

RESPONSE TO 1ST TECHNICAL COMMENTS

ADOLPHUS REACH RESORT

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September 8, 2023

Scott Pordham
Policy Coordinator
County of Prince Edward

**RE: Adolphus Reach Resort
Response to 1st Technical Circulation Comments
Zoning By-law Amendment, File # Z117-2021**

Dear Mr. Pordham,

Fotenn Planning + Design is pleased to submit this letter and supporting documentation on behalf of 2522082 Ontario Inc. related to the proposed development of Adolphus Reach Resort at 1315, 1329, and 1357 County Road 7.

This submission represents a response to the first round of technical comments, including:

- / Quinte Conservation comments dated August 19, 2022
- / County Planning Comments dated September 30, 2022
- / County Engineering comments dated October 28, 2022

The following new and revised items are submitted together with this letter:

- / Revised Concept Plan
- / Rendering Package
- / Revised Stormwater Management Report
- / Forefront Engineering Response Letter
- / Addendum to Slope Stability Report
- / Pinchin Response Letter
- / Revised Zoning By-law Amendment Text (Appendix A to this letter)

Technical Comments

Technical comments received from the City are bulleted, with responses listed below each item in **bold**.

Quinte Conservation Authority

- / Quinte Conservation is unable to support the stormwater strategy outlined in the stormwater report. Of primary concern, is Outlet 1. Discharge is directed toward an adjacent property whose ownership is not specified. As water is being collected from a greater area than predevelopment and being discharged uncontrolled; the full impacts on the external property must be clearly analyzed. The owner of the external property is not legally required to receive surface flows from a charged flow regime. A drainage easement and agreement maybe required.

Refer to the response letter provided by Forefront Engineering and the revised Stormwater Management Report.

- / The Ministry of Environment, Conservation and Parks (MECP) is responsible for the ESA including SAR in Ontario. Staff recommend that the municipality request correspondence from MECP that acknowledges and agrees with the EIS in relation to Endangered Species.

Please provide any comments received from the Ministry of Environment, Conservation and Parks once received.

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- / The setbacks recommended in the slope stability report are based on a projected 1H:1V stable slope allowance plus a 6 meters access allowance. However, this year Quinte Conservation completed the Quinte Conservation Shoreline Management Plan. The plan included updated 100 year flood elevations, and erosion hazard limit. Attached is an aerial view of the site which includes these hazards. The white line is the updated flood line (76.03 CGVD28) and the green line is the erosion hazard limit based on a 1.75H:1V stable slope allowance. All development must be set back a minimum of 6 meters from the erosion hazard limit as shown on the aerial photograph. This requirement would potentially eliminate the construction of the main villa and pumphouse.

Refer to the revised Concept Plan. All accommodation units have been setback from the Erosion Hazard limit. An existing house exists on the escarpment facing the water which is proposed to be converted to the Club House with the intent to utilize the existing foundation.

- / It should be noted that the setback from the 1:100-year flood plain elevation (76.03 metres) is 15 metres (as per Quinte Conservation Regulation and Policy). Further, and more importantly, staff cannot issue permits for any new development within the Erosion Hazard Limit as stated above in the Slope Stability comments.

Refer to the revised Concept Plan. No new development is proposed within the Erosion Hazard Limit. The existing house on the escarpment facing the water will be converted to the Club House with the intent to utilize the existing foundation.

- / Another provision proposed within the TC-XX Zone includes a proposed minimum setback of 5 metres from the escarpment. As stated above, staff cannot issue permits for new development within the Erosion Hazard Limit.

Refer to the revised Concept Plan. No new development is proposed within the Erosion Hazard Limit. The existing house on the escarpment facing the water will be converted to the Club House with the intent to utilize the existing foundation.

- / The Environmental Protection site specific zone (EP-XX) proposes to add the following non-residential uses: a club house, accommodation units up to a maximum number of 20 units, and private utilities. Quinte Conservation would not permit the club house (main villa), nor would accommodation units be permitted within the Erosion Hazard of Lake Ontario.

Refer to the revised Zoning By-law Amendment in Appendix A to this letter. Accommodation units are no longer proposed within the EP zone. The existing house on the escarpment facing the water will be converted to the Club House with the intent to utilize the existing foundation. The pump house continues to be located within the Erosion Hazard limit due to its necessary location in proximity to the water from a site servicing perspective.

- / This office does not support the rezoning application as presented because it illustrates structures within the flood and erosion hazards of Lake Ontario.

Refer to the revised Concept Plan which removes all accommodation units from the flood and erosion hazard area.

County Planning

- / The Planning Justification Report will need to be updated to reflect comments from the PIC (revise Section 2.1). **Comments received during the PIC have been considered and incorporated as part of the revised Concept Plan submitted with this response.**

- / PJR should include a discussion on day use.

The proposed art gallery and winery will be open for day use by visitors. Separate visitor parking areas are proposed for both the winery and art gallery.

/ PJR should include the MDS study/calculations

Section 4.8 of the Planning Justification Report submitted on November 3, 2021 includes a discussion of the Minimum Distance Separation Study. Further, the applicable Minimum Distance Separation Calculations were submitted with the original submission package.

/ Clarify the use for the existing dwelling

There are two existing dwellings on the property. The house on the escarpment facing the water will be converted to the Club House with the intent to utilize the existing foundation. The existing farmhouse located close to the road will be renovated, slightly expanded and maintained as residence.

/ Provide detail on the vineyard (number of vines planted/intended to be planted)

The intent of the winery is to import grapes from local and Ontario farmers to be used for the production of wine on site.

/ Clarify the need for 5 winery buildings. Provide detail on the uses for each.

The revised Concept Plan includes 11 proposed winery buildings. Even though the buildings visually read as separate structures they are proposed to all be interconnected. Five of the buildings are intended to be used for the wine production process i.e. grape supply / storage, de-stemming of the grapes, crushing facilities, maceration, pressing, fermentation, aging and bottling. Two of the buildings are intended to be used for inspections, labelling and packaging for retail distribution. The remaining four buildings would be utilized for retail sales and wine tasting.

/ Would the tent buildings be temporary?

No, the spa tent building is a permanent structure. Refer to page 13 of the Rendering package submitted together with this response.

/ Include a draft by-law using the County's by-law template

Refer to Appendix A of this letter.

/ Will the pods/villa function like a hotel? Are they long term rentals/land lease or condo?

All accommodation units will function as a resort resort. Land lease and condominium are not proposed.

/ How will the seasonal use limitation be implemented? What measures will be taken to prevent permanent housing?

The proposed resort will be seasonal, and no permanent housing will occur. Implementation techniques are being reviewed and considered.

/ What amenity spaces are planned for the units. Are there yards? Provide sample of a typical lot area.

This proposal is for a resort with accommodation units. The intent is for accommodation units to utilize the common areas including the shoreline and area surrounding each accommodation unit.

/ Parking space areas are large. Please clarify the need for parking space areas.

The parking areas are shown conceptually on the submitted Concept Plan. Further refinements at the site plan control stage will occur. The concept plan demonstrates ample area is available on site for parking.

/ All dimensions are to be provided in metric

Noted.

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- / Provide renderings and floor plans of tree top units.

Refer to pages 14 and 15 of the Rendering package submitted together with this response.

- / What type of retail goods would be provided through the winery? Will the winery include wine making equipment and the production of wine?

The winery will produce red, white and ice wine. Additional retail products may include household wares such as wine glasses, cutlery and plates. Yes, the winery will include some equipment for wine production.

- / How many parking spaces are needed for day use and/or the winery retail?

A total of 50 parking spots are proposed.

- / Figure 19 in the PJR is labeled as the winery building. These buildings appear to be residential. How would a winery function in this type of building?

The latest rendering has removed the residential components in the windows of the stacked structures. The new renderings are a depiction of interconnected commercial open volumes of space. Refer to page 12 of the Rendering package submitted together with this response.

- / Discussions on servicing should include the Ministry of Environment. Has the applicant approached Ministry staff?

We would request staff circulate the application to the MECP for review and comment.

- / It appears that feasibility of the servicing has not yet been determined. This feasibility will need to be demonstrated.

The Water Supply and Sewage Treatment Report prepared by Pinchin and submitted with the original application demonstrates the potential servicing options for the proposed development in order to provide guidance in identifying the most appropriate approach along with preliminary design flow estimates. The report concludes that suitable water supply and sewage treatment systems are available to service the proposed development.

- / Supporting documents will need to be peer reviewed prior to a staff recommendation to Council.

Please identify the supporting studies requiring peer review and provide quotes for the owners' consideration.

- / Comments have not been received from First Nation communities. Has there been previous correspondence with MBQ, Alderville, Curve Lake, Hiawatha, and Huron Wendat?

The municipality is responsible for consulting with Indigenous communities. Has this occurred?

- / Access to the site is proposed in several locations. The County's policy is to permit one entrance per site.

Refer to the revised concept plan. The proposed entrances have been consolidated and only one entrance is now proposed.

County Engineering – Geotechnical Investigation

- / Section 6.2 Stability Analysis - Per section 5.3 of the EIS, the 100-year stability and erosion factors should be assessed.

Refer to the Addendum to the Slope Stability Investigation Report. The erosion hazard limit for the Slope Stability Investigation Report is revised based on a 1.75H:1V slope per the Quinte Conservation Shoreline Management Plan mapping.

County Engineering – Final Slope Stability Investigation Report

- / Please clarify the FOS values calculated for the embankment slope. Per Englobe's Geotechnical Investigation, the FOS of the embankment was found to be around 1.54 and the rock wall was found to be 1.78 using the Morgenstern-Price method. Ainley Group calculated FOS of the embankment that ranged from 31.1-43.6 using the Simplified Bishop Method. It is understood that these two (2) methods should produce fairly similar results.
- / What is the impact on the FOS of the embank post-development?
- / Based on the sketch provided on page 2, the erosion allowance is 30m for Great Lakes and 15m for large inland Lakes. Why is the calculated erosion allowance for sections A-A, B-B and C-C only 6m? Please clarify.
- / It is noted that the stable slope allowance for section B-B and section C-C varies. Could a range be provided of what this distance varies between?
- / Per section 5.3 of the EIS, the 100-year stability and erosion factors should be assessed.

Refer to the Addendum to the Slope Stability Investigation Report. The erosion hazard limit for the Slope Stability Investigation Report is revised based on a 1.75H:1V slope per the Quinte Conservation Shoreline Management Plan mapping.

County Engineering – Water Supply and Sewage Treatment

- / The Farm House is missing from the development list. It is understood the Farm House will be an accommodation unit.

Refer to the Response Letter from Pinchin. The Farm House will be utilized as an accommodation unit.

- / Was the Farm House included in the water demand calculations?

Refer to the Response Letter from Pinchin which provides calculations.

- / Was the Farm House included in the sewage calculations?

Refer to the Response Letter from Pinchin which provides calculations.

County Engineering – Preliminary Stormwater Management Report

- / Notes that a detailed site plan and stormwater facility drawings are required.

Refer to the response letter provided by Forefront Engineering and the revised Stormwater Management Report.

- / It is noted that the runoff coefficients change between the 5 year and 100 year storms. Please clarify.

Refer to the response letter provided by Forefront Engineering and the revised Stormwater Management Report.

- / What runoff coefficients were used for the 25mm Quality Event and the 2 year storm?

Refer to the response letter provided by Forefront Engineering and the revised Stormwater Management Report.

- / It is noted that Outlet 1 is to be assess under the Drainage Act and that "detailed design of enhanced swales, culvert crossings, erosion control measures and outfalls will be provided during the final engineering design of the development."

Noted.

County Engineering – Environmental Impact Study

- / Mitigation measures outlined in the report must be followed.

Noted.

County Engineering – Site Evaluation Report

/ Please refer to comments for the Preliminary Water Supply and Sewage Treatment Study.

Noted.

/ Please provide calculations.

Refer to the Response Letter from Pinchin which provides calculations.

County Engineering – Planning Justification Report

/ Have the public been consulted regarding the revised plan?

Yes. A PIC was conducted on June 14, 2022.

/ The concept plan currently shows 4 entrances; 2 proposed new entrances and 2 existing entrances. Is the intention for both the existing entrances to remain? Please provide justification for the number of entrances.

Refer to the revised Concept Plan. The proposed entrances have been consolidated and only one entrance is now proposed.

/ Please clarify the size of the tree top houses. It is noted that the tree top houses are 83.5 m² (899 ft²), however Figure 13 shows a 3-storey building with a basement where each story is over 53m² (570 ft²).

The Tree Top Houses are proposed to have a height of three storeys and an area of approximately 1,500 square feet.

/ Please provide a rendering of what the tree top houses will look like. Please clarify why they are considered tree top houses.

Refer to pages 14 and 15 of the Rendering package submitted together with this response. “Tree top house” is simply a marketing term and does not refer to the units being located in trees.

/ Section 4.3, point 15b - notes that each of the tree top houses and pod villas will be a single story in height. However, as per Figure 13 in section 3.1 of the report, the tree top houses will be 3-storeys with a basement. Please clarify.

The Pod Villas are proposed to have a height of one-storey. Tree Top Houses are proposed to have a height of three-storeys.

We trust that this addresses the comments and the development can move forward to a Statutory Public Meeting. Please feel free to contact the undersigned with any additional comments or questions at 613.542.5454.

Respectfully submitted,



Mike Keene, MCIP RPP
Associate
Fotenn Planning + Design



Kelsey Jones, MCIP RPP
Senior Planner
Fotenn Planning + Design

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD
By-law No. XX-2023

A BY-LAW TO AMEND COUNTY COMPREHENSIVE ZONING BY-LAW
NO. 1816-2006, AS AMENDED
(1315, 1329, and 1357 County Road 7, Ward of North Marysburgh)

WHEREAS By-law No. 1816-2006, as amended, is the Comprehensive Zoning By-law governing the lands located within the County of Prince Edward in the Ward of North **Marysburgh**.

AND WHEREAS the Council of The Corporation of the County of Prince Edward, having received and reviewed an application to amend By-law No. 1816-2006 for the lands located at Part Lots 61 and 62 Front Concession Bay of Quinte, in the Ward of North Marysburgh; is in agreement with the proposed changes;

AND WHEREAS authority is granted under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

NOW THEREFORE the Council of The Corporation of the County of Prince Edward enacts as follows:

1. **THAT** By-law No. 1816-2006 as amended, is hereby further amended by the addition of the following to subsection 22.5 of 22 entitled “Special Tourist Commercial (TC) Zones” immediately after item 22.5.59 thereof;

“Part Lots 61 and 62 Front Concession Bay of Quinte, in the Ward of North Marysburgh”

Notwithstanding the provisions of this By-law to the contrary, within the TC-XX Zone, the following provisions shall apply:

- i. Minimum front yard: 1.5 metres
- ii. Minimum interior side yard (south side): 3.0 metres
- iii. Parking Provisions (hotel, motel, apartment hotel): 1 space per pod villa/guest accommodation
- iv. Loading Spaces: 0
- v. Special Setback Provisions: Bay of Quinte, Lake Ontario, and Inland Lakes: Minimum setback of 5 metres from the floodplain

2. **THAT** By-law No. 1816-2006 as amended, is hereby further amended by the addition of the following to subsection 31.5 of 31 entitled “Special Environmental Protection (EP) Zones” immediately after item 31.5.14 thereof;

“Part Lots 61 and 62 Front Concession Bay of Quinte, in the Ward of North Marysburgh”

Notwithstanding the provisions of this By-law to the contrary, within the EP-XX Zone, the following provisions shall apply:

- i. Permitted non-residential uses:
 - Uses Accessory to a Resort establishment, including a club house
 - Private utilities

3. **THAT Schedule “A8”** for the Ward of **North Marysburgh** to By-law 1816-2006, as amended, is hereby amended by changing the zone category thereon from the Rural Residential Type One ‘RR1’ Zone, Rural

Residential Type Two 'RR2' Zone, Rural 1 (RU1) Zone, and Environmental Protection 'EP' Zone to the Special Tourist Commercial (TC-XX) Zone & Special environmental Protection (EP-XX) Zone in accordance with Schedule "1" attached hereto.

4. **THAT** Schedule "1" attached hereto forms part of this by-law.
5. **THAT** this by-law shall come into force and take effect pursuant to the provisions and regulations made under the Planning Act, R.S.O. 1990, c.P.13, as amended.

Read first, second and third time and finally passed this ___ day of _____, 2023

Catalina Blumenberg, CLERK

Steve Ferguson, MAYOR

Schedule "1"

