



REPORT FOR WATERSHED ADVISORY BOARD

RE: PERMIT APPLICATION NO: 120/19

DATE: SEPTEMBER 9TH, 2019

An application for development has been submitted by Mr. John Tompson with regard to Ontario Regulation 159/06 the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation of the CVCA. In review of the application, CVCA staff identified that the development proposed encroaches into the standard 30 metre wetland development setback stipulated within the CVCA Watershed Planning and Regulations Policy Manual. An Environmental Impact Statement (EIS) submitted with the application supports the establishment of a reduced 15 metre development setback.

CVCA Regulations Officers do not have the authority to approve of a reduced setback, as such, staff are bringing the file forward for the Watershed Advisory Board's consideration. Staff have reviewed the EIS and agree that the 15 metre development setback is sufficient protection for the identified wetland.

Summary

An application for residential development along Belmont Lake is recommended by staff to be **approved**. The development proposed is to construct a new 64 foot by 48 foot dwelling with either a walkout basement, or a full basement. The dwelling will be located 30 metres (100 feet) back from the shoreline of Belmont Lake and 15 metres (50 feet) back from the lacustrine wetland along the shoreline. A new septic system will be installed along with a 36 foot by 30 foot, two storey garage. A dock rock anchor will be installed on the shoreline, adjacent to the wetland, along with a cantilever dock. Stone steps leading from the dock to the top of slope will be constructed, along with a 15 foot by 20 foot stone patio located at grade, approximately to 39 to 45 feet (12 to 14 metres) from the shoreline. All structural development will be located within the proposed "developable area" outlined on a map authored by D.M Wills Associates Limited included within Appendix C of this document (Project No. 7218, Map Date: June 2017).

Background and Subject Lands

Mr. Tompson has had considerable consultation with the CVCA ranging from 2016 to 2019. The most recent site visit was conducted on July 19th, 2019. At this time, the wetland boundaries submitted within the Environmental Impact Study (EIS) were GPS'd and verified. Setbacks from the wetland boundary were flagged so that Mr. Tompson could develop further detailed building plans. A permit application for development was submitted by Mr. Tompson on July 15th, 2019.

During the July 19th site visit, it was confirmed with Mr. Tompson that the proposed development plans encroached into the standard 30 metre wetland development setback stipulated within the CVCA Watershed Planning and Regulations Policy Manual. It was explained to Mr. Tompson that, while a CVCA Regulations Officer cannot permit development to occur within the 30 metre wetland setback, the case could be brought forward to the CVCA Watershed Advisory Board in order to request an exception to the 30 metre setback. The CVCA offered to bring the case forward on Mr. Tompson's behalf in light of the information provided in the EIS (Project No. 7218, see Appendices A-F).

A review of our mapping and site visits indicates that the property is located partially within the flood hazard of Belmont Lake, partially within the unevaluated 30 metre wetland development setback and entirely within the CVCA Regulated area.

CVCA Staff Recommendation

Based on the information submitted, the CVCA staff recommends that the application be **approved** for the following reasons:

1. A satisfactory EIS has been submitted on behalf of the applicant. The EIS demonstrates that, provided that a 15 metre setback is maintained, there will be no anticipated impact to the identified wetland.
2. A satisfactory flood elevation survey has been submitted with the application. The survey demonstrates that the proposed development is outside of the Belmont Lake flood hazard setbacks.
3. The lot is zoned as water access; therefore, safe access has been demonstrated.

Wetland Regulations and Policies

The CVCA Regulation 159/06 and CVCA Watershed Planning and Regulations Policy Manual contains the following sections when dealing with wetlands:

Development Prohibited

2. (c) wetlands; or

(d) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size..."

Permission to Develop

- 3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development. O. Reg. 159/06, s. 2 (1); O. Reg. 54/13, s. 1 (1).*

The following policies within the CVCA Watershed Planning and Regulations Policy Manual are specific to the proposed development:

7.3.1 In general, development and interference shall not be permitted within wetlands

For Evaluated Wetland and Wetlands greater than 2 hectares the following shall apply:

7.3.1a In general, there shall be no development within 30 metres of the wetland boundary

7.3.1b A 15 metre vegetative buffer from the edge of the wetland boundary shall be encouraged to protect the wetland from nutrient loading and surface runoff which could impact area and/or function.

Conclusion

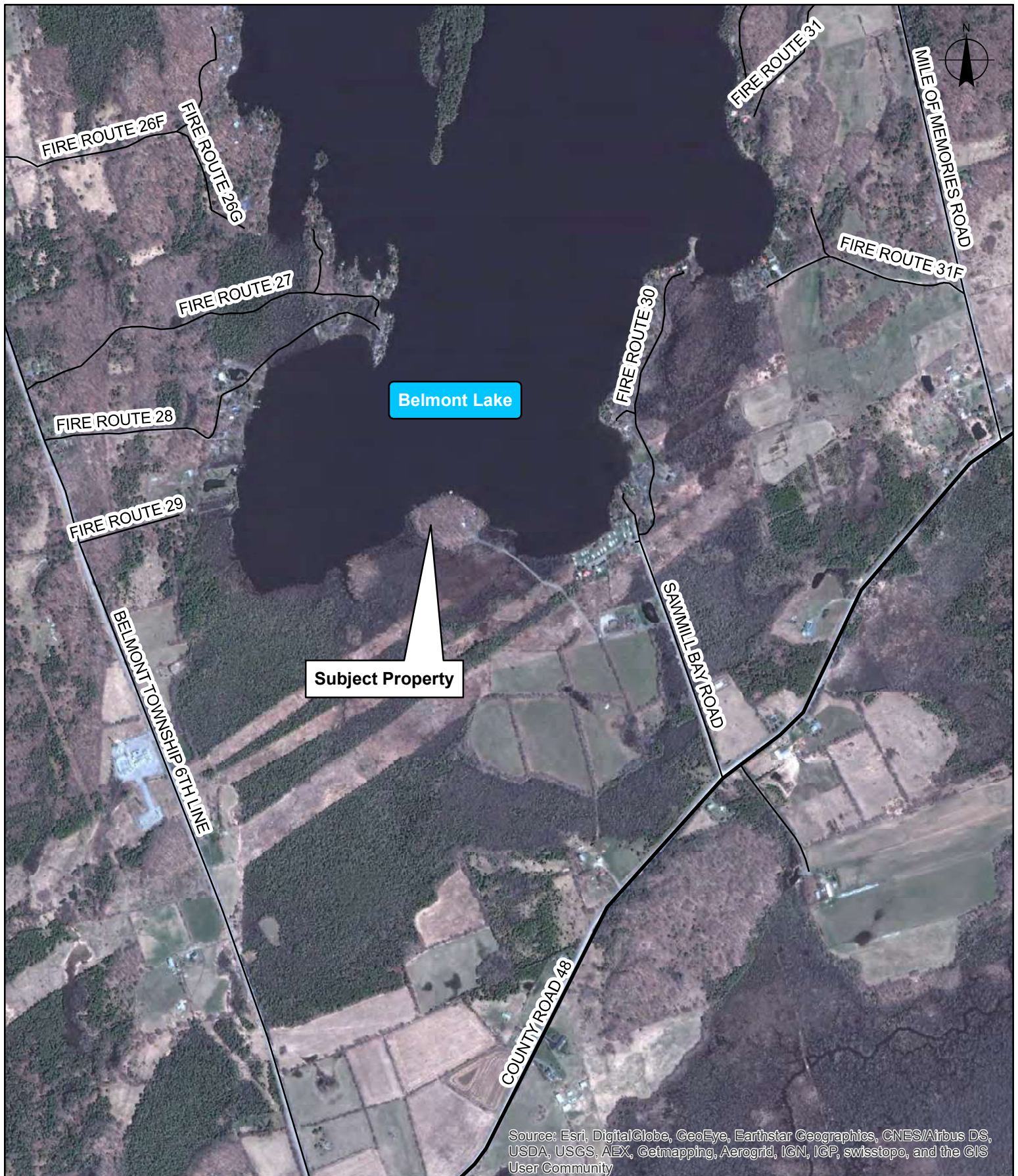
CVCA staff recommend that the application for the residential development on a vacant lot **be approved** based on the following conditions:

1. That all mitigation measures (Appendix F) within the D.M. Wills Environmental Impact Study are adhered to.
 2. That the residential development, garage and septic system are located entirely within the D.M. Wills identified "Developable Area" (Appendix C).
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Appendices:

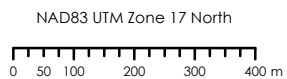
- Appendix A: D.M. Wills Site Location Map
 - Appendix B: D.M. Wills Ecological Land Classification Map
 - Appendix C: D.M. Wills Environmental Constraints Map
 - Appendix D: D.M. Wills Photographic Log of Site
 - Appendix E: Elevation Survey – Ivan B. Wallace
 - Appendix F: D.M. Wills Mitigation Measures
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Appendix A: D.M. Wills Site Location Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

SITE LOCATION MAP
 Part Lot 6, Conc. 11
 Twp. of Havelock-Belmont-Methuen
 County of Peterborough, ON



D.M. Wills Associates Limited
 150 Jameson Drive
 Peterborough, Ontario
 K9J 0B9
 P. 705.742.2297
 F. 705.741.3568
 E. wills@dmwills.com

Legend

- Arterial
- Local

Drawn by:	K.P.	Scale (Horz.)	1:12,500
Checked by:	L.C.		
Manager:	M.L.	Map Date	June 2017
Project No.	17-7218	Map File No.	Figure 1

Appendix B: D.M. Wills Ecological Land Classification Map



FIGURE 2 – ECOLOGICAL LAND CLASSIFICATION (ELC) MAP		Legend		D.M. Wills Associates Limited 150 Jameson Drive Peterborough, Ontario K9J 0B9 P: 705.742.2297 F: 705.741.3568 E: wills@dmwills.com		Scale (Horz.)	
		CATTAIL MINERAL SHALLOW MARSH TYPE	DRY RED OAK WOODLAND TYPE	WETLAND BOUNDARY	EXISTING ROAD NETWORK	Drawn by: L.C.	Checked by: M.L.
0m 50m 100m		Figure 2					

Appendix C: D.M. Wills Environmental Constraints Map

BELMONT LAKE

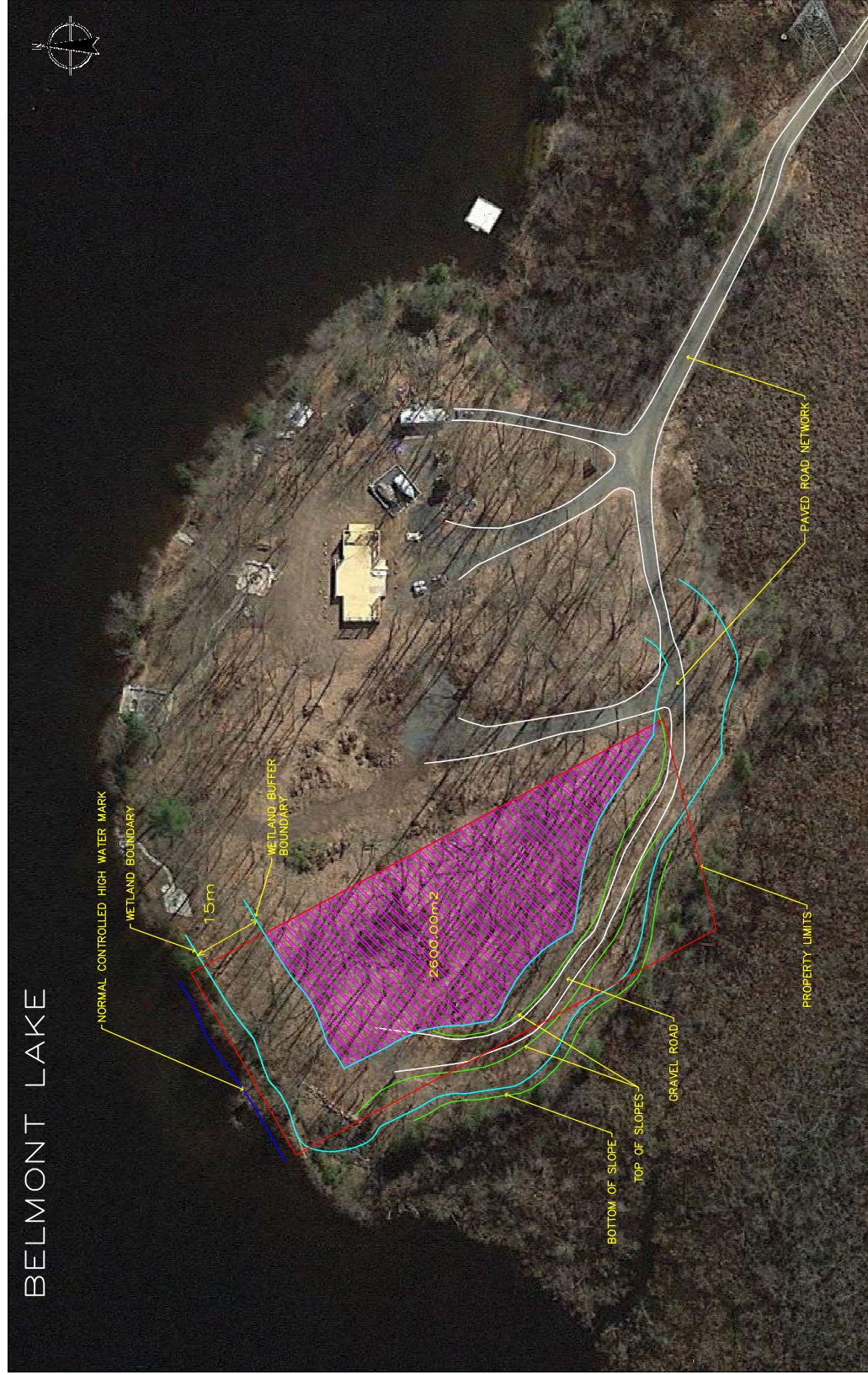


FIGURE 3 – ENVIRONMENTAL CONSTRAINTS MAP

WILLS
28 YEARS STRONG

D.M. Wills Associates Limited
150 Jannet Drive
Peterborough, Ontario
K9J 0G9
P: 705.742.2277
F: 705.741.3348
E: wills@dmwills.com

Legend

- DEVELOPABLE AREA
- WETLAND BUFFER
- EXISTING ROAD NETWORK

Drawn by:	L.C.	Scale (Hatz):	SEE SCALE
Checked by:	M.L.	BAR	
Engineer:	---	Map Date:	JUN.2017
Project No.	7218	Figure	3

Appendix D: D.M. Wills Photographic Log of Site



APPENDIX D – PHOTOGRAPHIC LOG

Client Name: Mr. and Mrs.
Tompson

Site Location: Part of Lot 11, Concession 6,
Geographic Township of Belmont,
County of Peterborough, Ontario

**Photograph
No. 1**

Date:
Nov. 4,
2016

Direction:
East

Description:

View of the terrestrial
woodlands.



**Photograph
No. 2**

Date:
Nov. 4,
2016

Direction:
North-east

Description:

View of the terrestrial
woodlands.





APPENDIX D – PHOTOGRAPHIC LOG

Client Name: Mr. and Mrs. Tompson

Site Location: Part of Lot 11, Concession 6, Geographic Township of Belmont, County of Peterborough, Ontario

Photograph No. 3

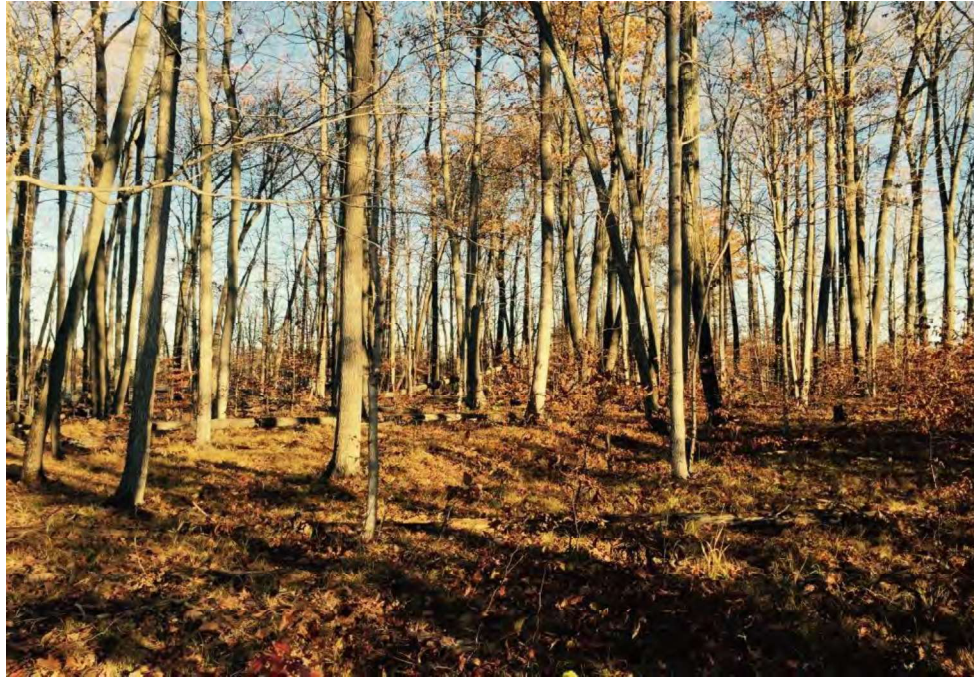
Date:
Nov. 4, 2016

Direction:

East

Description:

View of the terrestrial woodlands



Photograph No. 4

Date:
Nov. 4, 2016

Direction:
North-east

Description:

View of the terrestrial woodlands and Belmont Lake in the background.





APPENDIX D – PHOTOGRAPHIC LOG

Client Name: Mr. and Mrs.
Tompson

Site Location: Part of Lot 11, Concession 6,
Geographic Township of Belmont,
County of Peterborough, Ontario

**Photograph
No. 5**

Date:
Nov. 4,
2016

Direction:

West

Description:

View of the northern
end of the Subject
Property and
associated features.



**Photograph
No. 6**

Date:
Nov. 4,
2016

Direction:

North

Description:

View of the lakefront
and associated
features.





APPENDIX D – PHOTOGRAPHIC LOG

Client Name: Mr. and Mrs. Tompson

Site Location: Part of Lot 11, Concession 6, Geographic Township of Belmont, County of Peterborough, Ontario

Photograph No. 7

Date:
Nov. 4, 2016

Direction:
North-West

Description:

View of the existing un-paved access road to the Subject Property.



Photograph No. 8

Date:
Nov. 4, 2016

Direction:

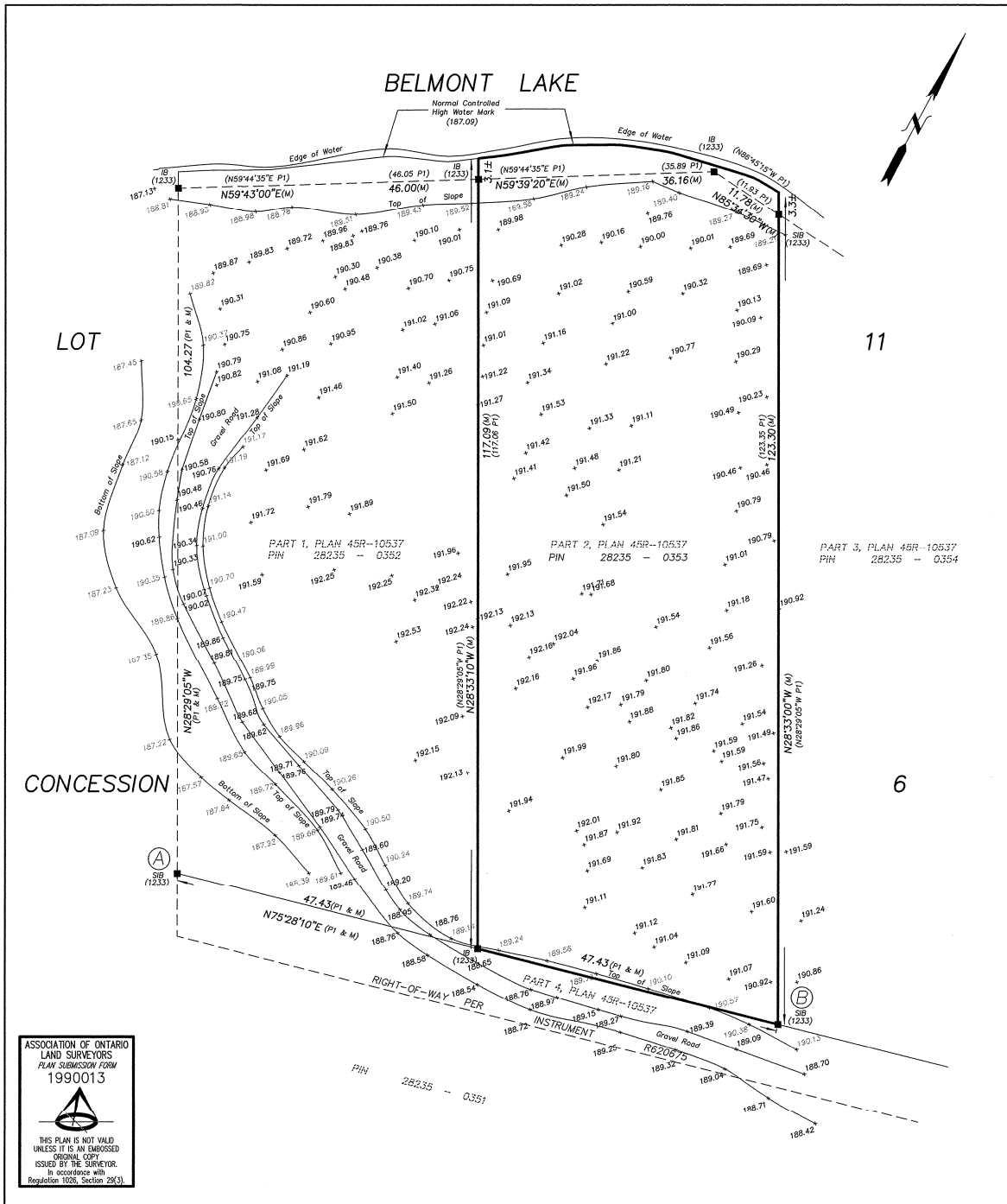
West

Description:

View of the wetland edge, part of the transition zone, and cattail marsh in the background.



Appendix E: Elevation Survey



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PLAN OF SURVEY SHOWING
TOPOGRAPHIC DETAIL OF
**PART OF LOT 11
CONCESSION 6**
GEOGRAPHIC TOWNSHIP OF BELMONT
**TOWNSHIP OF HAVELOCK-
BELMONT-METHUEN**
COUNTY OF PETERBOROUGH
SCALE 1 : 500 METRES
IVAN B. WALLACE O.L.S. LTD.

LEGEND
■ denotes Survey Monument Found
□ denotes Survey Monument Set
SSIB denotes Short Standard Iron Bar
SIB denotes Standard Iron Bar
IB denotes Iron Bar
WIT denotes Witness
M denotes Measured
P1 denotes Plan 45R-10537
1233 denotes C.F. Jones, O.L.S.
x192.49 denotes Spot Elevation

DISTANCE NOTES - METRIC
Distances and coordinates are in metres and can be converted to feet by dividing by 0.3048.
Distances are ground and can be converted to grid by multiplying by the combined scale factor of 1.000120.

BEARING NOTES
Bearings are UTM Grid, derived from observed reference points A and B, by Real Time Network observations, UTM Zone 18, NAD83(CSRs)(2010).
For bearing comparisons, the following rotations were applied:
P1 - 2°01'05" counter-clockwise

ELEVATIONS
Elevations are geodetic and referred to the Canadian Geodetic Vertical Datum (CGVD28) by direct measurement to a Real Time Network.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. This survey and plan are correct and in accordance with the Surveys Act and the Surveyors Act and the regulations made under them.
2. The survey was completed on November 7, 2016
November 21, 2016
Date Francis Lau, O.L.S.

INTEGRATION DATA
Observed reference points derived from GPS observations using a Real Time Network and are referred to UTM Zone 18 (75° west longitude) NAD83(CSRs)(2010).
Urban accuracy per Sec. 14(2), O.Reg. 216/10.

POINT ID	NORTHING	EASTING
A	4927702.36	274782.06
B	4927726.18	274873.92

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN



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belleville@ibwallsurveys.com

DWG NAME: B-0901-Topo | DRAWN BY: WS | PLOT DATE: November 15, 2016
PARTY CHIEF: JD | CHECKED BY: FL | copies available at www.LandSurveyRecords.com

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
1990013
THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR.
In accordance with
Regulation 1028, Section 29(3).

Appendix F: D.M. Wills Mitigation Measures

- Erosion and sediment control measures and structures should be repaired, if damage occurs.
 - Non-biodegradable erosion and sediment control materials should be removed once the site is stabilized.
 - Site isolation measures for containing stockpiled material should be implemented.
- All equipment operating near the wetland or watercourses shall be properly maintained in order to avoid contaminant leakage.
- A response plan should be developed that will be implemented immediately in the event of a sediment release or spill of a deleterious substance.
- An emergency spill response kit including the appropriate absorbency materials, will be on site at all times and in the event that a spill occurs. Proper containment, clean up and reporting, in accordance with provincial requirements, is required.
- All necessary precautions must be taken to prevent the accumulation of litter and construction debris within any natural areas outside of the construction limits.
- Clearing of vegetation should be kept to a minimum.
- Replacement of appropriately sized gravel along the edge of the existing road should be considered to provide possible nesting habitat for turtles.
- Disturbed areas should be immediately stabilized with native seed to prevent erosion and / or sedimentation.
- Upon project completion, all construction materials must be removed off-site.

8.2 Avifauna Species of Conservation Concern

Construction activities which may cause adverse impacts to birds or their habitats (e.g. vegetation clearing), should occur outside of the breeding bird season – the breeding bird season in the area extends from April 15th to August 31st. If this time period is unavoidable, alternatively, a nest sweep must be conducted by a qualified biologist prior to any clearing of vegetation on-site, and the MNRF contacted, should any SAR be encountered.

8.3 Herpetofauna Species of Conservation Concern

- As noted in Section 8.1, no development activities should take place within the wetland feature, no building erection to take place within the proposed 15 m buffer zone and an ESCP implemented to prevent erosion and sediment deposition into the aquatic or wetland features.
- Workers must be vigilant and check work areas for the presence of turtles. If turtles are encountered, work must be temporarily suspended until the animal is

out of harm's way. Workers must report any observations (including photographs and coordinates) to the MNRF Bancroft District Office immediately.

- The turtle nesting season in the area extends from May 15th to Aug 15th. Therefore, if activities are to commence prior to August 15th wildlife exclusionary fencing should be installed prior to May 15th to ensure turtles do not use the areas within the construction zone for life cycle functions such as nesting and migration. Fencing must be installed prior to May 15th of any given year.
- The MNRF must be contacted in the case that any rare species are identified during pre-construction or during the construction phases.

9.0 Monitoring

Periodic site inspections are recommended to ensure the environmental component of the work is being undertaken effectively and to address any environmental concerns that may develop during the construction period.

10.0 Conclusions and Recommendations

Given the results of on-site investigations, long-term adverse impacts to natural heritage features, associated habitat, and local wildlife populations are not anticipated to be resultant from proposed development activities provided that the environmental protection / mitigation measures outlined herein are implemented. Due to the elevation difference and a well-defined transition from wetland to terrestrial upland habitat it is anticipated that site isolation measures can be implemented during construction to ensure that there will be no intrusion or impact to the nearby unevaluated wetland or Belmont Lake. Doesn't

In accordance with provincial and federal legislation, mitigation measures to avoid any negative impacts to species of conservation concern must be identified and / or permits obtained prior to construction activities. Consideration must be given during the final design stage to respect the constraints associated with the development. The 15 m buffer supported by this EIS is a reduction from the existing 30 m buffer for unevaluated wetlands. Appropriate implementation of the mitigation measures outlined herein will ensure that proposed activities do not conflict with the Endangered Species Act, Migratory Birds Convention Act or federal Species at Risk legislation. If you have any further questions please do not hesitate to contact the undersigned.

Respectfully submitted,



Lauren Cymbaly, M.E.S., Dip ERR
Senior Biologist



Michael J. Lord, BA, dET
Senior Consultant

LC/ML/kc/af