</b>	<b>Against</b>	<b>Absent</b>
Councillor Adam Bureau	X		
Councillor Aaron Burchat	X		
Councillor Brian Darling	X		
Councillor Miriam Mutton	X		
Councillor Randy Barber	X		
Mayor Lucas Cleveland		X	
Deputy Mayor Nicole Beatty	X		
TOTAL:	<b>6</b>	<b>1</b>	



## CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | [essex.ca](http://essex.ca)

### Honourable Steve Clark

Ministry of Municipal Affairs and Housing  
College Park 17<sup>th</sup> Floor, 777 Bay Street  
Toronto, ON M7A 2J3

March 22, 2023

RE: The Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales

---

Dear Honourable Steve Clark,

At its Regular Council Meeting held on March 6, 2023, Mayor Bondy brought forward a Notice of Motion for Council's consideration regarding the reinstatement of previous legislation permitting a municipality to retain surplus proceeds from tax sales. It was discussed that, prior to being repealed by the Modernizing Ontario's Municipal Legislation Act, 2017, Section 380(6) of the Municipal Act, 2001 allowed for a municipality to retain surplus proceeds from tax sales within their jurisdiction. It was further noted that the Public Tax Sale process is burdensome to a municipality who invest a considerable amount of time and money recovering these proceeds for the potential sole benefit of the Crown in Right of Ontario.

As a result of this discussion, Council passed the following resolution:

#### **R23-03-081**

Moved by: Mayor Bondy

Seconded by: Councillor Allard

**That** Council direct Administration to send a letter to all relevant taxation bodies, including the Ministry of Municipal Affairs, the Ministry of Finance, Essex County Council, MPP Anthony Leardi, Association of the Municipalities of Ontario and all other municipalities in Ontario urging them to re-instate previous legislation that permitted a Municipality to apply for and retain the surplus proceeds from a tax sale in their jurisdiction.

**Carried**

I trust you will find this satisfactory. If you have any questions or comments, please feel free to contact the undersigned.

Yours truly,

A handwritten signature in blue ink, appearing to read "Shelley Brown".

#### **Shelley Brown**

Acting Clerk  
[sbrown@essex.ca](mailto:sbrown@essex.ca)



**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | [essex.ca](http://essex.ca)

**c.c.** Honourable Peter Bethlenfalvy, Minister of Finance  
[minister.fin@ontario.ca](mailto:minister.fin@ontario.ca)

Mary Birch, Interim Chief Administrative Officer  
[mbirch@countyofessex.ca](mailto:mbirch@countyofessex.ca)

Anthony Leardi, MPP  
[anthony.leardi@pc.ola.org](mailto:anthony.leardi@pc.ola.org)

Association of Municipalities of Ontario ("AMO")  
[resolutions@amo.on.ca](mailto:resolutions@amo.on.ca)

All other municipalities in Ontario



March 27, 2023

Dear Heads of Councils and Councillors,

We, the Association of Ontario Road Supervisors (AORS), are writing you on behalf of all our municipal members to raise awareness and solicit your support by objecting to a new fee proposed by Enbridge Gas. Enbridge has announced their intention to implement a new charge to third-party contractors and other utilities for utility locates. Third-party contractors will include Ontario municipalities and contractors working on their behalf. Enbridge Gas will apply a charge of \$200 CAD (plus applicable taxes) per locate request where a field locate is required. The need for municipalities and their contractors to request these locates when doing road construction and maintenance is due to utilities being present in municipal right of ways, which municipalities across the province have allowed at no cost to the utility.

Enbridge has stated that the *Getting Ontario Connected Act* passed into law in April 2022 has resulted in changes to the *Ontario Underground Infrastructure Notification System Act* and has caused Enbridge to make significant investments in associated operational investments. The concern being raised by our members, your public works staff, is that Enbridge will be just the beginning of these additional fees, with other utility companies implementing similar charges. These new charges will have significant impacts on municipal budgets.

As examples of what impacts this announcement might have on municipalities, based on 2022 municipal locate requests alone, it is estimated that this new fee would directly cost the Municipality of Central Huron approximately \$35,000 annually, the City of Belleville approximately \$90,000 annually and the Town of Espanola approximately \$7,300 annually. It is important to note that these are direct costs alone. Any subcontractors working on behalf the municipality requesting locates will be charged this same cost, and these costs will have to be borne by someone – meaning the subcontractors will put this cost back to the municipality. Then there will be the added administrative costs at both ends of the transaction. It is difficult to determine this quickly the true fulsome costs to your budget. This will also add an extra item into tendering projects, as it will create concerns on both sides on who is responsible for these costs.

By Enbridge Gas passing on these locate costs to municipalities, these costs are borne by all ratepayers across the municipality, and not only those who use this utility.

We would like to request your Council consider passing the following resolution:

*WHEREAS, Enbridge recently made an announcement of their intention to begin charging third-party contractors and other utilities \$200 CAD (plus applicable taxes) for utility locates where a field locate is required;*

*AND WHEREAS, third-party contractors include Ontario municipalities;*

*AND WHEREAS, these locate requests are only required as Ontario municipalities have allowed utilities to use municipal right of ways at no charge to the utilities;*

*AND WHEREAS, this announcement of new downloaded costs will negatively impact the budgets of Ontario municipalities which are already burdened;*

*AND WHEREAS, if Enbridge is successful in implementing this new charge, a precedence is set for other utility companies to also begin charging for locates;*

*THEREFORE IT BE RESOLVED, that the <insert your municipality name> strongly opposes these utility locate costs being downloaded to Ontario municipalities by Enbridge Gas or other utilities;*

*AND THAT, the Province of Ontario's Ministry of Public and Business Service Delivery make it clear that these costs must be borne by the utilities themselves;*

*AND THAT, this decision be forwarded to Minister of Public and Business Service Delivery Kaleed Rasheed, Minister of Infrastructure Kinga Surma, Minister of Energy Todd Smith, Premier Doug Ford, <insert your municipality name>'s MPP, the Association of Ontario Road Supervisors and the Association of Municipalities of Ontario.*

Furthermore, AORS will be sending your public works senior managers and directors a survey to further investigate the true costs of this proposed fee on your budgets. We ask you to encourage your staff to complete this survey so we can better advocate on your behalf.

If you require additional information, please do not hesitate to contact us.

Sincerely,



John Maheu  
Executive Director  
[johnmaheu@aors.on.ca](mailto:johnmaheu@aors.on.ca)



Kelly Elliott  
Marketing and Communications Specialist  
[kellyelliott@aors.on.ca](mailto:kellyelliott@aors.on.ca)

**The Corporation of the Township of Douro-Dummer**

**By-law Number 2023-17**

**Being a By-law to amend By-law Number 10-1996, as amended,  
otherwise known as "The Township of Douro-Dummer  
Comprehensive Zoning By-law"**

**Whereas** By-law Number 10-1996, as amended, regulates the use of land and the use and erection of buildings and structures within the Township of Douro-Dummer;

**And Whereas** Section 34 of The Planning Act, RSO 1990, as amended, permits the Council to pass an amending Zoning By-law;

**And Whereas** the Council of the Township of Douro-Dummer required the rezoning of the subject lands as a condition of Peterborough County Consent Applications B-90-21 and B-91-21;

**And Whereas** the Council of the Township of Douro-Dummer deems it advisable to further amend By-law No. 10-1996 as amended;

**Now Therefore** the Council of the Township of Douro-Dummer hereby enacts as follows:

1. Schedule B6 to By-law No. 10-1996, as amended, is hereby further amended by changing the zone category on a portion of lands known municipally as 426 Carveth's Marina Road and described as Part Lot 28 and 29, Concession 3 of the Dummer Ward from the Rural Zone (RU) to the Rural – Holding Zone (RU-H) and to the Environmental Conservation Zone (EC) as shown on Schedule "1" attached hereto and forming part of this By-law.
2. In accordance with Section 3.15 of By-law No. 10-1996, as amended, development within the (RU-H) Zone may only proceed upon the submission of additional slope stability studies and a Site/Grading Plan suitable to the Otonabee Region Conservation Authority and the Township which delineates the Top of 3:1 Stable Slope and the Top of Slope as identified on Figure 1 of the Site Plan prepared by Cambium dated November 2021 and attached hereto as Schedule "2" and forming part of this By-law.
3. All other relevant provisions of By-law 10-1996, as amended, shall apply.

If no notice of objection is filed with the Acting Clerk within the time provided, this By-law shall become effective on the date of passing hereof, subject to the provisions of The Planning Act, RSO 1990, as amended.

Passed in Open Council this 4th day of April, 2023.

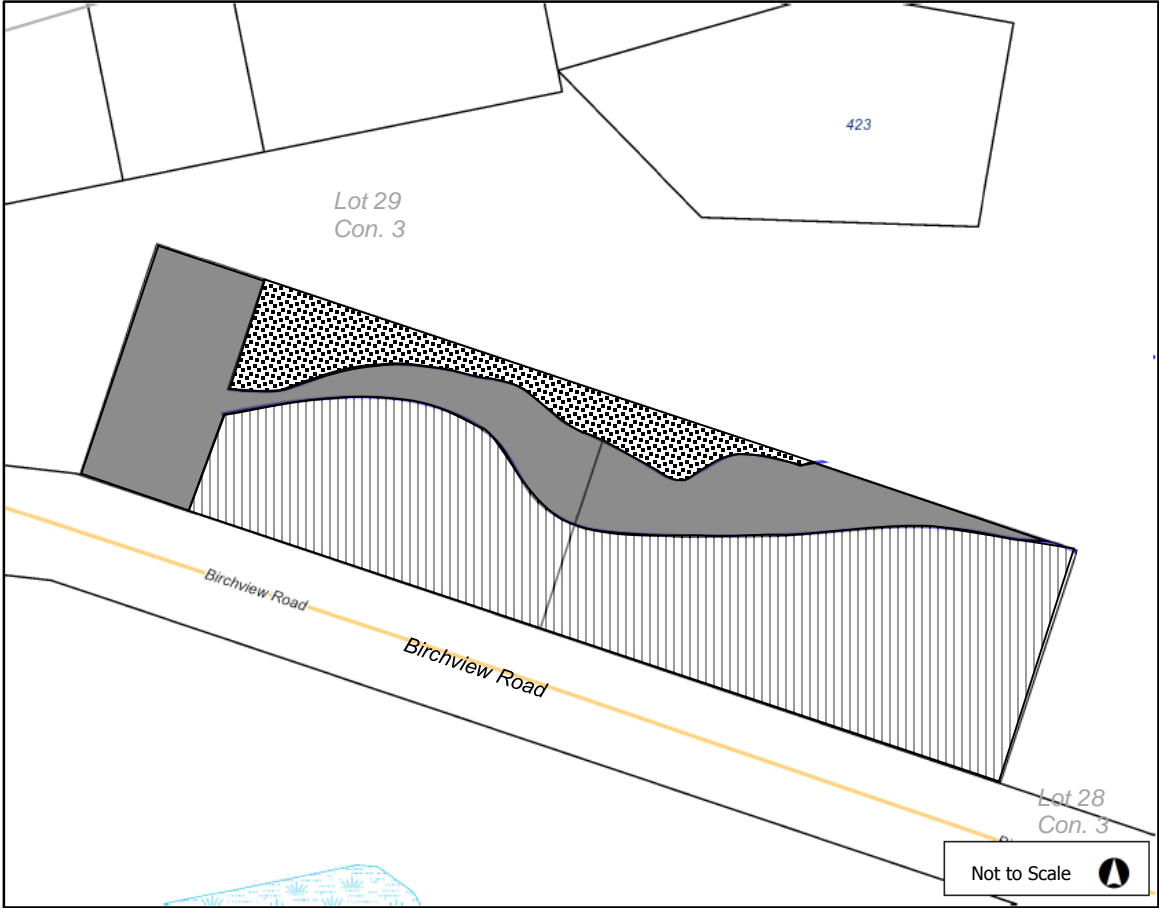
---




Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig

Schedule "1" to By-law 2023-17



-  Rezone from the 'Rural Zone (RU)' to the 'Rural-Holding Zone (RU-H)'
-  Rezone from the 'Rural Zone (RU)' to the 'Environmental Conservation Zone (EC)'
-  Area to remain zoned the 'Rural Zone (RU)'

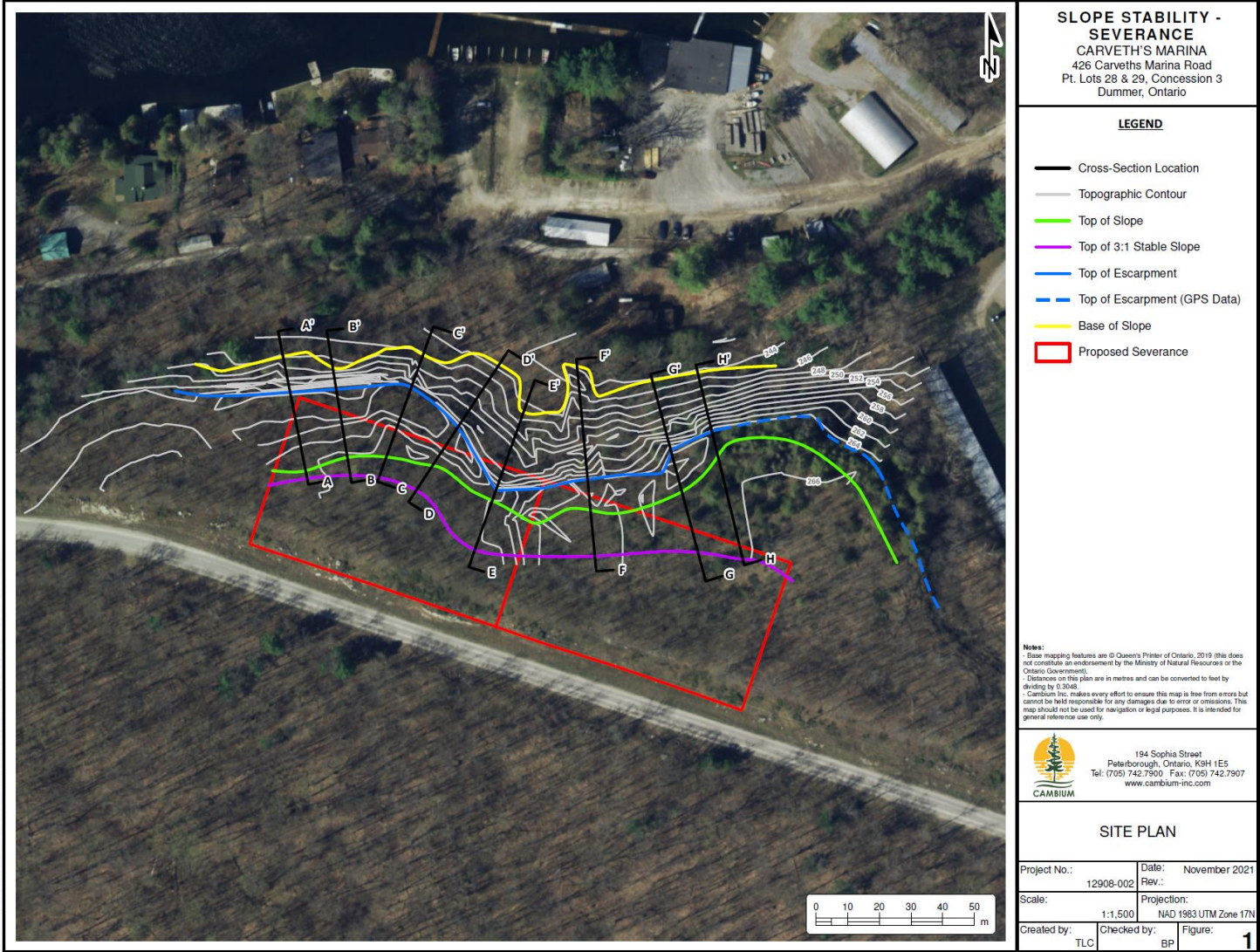
This is Schedule '1' to By-law  
No. 2023-17 passed this  
4th day of April, 2023.

\_\_\_\_\_  
Mayor, Heather Watson

\_\_\_\_\_  
Acting Clerk, Martina Chait-Hartwig



Schedule "2" to By-law 2023-17



This is Schedule '2' to By-law No. 2023-17 passed this 4th day of April, 2023.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

**Corporation of the Township of Douro-Dummer**

**By-law Number 2023-18**

**Being a By-law to authorize the execution of a Lease Agreement  
with  
Nik Astrom and John Ellis (Mammoth BBQ)  
(Lease of Part of Parking Lot at Douro Community Centre  
West Part of Lot 6, Concession 6, Douro Ward)**

Whereas The Corporation of the Township of Douro-Dummer deems it expedient and necessary to enter into a Lease with Nik Astrom and John Ellis (Mammoth BBQ);

Now Therefore the Council of The Corporation of the Township of Douro-Dummer enacts as follows:

1. That The Corporation of the Township of Douro-Dummer enter into that certain Lease in writing attached hereto as Appendix 'A' and forming part of this by-law, between the Corporation of the Township of Douro-Dummer, and Nik Astrom and John Ellis (Mammoth BBQ), upon and subject to the terms and conditions therein stated.
2. That the Mayor and the Acting Clerk be and are hereby authorized and directed to execute that certain Lease and affix the Corporate Seal thereto.

Passed in open council this 4th day of April, 2023.

---

Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig

This Lease made the 16<sup>th</sup> day of March, 2023.

In Pursuance of the Short Forms of Leases Act and The Commercial Tenancy Act, R.S.O. 1990 c. L7 (formerly The Landlord and Tenant Act)

Between:

**The Corporation of the Township of Douro-Dummer,**

hereinafter called the "Landlord"

Of The First Part

And

**Nik Astrom and John Ellis/Operator (Mammoth BBQ)**

hereinafter called the "Tenant"

Of The Second Part

In Consideration of the rents reserved and the covenants and agreements herein on the part of the Tenant, the Landlord leases to the Tenant the premises (the "Premises") in the geographic Township of Douro, situated in the Township of Douro-Dummer, Province of Ontario as more particularly described in Schedule A annexed hereto.

### 1. Term

To locate a Mobile Canteen at the Premises for the term (the "Term"), of six (6) months to be computed from the 1<sup>st</sup> day of May, 2023, and fully to be complete on the 31<sup>st</sup> day of October, 2023.

This Agreement shall annually renew automatically for the ensuing three (3) years of 2024, 2025 and 2026, following October 31, 2023, but any annual renewal shall be subject to a review of the conditions of this Agreement (including the rental fee) and such renewal shall not be effective until it is mutually agreed upon, in writing, by both the Landlord and the Tenant.

### 2. Rent

The Tenant paying therefor during the term to the Landlord at its offices, 894 South Street, Warsaw, Ontario K0L 3A0 or at the place that the landlord may hereinafter designate, the following rental. The first payment is to be made on the 1<sup>st</sup> day of May of each year.

Year 2023 Monthly payment is \$300.00 for the canteen to be placed in the parking lot, \$100.00 per month for the Recreation Centre and the full cost of the Recreation Centre Hydro bill minus \$50.00.

The rent shall rise 3% at the beginning of each rental season for 2024-2026.

The monthly rental shall be paid on the 1<sup>st</sup> day of each and every month throughout the term of the lease. Each and every month throughout the term of the lease, staff will provide the Tenant with a copy of the Hydro bill for payment.

### 3. Tax adjustment

(1) In this paragraph:

(a) "Tax" means all taxes, rates, duties and assessments whether municipal, provincial, federal or otherwise, charged upon the demised premises or upon the Landlord on account thereof including municipal taxes for local improvements.

#### 4. Recovery of adjustments

The Landlord has the same rights and remedies in the event of default by the Tenant in payment of an amount payable by him pursuant to paragraph 3, as the Landlord has in the case of default in payment of rent.

#### 5. Tenant's covenants

The Tenant covenant with the Landlord:

- (1) Rent -- to pay rent:
- (2) Utility charges -- to pay the Hydro bill for the Recreation Centre minus \$50.00;
- (3) Leasehold Improvements – to pay for all leasehold improvements required to operate a mobile canteen on the Premises (permission for leasehold improvements shall be granted by the Manager of Recreation Facilities)
- (4) Permits -- to pay for all required permits required to operate a mobile canteen on the Premises;
- (5) Cost of repair where Tenant at fault -- that if the Premises become damaged or destroyed through the negligence, carelessness or misuse of the Tenant, or anyone permitted by him to be on the Premises, the expense of any necessary repairs, replacements or alterations shall be paid by the Tenant to the Landlord forthwith on demand;
- (6) Assigning or subletting – not to assign, sublet or part with possession of any part of the Premises without the consent in writing of the Landlord.
- (7) Rules and regulations -- that the Tenant and his employees and all persons visiting or doing business with them on the Premises are bound by and will observe and perform the rules and regulations made from time to time by the Landlord of which notice in writing shall be given to the Tenant and that all such rules and regulations are deemed to be incorporated in and form part of this lease;
- (8) Use of Premises and insurance -- (a) not to use the Premises except for the purposes of a licenced mobile canteen for which a licence has been issued from the Township of Douro-Dummer; (b) not to do, omit, or permit any activity upon the Premises which causes the rate of insurance to be increased; (c) if the rate of insurance is increased by the use made of the Premises or by anything done, omitted or permitted by the Tenant or by anyone permitted by the Tenant to be upon the Premises, the Tenant shall pay to the Landlord the amount of the increase; (d) if any insurance policy is canceled by the insurer because of the use of the Premises by the Tenant or by any assignee or subtenant of the Tenant or by anyone permitted by the Tenant to be upon the Premises the Landlord may at its option determine this lease forthwith by leaving upon the Premises notice in writing of its intention to terminate and thereupon rent and any other payments for which the Tenant is liable under this lease shall be apportioned and paid in full to the date of determination and the Tenant shall immediately deliver up possession of the Premises to the Landlord and the Landlord may re-enter and repossess them;
- (9) Observance of law -- in his use and occupation of the Premises, not to violate any law or ordinance or any order, rule, regulation or requirement of any federal, provincial or municipal government or any department, commission, board or officer thereof;
- (10) Waste and nuisance -- not to do or suffer any waste or damage, disfiguration or injury to the Premises or the fixtures and equipment therein; and not to use or permit the use of any part of the Premises for any dangerous, noxious or offensive trade or business and not to cause or maintain any nuisance on the Premises;
- (11) Entry by Landlord -- to permit the Landlord or its agents to enter upon the Premises at any time and from time to time for the purpose of inspecting and of making repairs, alterations or improvements to the Premises, and the Tenant is not entitled to compensation for any inconvenience, nuisance or discomfort occasioned thereby;
- (12) Indemnity -- to indemnify the Landlord against all claims by any person, firm, or corporation arising from the conduct of work by or through any act of negligence of the Tenant or any assignee, subtenant, agent, contractor, servant, employee or licensee of the Tenant, and against all costs, counsel fees, expenses and liabilities incurred in any claim or action or proceeding brought

- thereon;
- (13) Alterations, etc. -- not to make or erect in or to the Premises any installation, alteration, addition, or partition without submitting plans and specifications to the Landlord and obtaining the Landlord's prior written consent; the work shall if the Landlord so elects be performed by employees of or contractors designated by the Landlord; in the absence of the election, the work may be performed with the Landlord's consent in writing by contractors engaged by the Tenant but in each case only under written contract approved in writing by the Landlord and subject to all conditions which the Landlord may impose; the Tenant shall submit to the Landlord's supervision over construction and promptly pay to the Landlord or the Tenant's contractors, when due the cost of all work and of all materials, labour and services involved therein and of all decoration and all changes in the Premises, its equipment or services, necessitated thereby;
  - (14) Signs -- not to paint, display, inscribe or affix any sign, picture, advertisement, notice, lettering or direction on any part of the Premises; save and except for an identification sign or fixture the colour, size, style, character and material of the same shall be as approved by the Manager of Recreation Facilities.
  - (15) Name of Building -- not applicable.
  - (16) Janitor service - not applicable.
  - (17) Sidewalks and Parking Lot – not applicable.
  - (18) Liability Insurance -- at its sole cost and expense, take out and maintain in full force and effect, at all times throughout the Term, the following insurance:
    - (a) fire and extended perils under a standard extended form of fire insurance policy, in such amounts and on such terms and conditions as would be carried by a prudent owner of a similar project, having regard to the size, age and location of the project on the Lands, and such insurance shall add the Landlord as an additional insured, with coverage in the minimum amount of \$2,000,000.00
    - (b) general liability and property damage insurance, including personal liability, contractual liability, tenants' legal liability, non-owned automobile liability and owners' and contractors' protective insurance coverage with respect to the Lands, written on a comprehensive basis with inclusive limits of at least two million dollars (\$2,000,000.00) on an annual aggregate basis with an incident limit of two million dollars (\$2,000,000.00) with the Township as a named insured for each occurrence, or such higher limit as the Landlord, acting reasonably, or any Mortgagee requires from time to time;
    - (c) All public liability insurance shall contain a provision for cross liability or severability of interest as between the Landlord and the Tenant. All the foregoing property policies shall contain a waiver of any right of subrogation or recourse by the Tenant's insurers against the Landlord or its contractors, agents and employees, whether or not any loss is caused by the act, omission or negligence of the Landlord, its contractors, agents or employees. The Tenant shall obtain, from the insurers, undertakings to notify the Landlord in writing at least thirty (30) days prior to any cancellation thereof. The Tenant shall furnish to the Landlord, upon written request, certificates of all such policies. The Tenant agrees that if the Tenant fails to take out or to keep in force such insurance or provide a certificate of every policy and evidence of continuation of coverage as herein provided, the Landlord shall have the right to take out such insurance and to pay the premium thereof and, in such event, the Tenant shall pay to the Landlord the amount paid as premium plus fifteen percent (15%), which payment shall be deemed to be Additional Rent payable on the first day of the next month following the said payment by the Landlord.
  - (19) Personal Use of Recreation Centre – the Tenant and any of his employees can temporarily use the Recreation Centre for personal use and to monitor the water system during the hours of operation of the Mobile Canteen. Rental groups of the Recreation Centre have priority use of the facility.
  - (20) Designated Parking – the Tenant shall provide signage for designated parking spots/area for Mammoth BBQ as approved by the Manager of Recreation Facilities so as to not to interfere with the parking of renters of the Recreation Centre.
  - (21) Interference with Rental Groups – the Tenant and any of his employees shall not hinder

or interfere with any rental groups of the parking lot, Recreation Centre or Douro Community Centre at the Premises.

## 6. Landlord's covenants

The Landlord covenants with the Tenant:

- (1) Quiet enjoyment -- for quiet enjoyment;

## 7. Provisos

Provided always and it is agreed as follows:

- (1) Fixtures. The Tenant may remove his fixtures.
- (2) Damage to property. The Landlord is not liable nor responsible in any way for any loss of or damage or injury to any property belonging to the Tenant or to its employees or to any other person while the property is on the Premises or in the yard unless the loss, damage or injury is caused by the negligence of the Landlord or of its employees, servants or agents and the Landlord is not liable in any event for damage to the property caused by steam, water, rain or snow from any other place or quarter nor for any damage caused by or attributable to the condition or arrangement of any electric or other wiring nor for any damage caused by anything done or omitted by any other Tenant.
- (3) Impossibility of performance. It is agreed that whenever the Landlord is unable to fulfill, or is delayed or restricted in fulfilling any obligation hereunder for the supply or provision of any service or utility or the doing of any work or the making of any repairs because it is unable to obtain the material, goods, equipment, service, utility or labour required to enable it to fulfill the obligation or by reason of any statute, law or order-in-council or any regulation or order passed or made pursuant thereto or by reason of the order or direction of any administrator, controller or board, or of any government department or officer or other authority, or by reason of not being able to obtain any permission or authority required thereby, or by reason of any other cause beyond its control, the Landlord is relieved from the fulfillment of the obligation and the Tenant is not entitled to compensation for any inconvenience, nuisance or discomfort thereby occasioned.
- (4) Default of Tenant. If the rent is not paid when due, whether lawfully demanded or not, or in case of breach or non-observance or non-performance of any of the covenants or agreements or rules or regulations herein contained or referred to on the part of the Tenant to be observed and performed, or in case the Premises are vacated or remain unoccupied or in case the Term is taken in execution or attachment for any cause, then the Landlord is entitled to enter upon the Premises or any part thereof in the name of the whole and to repossess and enjoy the Premises as of its former estate.
- (5) Bankruptcy of Tenant. In the event, without the written consent of the Landlord, the Premises remain vacant or not used for the period of fifteen days or are used by a person other than the Tenant or for any other purpose than that for which they were let or in case the Term or any of the goods and chattels of the Tenant are seized in execution or attachment by a creditor of the Tenant or if the Tenant makes any assignment for the benefit of creditors or any bulk sale or becomes bankrupt or insolvent or takes the benefit of any act for bankrupt or insolvent debtors, then this lease shall at the option of the Landlord cease and the Term shall immediately be forfeited and the current month's rent and the next ensuing three months' rent shall immediately become due and payable and the Landlord may re-enter and take possession of the Premises as though the Tenant or other occupant of the Premises was holding over after the expiration of the Term.
- (6) Distress. The Tenant waives the benefit of any present or future statute taking away or limiting the Landlord's right of distress, and agrees that none of the goods and chattels of the Tenant on the Premises at any time during the Term is exempt from levy by distress for rent in arrears.

- (7) Right of re-entry. On the Landlord's becoming entitled to re-enter the Premises under any of the provisions of this lease, the Landlord, in addition to all other rights, may do so as the agent of the Tenant, using force if necessary, without being liable for prosecution therefor, and may relet the Premises as agent of the Tenant, and receive the rent therefor, and as agent of the Tenant may take possession of furniture or other property on the Premises and sell it at public or private sale without notice and apply the proceeds of sale and rent derived from reletting the Premises upon account of the rent under this lease, and the Tenant is liable to the Landlord for any deficiency.
- (8) Right of termination. On the Landlord's becoming entitled to re-enter the Premises under any of the provisions of this lease, the Landlord, in addition to all other rights, has the right to terminate this lease forthwith by leaving upon the Premises notice in writing of its intention, and thereupon rent and any other payments for which the Tenant is liable under this lease shall be computed, apportioned and paid in full to the date of such determination, and the Tenant shall immediately deliver up possession of the Premises to the Landlord, and the Landlord may re-enter and repossess the Premises.
- (9) Non-waiver. Any condoning, excusing or overlooking by the Landlord of any default, breach or non-observance by the Tenant of any covenant, proviso or condition herein contained does not operate as a waiver of the Landlord's rights hereunder in respect of subsequent defaults, breaches or non-observances and does not defeat or affect in any way the rights of the Landlord herein in respect of any subsequent defaults or breaches.
- (10) Overholding. If the Tenant continues to occupy the Premises after the expiration of this lease with or without the consent of the Landlord, and without any further written agreement, the Tenant shall be a monthly tenant at the rent and on the terms and conditions herein set out except as to length of tenancy.
- (11) Notice. Any notice required by this lease is deemed sufficiently given if contained in writing enclosed in a sealed envelope addressed, in the case of notice to the Landlord, to it at The Corporation of the Township of Douro-Dummer, 894 South Street, P.O. Box 92, Warsaw, Ontario K0L 3A0 and in the case of notice to the Tenant, at Mammoth BBQ, 309 Cottonwood Drive, Peterborough, ON K9J 6N5, attention: Nik Astrom and John Ellis, and deposited in one of Her Majesty's post offices in registered and postage prepaid. The date of receipt of the notice shall be deemed to be on the 5th day after mailing thereof. Provided that either party may, by notice to the other, designate another address in Canada to which notices mailed or delivered more than ten days thereafter shall be addressed.
- (12) HST shall be in addition to the rental set out herein.
- (13) Mobile Canteen Licence. Prior to taking locating at the Premises, the Tenant covenants and agrees, at its expense, to obtain a Mobile Canteen Licence from the Township of Douro-Dummer. Any conditions imposed upon the Licence by the Township of Douro-Dummer shall be implemented at the sole and only cost of the Tenant.
- (14) Early Cancellation of Lease. It is understood and agreed that either the Landlord or the Tenant may cancel the within lease upon providing two (2) months' written notice to the other as set out in Paragraph 7(11) of the within lease. It is agreed that the lease shall come to an end two (2) months after delivery of the aforesaid notice.
- (15) Notice of Work at Premises. It is understood and agreed that the Landlord will provide two (2) weeks' notice to the Tenant should any work/maintenance/repair be commencing at the Premises that may interfere with the rental of the Premises.

## 8. Headings

The headings in this lease have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this lease nor of any provisions hereof.



9. Effect of Lease

This lease and everything herein contained shall extend to and bind and may be taken advantage of by the heirs, executors, administrators, successors and assigns, of each of the parties hereto, subject to the granting of consent by the Landlord to any assignment or sublease, and where there is more than one Tenant or there is a female party or a corporation, the provisions hereof shall be read with all grammatical changes thereby rendered necessary and all covenants are deemed joint and several.

**WITNESS** the respective corporate seals of the respective corporate parties hereto, duly affixed under the hands of their respective signing officers, duly authorized in that behalf.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Signed, Sealed and Delivered**  
in the presence of,

**Mammoth BBQ**

\_\_\_\_\_  
Per: \_\_\_\_\_  
Nik Astrom

\_\_\_\_\_  
Per: \_\_\_\_\_  
John Ellis

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**The Corporation of the Township of  
Douro-Dummer**

\_\_\_\_\_  
Per: \_\_\_\_\_  
Mayor, Heather Watson

\_\_\_\_\_  
Per: \_\_\_\_\_  
Acting Clerk, Martina Chait-Hartwig

We have authority to bind the corporation.

**Schedule A**

Legal Description of Property:

W Part of Lot 6, Concession 6, geographic Township of Douro, now in the Township of Douro-Dummer, County of Peterborough, Province of Ontario designated as Part 1 on Plan 45R-3174.

Location of Mobile Canteen:

South-East side of the Recreation Centre – exact location to be approved by the Manager of Recreation Facilities.

**Corporation of the Township of Douro-Dummer**

**By-law Number 2023-19**

**Being a By-law to authorize the Clerk and Deputy Clerk to provide Civil Marriage Services to the Public**

**Whereas** the Marriage Act authorizes the Clerk of a local municipality to solemnize marriages;

**And Whereas** the Council of the Township of Douro-Dummer deems it desirable to provide for civil marriage services to the public;

**Now Therefore** the Council of the Township of Douro-Dummer hereby enacts as follows:

1. That the Clerk and the Deputy Clerk are hereby authorized to provide civil marriage services to the public.
2. That the Civil Ceremony and associated fees for said services are established by Council annually in the Township of Douro-Dummer User Fees and Charges By-law.
3. That the Civil Ceremony (Non-Regular Hours) and associated fees for attendance at the ceremony rehearsal outside of regular business hours (if required) is established by Council annually in the Township of Douro-Dummer User Fees and Charges By-law. This fee is distributed as 40% allocated to the Municipality and 60% to the Clerk or Deputy Clerk providing the service.
4. That the rate of mileage paid to the Clerk and Deputy Clerk for ceremonies outside of the boundaries of the Township of Douro-Dummer shall be calculated at the current rate established by the Municipality.
5. This By-Law shall come into force and effect on the date it is enacted by Council.

Passed in open Council this 4th day of April, 2023.

---

Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig

**Corporation of the Township of Douro-Dummer**

**By-law Number 2023-20**

**Being a By-law to Appoint the Clerk and Deputy Clerk as  
Persons Authorized to Issue Marriage Licenses**

**Whereas** pursuant to section 11(2) of the Marriage Act, R.S.O.1990, c. M.3, the Honourable Minister of Public and Business Service Delivery may appoint the Clerk and Deputy Clerk of a Township as a person authorized to issue marriage licenses in and for the Township;

**And Whereas** the Council of the Township of Douro-Dummer deems it expedient for the public convenience that the Clerk and Deputy Clerk of the Township of Douro-Dummer be appointed in such capacity;

**Now Therefore** the Council of the Township of Douro-Dummer enacts as follows:

1. The Township of Douro-Dummer be and is hereby authorized to make application to the Honourable Minister of Public and Business Service Delivery to have, the Clerk and Deputy Clerk of the Township of Douro-Dummer appointed as persons authorized to issue marriage licenses in and for the Township of Douro-Dummer.
2. The fee for said service shall be One Hundred and Thirty Dollars (\$130.00) payable to the Municipality.
3. The Mayor and the Acting Clerk are hereby authorized and directed to do all such things and execute all such documents as may be necessary for the completion and implementation of the said appointment.
4. This By-Law shall come into force and effect on April 4<sup>th</sup>, 2023.

Passed in open Council this 4<sup>th</sup> day of April, 2023.

---

Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig

**The Corporation of the Township of Douro-Dummer**

**By-law Number 2023-21**

**Being a By-law to amend By-law 2023-08  
(To provide for User Fees and Charges)  
(Marriage Licences and Ceremonies)**

**Whereas** the Municipal Act, 2001, S.O. 2011, C. 25, as amended, authorizes a municipality or local board to impose fees or charges on persons;

**And whereas** By-law Number 2021-76, was adopted to impose certain fees and charges on persons;

**And whereas** the Council of The Corporation of the Township of Douro-Dummer deems it desirable to amend By-law Number 2023-08;

**Now therefore** the Council for The Corporation of the Township of Douro-Dummer hereby enacts as follows:

1. That additional items be added to Section 6 - Licenses be included in Schedule 'A' of By-Law 2023-08.
2. That those fees and charges included in Schedule "A" of this By-law, to be added to Section 6 - Licenses become effective April 4, 2023.
3. That By-law Number 2023-08, is hereby amended.
4. That the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal to this By-law.

Passed in open Council this 4th day of April, 2023.

---

Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig

Schedule "A" to By-law 2023-08

6.	Licenses	Excluding Tax	HST	Total	
	Civil Marriage Services				By-law 2023-19
	Marriage Licence			\$130.00	Payable to the Municipality
	Civil Ceremony (Regular Business Hours)			\$ 350.00	Payable to the Municipality
	Civil Ceremony (Outside of Regular Business Hours)			\$ 350.00	(\$100.00 payable to the Municipality) (\$250.00 payable to the Officiant)
	Rehearsal (if requested)			\$50.00	(Payable to the Officiant)
	Mileage Rate			As set by Municipality	(Outside of Township of Douro-Dummer boundaries only)

WHEREAS, the Douro and District Minor Hockey and the Township of Douro-Dummer have had a long history with the Ontario Minor Hockey Association;

AND WHEREAS, The hockey association has been involved in playoff hockey for decades;

AND WHEREAS, every minor hockey group in Ontario has enjoyed the previous format of traveling back and forth from town to town, competing to move on to the next plateau in the chase for a Provincial championship;

AND WHEREAS, the economic gains that small and medium municipalities enjoyed from accommodation revenue as well as restaurants and stores being utilized;

THEREFORE, be it resolved that the Township of Douro-Dummer send a letter to the Ontario Minor Hockey Association requesting to return to the previous playoff format that we have all enjoyed for years;

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to all Ontario Municipalities for endorsement as well as the Minister of Heritage, Sport, Tourism and Culture Industries.



## **The Corporation of the Township of Douro-Dummer**

### **By-law Number 2023-22**

Being a By-law of The Corporation of the Township of  
Douro-Dummer to confirm the proceedings of  
the Regular Council Meeting held on the 4th day April, 2023 in the Township  
Council Chambers

---

#### **The Municipal Council of The Corporation of the Township of Douro-Dummer Enacts as follows:**

1. **That** the action of the Council at its regular meeting held on April 4th, 2023 in respect to each motion, resolution, and other action passed and taken by the Council at its said meeting is, except where prior approval of the Local Planning Appeal Tribunal is required, hereby approved, ratified, and confirmed.
2. **That** the Mayor and the proper officers of the Township are hereby authorized to do all things necessary to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Acting Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

Passed in Open Council this 4th day of April, 2023.

---

Mayor, Heather Watson

---

Acting Clerk, Martina Chait-Hartwig