

November 11th, 2021

Prince Edward County
332 Picton Main Street
Picton, ON
K0K 2T0

Attention: Matt Coffey, MCIP RPP, Planning Coordinator, Approvals

Dear Mr. Coffey,

**RE: Proposed Resort Development
Addendum Letter – Site Plan Approval Application
Alexander Island, Prince Edward County, ON (Roll No.: 135062201026800)
TBG Project No. 20705**

On behalf of our client, Fifth Developments GP Limited (also referenced on submission and past documents as LOBP Inc., a limited partner of Fifth Developments GP Limited), we are pleased to submit the enclosed addendum to our Covering Letter that was submitted in support of our clients application for Site Plan Approval for the Subject Site locally referred to as Alexander Island, Prince Edward County, and legally referred to as the Island Lying Between Lake Ontario and Pleasant Bay and lying in front of Lot 33, Concession 2, Township of Hillier, County of Prince Edward. The Subject Site is owned by Dwight Powell (“landowner”). The landowner has an Agreement of Purchase and Sale in place with Fifth Developments GP Limited for the acquisition of the Subject Site. The Biglieri Group Ltd. submitted an application for Site Plan Approval on behalf of Fifth Developments GP Limited on June 25th, 2021 for the purpose of beginning the process for executing a Site Plan Agreement and/or Development Agreement with Prince Edward County. As previously indicated, Fifth Developments GP Limited intends to submit for Removal of Holding Zone in the future, as required given the Holding Zone provisions applicable to the Subject Site discussed in the first Covering Letter submitted with the Site Plan Approval application.

As per our discussions and requests by Prince Edward County Planning Staff on October 8th, 2021, we are providing more detailed information and justification for the proposed Quarter Sessions Road access to the Subject Site as well as the additional secondary, navigable access. Attached hereto this Addendum Letter for the Site Plan Approval Application at Alexander Island, Prince Edward County, is a Draft Site Plan that shows access via Quarter Sessions Road as well as navigable access via boat slip with 10 parking spaces located on the north side of Pleasant Bay.

SITE DESCRIPTION

The Subject Site is a 24.50-hectare property located in the western part of Prince Edward County in the Ward of Hillier. The Subject Site has waterfront access to Pleasant Bay to the north/east and to Lake Ontario to the south/west and is accessed by Quarter Sessions Road from the north; an unmaintained, unconstructed municipal road. The Subject Site is bound by waterfront via Lake Ontario to the south and west, and Pleasant Bay to the northeast. North of the Subject Site beyond the Quarter Sessions Road is agricultural and rural land uses (inclusive of the Pleasant Bay Camp). Environmental features, such as wetlands, exist near to the Subject Site, predominantly around the edges of Pleasant Bay.

PLANNING POLICY FRAMEWORK

The Subject Site is designated as *Shore Land* in the County of Prince Edward Official Plan (Office Consolidation, November 2006) (the "OP"). The *County of Prince Edward Comprehensive Zoning By-law #1816-2006* (the "ZBL") zones the Subject Site as:

- *Tourist Commercial (TC-22-H) Zone*, exemption #22, with a Holding Zone ("H");
- *Environmental Protection (EP-3) Zone*; and
- *Environmental Protection – Provincially Significant Wetlands (EP-W-1) Zone*.

HISTORY OF SUBJECT SITE AND FUTURE DIRECTION

The Alexander Island resort development has been coordinated, approved, and consulted on since 1999 with Quinte Conservation Authority, Prince Edward County staff and Council, and the proponent's consultants. On the strength of Quinte Conservation Authority, Ministry of Natural Resources and Forestry, and Prince Edward County staff support, Prince Edward County Council approved the site-specific Zoning By-law Amendment to zone the Subject Site as *Tourist Commercial (TC-22-H) Zone*, *Environmental Protection (EP-3) Zone*, and *Environmental Protection – Provincially Significant Wetland (EP-W-1) Zone*. Prince Edward County By-law #2001-375 granted the site-specific zoning on the basis that the provisions of the applicable Holding (-H) zone are resolved. As per the ZBL, "a By-law shall not be erected to remove the "Holding" (-H) symbol until such time as:

- A Site Plan Agreement and / or a Development Agreement satisfactory to the County has been executed and registered on title of the lands. The Agreement(s) shall address, among other things, the design, construction and maintenance of the unmaintained public road described as the Quarter Sessions Road, being the access road to Alexander Island connecting the Island to County Road No. 27, to the satisfaction of the County;
- A Hydrogeological Report outlining the methods of servicing the site with private well and subsurface sewage disposal systems has been completed and approved by the County; and
- An Archaeological Resources Investigation Report has been completed and approved by the Ministry of Culture.

Fifth Developments GP Limited intends to complete the Removal of the Holding "H" Zone provision after a Site Plan Agreement and/or a Development Agreement is executed, satisfactory to the County, and registered on title of the lands. Additionally, A Hydrogeological Report and Archaeological Resources Investigation Report will be submitted at that time. By doing so, the provisions of the Holding Zone symbol will be fulfilled and the development of the Subject Site for its intended Tourist Commercial and Environmental Protection uses shall be fulfilled (as per Provision 22.5.22. xiii. of the ZBL). The Site Plan Agreement and/or Development Agreement established shall address the design, construction, and maintenance of the Quarter Sessions Road as per Provision 22.55.22.xii.1. of the ZBL. Road access is further discussed within the Functional Servicing Report prepared by Jewell Engineering.

SUMMARY OF REVIEWED DOCUMENTS

In preparation of this letter, the following documents have been reviewed and referenced:

- Evaluation of an Access Road to Pleasant Bay Lodge Along Pleasant Bay Beach, prepared by Hall Coastal Canada Ltd., dated November 2000;
- Comment Letter on Application for Zoning By-law Z-85-00, prepared by Quinte Conservation Authority, dated January 23rd, 2001;
- Coastal Engineering Review Letter, prepared by Jewell Engineering, dated August 22nd, 2018;
- Comment Letter on Road Access to Alexander Island, prepared by Quinte Conservation Authority, dated September 20th, 2018; and
- Natural Heritage Opinion Letter on Quarter Sessions Road, prepared by Beacon Environmental, dated May 1st, 2019; and
- Provincial Policy Statement, 2020.

Evaluation of an Access Road to Pleasant Bay Lodge Along Pleasant Bay Beach, prepared by Hall Coastal Canada Ltd., dated November 2000 (“Hall Coastal Report”)

The Hall Coastal Report addressed the implications and preliminary design of the access road with consideration given to its impact on the beach dune system. The report analyzed the beach system and confirmed that it is not a dynamic beach hazard. The report states that:

“The presence of the beach on maps and plans produced over the past 200 years indicates that the barrier beach developed at Pleasant Bay is stable. It is well anchored at both the north and south ends by prominent landforms. Additional evidence of the stability is indicated by the presence of well-established vegetation (grasses and trees) on the dune system backing the beach. Any degradation of the dune appears to be the consequence of recreational activities (motorcycles and ATV’s) across the dune system)” (Section 3.0, page 4).

The Hall Coastal Report further assessed the stability of the beach subject to both a normal and extreme wave attack for the purposes of assessing dynamic beach stability and states “the beach fronting Pleasant Bay is a stable beach not subject to significant dynamic variations” (Section 3.0, page 6).

As per Section 4.0 page 8 of the Hall Coastal Report concludes that the proposed roadway could be constructed in a way that will:

1. Provide a roadway designed in accordance with established standards and procedures for ensuring successful deployment in a perceived dynamic hazard (to further clarify, the report is reiterating that it is a stable beach and was only perceived as a dynamic beach hazard);
2. Will not create adverse impact or new hazards along the shoreline corridor; and
3. Will not have an adverse environmental impact.

Comment Letter on Application for Zoning By-law Z-85-00, prepared by Quinte Conservation Authority, dated January 23rd, 2001 (“2001 QCA Letter”)

This comment letter was prepared by Quinte Conservation Authority (“QCA”) as part of their review of the Zoning By-law Amendment (File No. Z-85-00) submitted by 772611 Ontario Inc. c/o Robert Scott in 2000. The 2000 QCA Letter affirmed their support for the proposed rezoning of the Subject Site, subject to conditions (Comment #1), and affirmed their support for the Hall Coastal Support, stating that “based on the evidence provided we concur with the Hall Coastal Report [that the beach is a stable beach not subject to significant dynamic variations]” (Comment #14).

Coastal Engineering Review Letter, prepared by Jewell Engineering, dated August 22nd, 2018 (Jewell Letter)

The Jewell Letter addressed outstanding concerns at that time and provided recommendations for proceeding forward with a Site Plan Approval and Removal of Holding Zone applications. After their review of the Hall Coastal Report, Jewell Engineering stated in their letter that they are “of the opinion that an update of the coastal engineering report would provide no further useful information to help with this application”. The beach is stable and the final location of the road is well protected behind the foredunes” (page 2). Regarding road location, Jewell Engineering further emphasized that the Hall Coastal Report found the beach was stable based on their analysis and states:

“After issuance of [the Hall Coastal Report], the proponent, MNR, PEC and QCA agreed upon a more protected location for the access road behind the foredunes along a pathway that was selected and staked out in the field by the Quinte Conservation Authority biologist, Stephen Monet, PhD. At the staked location, the roadway would be best protected from the hazard and the location was also considered to have the least impact on the environment. The proponent undertook significant negotiations with MNR, QCA, and PEC to relocate the road, transfer lands, and acquire permits for the construction of the road in the revised location” (page 2).

The Jewell Letter further affirmed that the previously approved Official Plan Amendment and Zoning By-law Amendment supported the proposed development and the connecting road, with support from the Hall Coastal Report and an EIS completed by Niblett Environmental in 2001. Road construction would follow a Schedule A+, Municipal Class EA that would be well informed with an Environmental Study Report that would look at opportunities to mitigate any potential impacts caused by the road improvements.

The Jewell Letter provided the following recommendations:

1. The County affirms the developers may continue their planning process with the assurance that the Zoning TC-22-H, iii direction remains in force, which states, “access to the lands shall be provided by means of a public street, connecting Alexander Island to the County Road system, constructed and maintained to the standards satisfactory to the County”;
2. The coastal engineering study requirement be replaced with an Environmental Study Report that considers the impacts of the road on the dynamic beach; and
3. A management plan also be prepared that will satisfy the concerns of Zoning TC-22-H, x.

Comment Letter on Road Access to Alexander Island, prepared by Quinte Conservation Authority, dated September 20th, 2018 (“QCA Road Letter”)

The QCA Road Letter represented a reiteration of a meeting that occurred between Quinte Conservation Authority and LOBP Inc. (Fifth Developments GP Limited) on September 6th, 2018. The QCA Road Letter reiterates QCA’s understanding that Prince Edward County staff are in support of the proposed resort development on Alexander Island and that both the existing Zoning By-law zoning and Official Plan designation is in place for such a development. QCA affirms that “given the history of the Conservation Authority’s involvement in this file and the fact that [the QCA office] has previously issued a permit; [QCA Staff] support this project and feel that if properly constructed, it will provide better protection of the dunes than currently exists” (page 1). MNR, QCA, and PEC worked collaboratively to stake a new road alignment between the sand dunes in order to move the road away from the edge of Lake Ontario and a permit was issued for same by QCA.

The QCA Road Letter concludes the letter by emphasizing how following the needed Environmental Assessment process would involve providing a modern design which minimizes vehicle access to the dunes, resolve erosion and deposition of loose sand, address how a portion of the road allowance lies below the 1:100 year flood elevation of Lake Ontario, will provide for wildlife passage between the

Pleasant Bay Wetland and Lake Ontario, and will address any other concerns raised by other agencies (i.e. Ontario Parks and/or MNR).

Natural Heritage Opinion Letter on Quarter Sessions Road, prepared by Beacon Environmental, dated May 1st, 2019 (“Beacon NHO Memo”)

The Beacon NHO Memo offered professional opinion regarding natural heritage matters as it relates to the design, construction, and maintenance of Quarter Sessions Road. This memo outlined Beacon’s involvement since April 2017, provided a brief outline of Beacon’s understanding of the current conversation surrounding the design, construction, and maintenance of Quarter Sessions Road, and summarizes environmental considerations to form a position of support for moving forward with a Class EA for Quarter Sessions Road.

After reviewing the history of the road and process for selecting the alignment (that was agreed upon by PEC, QCA, MNR, and others), Beacon provided the following affirmations:

- The road corridor avoids the pannes and most of the treed dune communities;
- Based on field observations conducted by Beacon, they are satisfied that PEC, QCA, and MNR have selected the most appropriate location for the road corridor and that the alignment avoids the more sensitive natural heritage features;
- While the road overlaps with a dune ecosystem, which is considered critically imperiled, conspicuously absent are endemic dune species as a direct result of uncontrolled off-road vehicle activity in the area (further identified in a 2015 North Beach Park Management Plan, which was reviewed by Beacon in preparation of their NHO Letter);
- These anthropogenic activities have resulted in severely degrading the beach system and have stripped away much of the protective vegetation cover and recovery potential is limited due to an absence of local source populations of native dune stabilizing vegetation;
- Despite crown land status and proximity to North Beach Provincial Park, established in 1970, there have been no efforts to restore and rehabilitate the Pleasant Bay dunes;
- During construction of the road, a long-term restoration, management, and monitoring program can be implemented to improve the condition and quality of the degraded dune environment, which can have a positive impact over the long term;
- The lack of intervention over the past 50 years makes it apparent that insufficient resources are available to make this a management priority. An EA for this road project would provide an opportunity to formally address the immediate restoration and management of the Pleasant Bay dunes and LOBP Inc. could be a contributing partner and assist in contributing several types of resources;
- The preliminary design of the Quarter Sessions Road at the time of writing the letter was satisfactory enough that options are available to construct a non-standard road with a reduced footprint that incorporates elements that can reduce impacts to the ecosystem and compliment the long-term protection and management of the Pleasant Bay dunes.

Provincial Policy Statement, 2020 (“PPS”)

The PPS was issued under Section 3 of the Planning Act, 1990 and provides overall direction on matters of provincial interest related to municipal planning decisions. The current PPS was issued by the Province of Ontario and came into effect on May 1st, 2020. The Planning Act requires that decisions on planning matters, including Zoning By-law Amendment applications, “shall be consistent with” the PPS.

Policy 3.1.2 of the PPS states that “*development and site alteration shall not be permitted within: a) the dynamic beach hazard and “c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard”*. The PPS defines a dynamic beach hazard as “*areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large*

inland lakes, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance”.

Based on the evidence provided in the Hall Coastal Report, the 2001 QCA letter openly agreeing to the Hall Coastal Report conclusions, and the supporting letters and memorandums from Jewell Engineering and Beacon Environmental, it has been concluded that the Pleasant Bay Beach Dune System is not defined as a dynamic beach hazard and therefore is not subject to PPS policy 3.1.2.

CONCLUSION AND RECOMMENDATIONS

In review of the aforementioned materials, involvement in the file to date, etc., the following facts have been affirmed:

- Quinte Conservation Authority, Ministry of Natural Resources and Forestry, and Prince Edward County supported the approval of the proposed resort developments Official Plan land use designation and zoning under the Zoning By-law;
- The barrier beach developed at Pleasant Bay was properly analyzed in the Hall Coastal Report; it is an acceptable report, concluding that the Pleasant Bay beach is stable and therefore not a dynamic beach hazard based on technical analysis, research on historic mapping, and site observations;
- An update to the Hall Coastal Report should not be required, seeing as an update would not provide any further useful information to assist with the proposed application;
- Since the Pleasant Bay beach is stable and not a dynamic beach hazard, the lands are not subject to Policy 3.1.2 of the Provincial Policy Statement, 2020 that discusses restricting development in dynamic beach hazards;
- After issuance of the Hall Coastal Report, the proponent, MNR, PEC, and QCA agreed upon the relocation of Quarter Sessions Road behind the foredunes along a pathway that was selected and staked out in the field by the QCA biologist, Stephen Monet, PhD. This staked location was selected to best protect from hazards and deemed to have the least impact on the environment;
- The Pleasant Bay beach has undergone significant anthropogenic impacts. More than 80% of the open dune habitats at Pleasant Bay beach have been severely degraded and much of the protective vegetation cover has been stripped away. The magnitude of the impact is too severe and widespread to solely rely upon natural recovery;
- There is an absence of local source populations of native dune stabilizing vegetation at the Pleasant Bay beach;
- No efforts for protection, restoration, or rehabilitation to the Pleasant Bay dunes has occurred since the North Beach Provincial Park was established in 1970;
- The lack of intervention over the past 50 years has made it apparent that insufficient resources are available, and a lack of effort in protection, to make this a management priority;
- Significant negotiations with MNR, QCA, and PEC were held to relocate Quarter Sessions Road, transfer lands, and acquire permits for the construction of the road in a revised location;
- The relocated Quarter Sessions Road corridor established between MNR, QCA, and PEC is appropriately located and aligned to minimize impacts to the natural environment. The design, construction, and maintenance of Quarter Sessions Road will minimize loss of habitat and interference with local wildlife populations and will offset loss dune habitat by restoring the ecological integrity of the degraded dunes;
- A long-term restoration, management, and monitoring program aimed at improving the condition and quality of the degraded dune environment can be implemented in the design, construction, and maintenance of Quarter Sessions Road, and in committing to a restoration program, LOBP Inc. can be a contributing partner and assist in contributing resources; and
- A Schedule A+ Municipal Class EA can be followed for the construction of Quarter Sessions Road, and the report would look at opportunities to mitigate any potential impacts caused by the road improvements.

The proposed development of Alexander Island for a resort and tourist commercial uses has been coordinated, approved, and consulted on since 1999 with Quinte Conservation Authority, Prince Edward County staff and Council, and the proponent's consultants. Fifth Developments GP Limited wishes to establish a Site Plan Agreement and/or Development Agreement with Prince Edward County to establish the permitted uses under the current *Tourist Commercial (TC-22-H)*, *Environmental Protection (EP-3)*, and *Environmental Protection (EP-W-1)* zones and move towards a future application for Removal of Holding Zone.

The site-specific zoning for the Subject Site was granted via Prince Edward County By-law #2001-375. On the strength of Ministry of Natural Resources and Forestry, Quinte Conservation Authority, Prince Edward County staff and Council, and the consultants assisting in the preparation of this Site Plan Approval submission, the proposed development by Fifth Developments GP Limited is in keeping with the intent of the County of Prince Edward Official Plan (Office Consolidation, November 2006) and the provisions and requirements of the *County of Prince Edward Comprehensive Zoning By-law #1816-2006* are met.

It is Fifth Developments GP Limited intent to continue moving the approvals process along for the Subject Site by establishing a Site Plan Agreement and/or Development Agreement for the proposed development and proceeding with detailing the design, construction, and maintenance of Quarter Sessions Road to County Road #27 in accordance with Zoning By-law Provision 22.55.22.xii.1 of the *County of Prince Edward Comprehensive Zoning By-law #1816-2006*. Fifth Developments GP Limited intends to file a Request for Removal of Holding Zone in the future to develop the Subject Site into a resort and tourist commercial establishment.

We trust you will find all in order, however if you have any questions or require additional information, please do not hesitate to contact the undersigned.

Respectfully,
THE BIGLIERI GROUP LTD.



Brayden Libawski, MSc.Pl.
Planner

Cc: Fifth Developments GP Limited
LOBP Inc.
Dwight Powell
Jewell Engineering Inc.
Beacon Environmental Limited