



Moira River, Napanee Region and Prince Edward Region Conservation Authorities

# Quinte Conservation

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Faxed Jan 23, 2001  
1615 hrs.

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Also faxed to  
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VIA FAX

January 23, 2001

Glen R. Knox, Clerk  
Corporation of the County of Prince Edward  
P.O. Box 1550,  
Picton, Ontario  
K0K 2T0

Dear Mr. Knox:

**Re: Application for Zoning By-Law Amendment Z-85-00  
Part of Lot 36, Concession 2,  
County of Prince Edward, Ward of Hillier  
Owner: 772611 Ontario Inc. c/o Robert Scott**

Staff of the Conservation Authority has reviewed the application noted above along with all pertinent information relating to the subject property. We also reviewed the final version of the Pleasant Bay Lodge Environmental Impact Study prepared by Niblett Environmental Associates Inc. (henceforth referred to as the 'EIS') after it was received by this office on January 17<sup>th</sup>. Based on this review, we offer the following comments:

#### PROPOSED DEVELOPMENT ON ALEXANDER ISLAND PROPER

1. We do not object to the proposed rezoning as presented provided that conditions 2 to 5 outlined below are met.
2. The proposed development on Alexander Island proper should not result in any significant environment impacts as demonstrated in the EIS. Site plans will be required to provide final details of facilities, setbacks, site layout, and roadways/pathways on the island itself. These site plans will need to be reviewed and approved by Quinte Conservation.
3. Portions of Alexander Island lie within the wetland boundary and fill zone of Pleasant Bay, a provincially significant wetland. The wetland and the adjacent fill zone (lands within 120 m of the Wetland) are regulated by the Conservation Authority by virtue of Ontario Regulation #417/94 (Fill, Construction & Alteration to Waterways Regulation). The owner(s) will need to apply to the Conservation Authority for a permit for any future development proposed in these areas. The Authority will review the application in light of Regulation #417/94 and Authority policies before deciding to issue or deny the permit.
4. The shoreline and floodplain of Lake Ontario are regulated by the Conservation Authority by virtue of Ontario Regulation #417/94 (Fill, Construction & Alteration to Waterways

Regulation). The owner(s) will need to apply to the Conservation Authority for a permit for any future development proposed in these areas. The Authority will review the application in light of Regulation #417/94 and Authority policies before deciding to issue or deny the permit.

5. Pursuant to policy 8.1.2 of the County of Prince Edward Official Plan, lands within 30 metres of the normal high water mark of Lake Ontario are designated Environmental Protection. Policy 8.1.5 states that the primary purposes of the Environmental Protection designation are the preservation and conservation of the natural environment. Policy 8.4.1 c) states that *"the placing or removal of fill or any kind whether originating on the site or elsewhere shall not be permitted in the Environmental Protection designation without the approval of the local Conservation Authority..."*.

#### **PROPOSED ROAD ACCESS TO ALEXANDER ISLAND**

6. Staff of the Conservation Authority understands that an integral component of the proposed development on Alexander Island proper is the development of an access road across a barrier beach. We also understand that there are some outstanding legal issues surrounding the status of the road allowance on the barrier beach and Alexander Island that need to be resolved before road improvement (i.e., road construction) can commence.

Pursuant to policy 6.1 of the Prince Edward Conservation Authority Policy and Procedures Manual, when reviewing development applications, the Authority must have regard for its objectives of preventing loss of life and minimizing property damage. Access to and from homes, cottages, or commercial establishments is one important factor that must be considered as floods can cut off access for occupants, police, fire fighters or ambulance personnel in an emergency situation. Therefore, the Authority reviews accessibility for pedestrians and vehicles with regard for specific water depths and velocities. Depths for vehicle access may not exceed 0.3 metres. Velocities may not exceed 1.7 metres per second.

7. The Hall Coastal report is not clear or conclusive as to the relationship of the proposed road to the 100-year flood elevation, including wave uprush. Based on surveys undertaken by Quinte Conservation staff on January 19<sup>th</sup>, 1 metre of fill may be required to place the final road surface elevation at 76.8 metres-above-sea-level (m.a.s.l.) contrary to the 0.4 metres of fill depicted on Figure 2 in the Hall Coastal report. Also, the EIS states that the road will be built above the Lake Ontario flood line (p.24). Based on our field surveys this is clearly not the case; most of the road will be built in the Lake Ontario flood plain.
8. The width of the road is also to be wider than the 4 metres depicted in the Hall Coastal report. This would result in greater amounts of fill in the flood plain.
9. The exact road alignment has yet to be determined. Therefore the conclusion reached by the EIS and the Hall Coastal report that the sensitive ecological environment of the dune area will

be preserved by constructing the access road lakeward of the dunes in an 'unvegetated community' seems premature.

10. Portions of barrier beach lie within the wetland boundary and fill zone of Pleasant Bay, a provincially significant wetland. The wetland and the adjacent fill zone (lands within 120 m of the Wetland) are regulated by the Conservation Authority by virtue of Ontario Regulation #417/94 (Fill, Construction & Alteration to Waterways Regulation). The owner(s) will need to apply to the Conservation Authority for a permit for any future development proposed in these areas. The Authority will review the application in light of Regulation #417/94 and Authority policies before deciding to issue or deny the permit.
11. The shoreline and floodplain of Lake Ontario are regulated by the Conservation Authority by virtue of Ontario Regulation #417/94 (Fill, Construction & Alteration to Waterways Regulation). The owner(s) will need to apply to the Conservation Authority for a permit for any future development proposed in these areas. The Authority will review the application in light of Regulation #417/94 and Authority policies before deciding to issue or deny the permit.
12. Pursuant to policy 8.1.2 of the County of Prince Edward Official Plan, lands within 30 metres of the normal high water mark of Lake Ontario are designated Environmental Protection. Policy 8.1.5 states that the primary purposes of the Environmental Protection designation are the preservation and conservation of the natural environment. Policy 8.4.1 c) states that *"the placing or removal of fill or any kind whether originating on the site or elsewhere shall not be permitted in the Environmental Protection designation without the approval of the local Conservation Authority..."*.
13. Authority staff will need to review and approve: 1) a surveyed road alignment plan showing existing and proposed elevations and 2) road construction plans and details before this office can decide whether or not to issue a permit under Ontario Regulation #417/94 or before we can approve the placing of fill under policy 8.1.2 of the County of Prince Edward Official Plan.
14. The barrier beach adjacent to Alexander Island meets the three criteria for a 'dynamic beach hazard' as defined by the Natural Hazard Training Manual under the Provincial Policy Statement (PPS). Section 3.1.2 of the PPS states that *"Development and site alteration will not be permitted within: a) defined portions of the dynamic beach"*. Defined portions of a dynamic beach are defined in the PPS as: *"those portions of the dynamic beach which are highly unstable and/or critical to the natural protection and maintenance of the first main dune feature and/or beach profile, where any development or site alteration would create or aggravate flooding or erosion hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts"*. The report entitled "Evaluation of an Access Road to Pleasant Bay Lodge Along Pleasant Bay Beach" prepared by Hall Coastal Canada Ltd. (henceforth called the 'Hall Coastal report') concludes that, based on an historical analysis, dynamic beach modelling, and evidence observed in the field, *"the beach fronting Pleasant*

*Bay is a stable beach not subject to significant dynamic variations"* (p. 6). Based on the evidence provided we concur with the Hall Coastal report.

A copy of the Committee's decision would be appreciated. Please contact me at this office if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Monet", with a long horizontal flourish extending to the right.

Stephen Monet, Ph.D., OALA  
Senior Environmental Planner

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