

# Planning Justification Report

## Final

BRAEBURN ESTATES SUBDIVISION  
Part Lot 16 and 17, Concession 2  
Geographic Township of McNab  
Now in the Township of McNab/Braeside  
County of Renfrew

May 7, 2024  
Jp2g Project # 17-7017F







# Table of Contents

Prepared For .....	i
Author and Review Panel.....	i
<b>1 Purpose and Approach .....</b>	<b>1</b>
1.1 Pre-Submission Consultation .....	1
<b>2 Location .....</b>	<b>2</b>
2.1 Regional Setting .....	2
2.2 Site & Surrounding Land Use .....	2
<b>3 Proposed Development .....</b>	<b>3</b>
3.1 Proposal Overview .....	3
3.2 Vehicular Access.....	3
3.3 Parkland .....	3
3.4 Servicing .....	3
3.5 Land Use Compatibility .....	4
3.6 Residential.....	4
<b>4 Provincial Policy Statement (PPS) 2020 .....</b>	<b>4</b>
4.1 Healthy, Liveable and Safe Communities (Section 1.1.1).....	4
4.2 Rural Areas (Section 1.1.4).....	5
4.3 Rural Lands in Municipalities (Section 1.1.5) .....	5
4.4 Sewage, Water and Stormwater (Section 1.6.6).....	5
4.5 Natural Heritage (Section 2.1).....	6
4.6 Cultural Heritage and Archaeology (Section 2.6).....	7
4.7 Summary .....	7
<b>5 County of Renfrew Official Plan .....</b>	<b>7</b>
5.1 General Development Policies (Section 2.0).....	8
5.1.1 Minimum Distance Separations Relating to Agriculture (Section 2.2(2)) .....	8
5.1.2 Cultural Heritage and Archaeological Resources (Section 2.2 (6)).....	8
5.1.3 Natural Heritage (Section 2.2(8)) .....	8
5.1.4 Hazards – Wildland Fire (Section 2.2(9)(d)) .....	8
5.1.5 Servicing Policies (Section 2.2(12)).....	8
5.1.6 Parkland Dedication (Section 2.2(29)).....	9
5.1.7 Stormwater Management (Section 2.2(30)) .....	10
5.2 Rural Designation (Section 5.0).....	10
5.2.1 Policy 5.3(1).....	10
5.2.2 Policy 5.3(2).....	10
5.2.3 Policy 5.3(3).....	10
5.2.4 Policy 5.3(4).....	11
5.3 Plan of Subdivision Review Criteria (Section 14.4) .....	11
5.4 Other Supporting Studies.....	12
5.5 Summary .....	12



6	Township of McNab/Braeside Zoning By-law No. 2010-49 .....	12
7	Servicing Options Statement .....	12
7.1	Proximity of Existing Municipal and Communal Services .....	13
7.2	Development Potential of the Whole Area.....	13
7.3	Environmental Suitability and Evaluation .....	13
7.3.1	Environmental Constraints.....	13
7.3.2	Suitability of the Terrain.....	13
7.3.3	Performance of Services in Similar Developments .....	13
7.4	Suitability of Development.....	13
7.4.1	Municipal.....	13
7.4.2	Communal Servicing.....	13
7.4.3	Private Servicing .....	14
7.5	The Decision Making Process.....	14
8	Conclusions and Recommendations .....	14

**Figures**

Figure 1: Location Map

Figure 2: Draft Plan of Subdivision

Figure 3: Madawaska River Development

**Appendices**

Appendix 1: Pre-submission Consultation

Appendix 2: Official Plan and Zoning Schedule Excerpts and Policies

Appendix 3: Zoning By-Law Schedule Excerpt and Provisions

Appendix 4: MDS

Appendix 5: Butternut Health Assessment Correspondence



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# 1 Purpose and Approach

This report has been prepared to provide planning justification for an application for Draft Plan of Subdivision Approval and a Zoning By-law Amendment for Phase 3 of the Braeburn Estates Subdivision on behalf of KDSA Development Corp. The project, known as Braeburn Estates Subdivision, is located at Part Lot 16 and 17, Concession 2 Geographic Township of McNab Now in the Township of McNab/Braeside County of Renfrew. The Site Location Plan is included as **Figure 1**. The subject property is 7.72 hectares in area and is comprised of 5.42 hectares of land from the Armishaw parcel and 2 hectares of land from the Braeburn Estates Phase 1 & 2 lands. The proposed development includes a total of 16 lots for single detached dwellings. A reduced size copy of the Draft Plan of Subdivision is included in as **Figure 2** which illustrates the proposed lot and block layout.

This Planning Study includes a review of the land use planning merits of the proposed development in relation to its regional setting, site attributes, and compatibility with surrounding land uses. The proposed development is also reviewed in accordance with the applicable policies and provisions of the Provincial Policy Statement, 2020 (PPS), the County of Renfrew Official Plan (2020), and the Township of McNab/Braeside Zoning By-law No. 2010-49.

The following studies have been prepared in support of the application and are found under separate cover:

- Environmental Impact Study (EIS) prepared by Jp2g Consultants Inc and Muncaster Environmental Planning, dated October 21, 2022;
- Geotechnical Investigation, prepared by Paterson Group Consulting Engineers dated June 20, 2023;
- Stage 1 and 2 Archaeological Assessments, prepared by Past Recovery Archaeological Services Inc. dated October 12, 2023;
- Hydrogeological Assessment and Terrain Analysis, prepared by Paterson Group Consulting Engineers dated November 27, 2023; and
- Phase 3 Stormwater Management Brief, prepared by Jp2g Consultants Inc. dated November 22, 2023, and Phase 3 Lot Development Plans December 22, 2023

Descriptions of the studies and their associated recommendations have been included in the corresponding policy discussions throughout this report.

## 1.1 Pre-Submission Consultation

Prior to the purchase of the property from Rick and Nancy Armishaw, the applicant Susan Anglin KDSA Development Corporation made enquiries with the County of Renfrew and the Township of McNab/Braeside. The County of Renfrew filed a Planning Report dated January 16, 2021 and emails were exchanged to clarify the Plan of Subdivision Application requirements with Anne McVean, County Planner throughout the process and on October 25, 2023.

A Peer Review Pre-Consultation meeting reviewing the proposed Hydrogeological Study methodology was held with Cambium Inc. and Paterson Group on June 8, 2023.

Consultation was also held with the County Roads Department, and the Township Public Works and Building Departments.

An Application for Subdivision was filed by KDSA Development Corp. in March 2024 and was deemed incomplete. This revised Planning Justification Report (PJR) addresses some of the County comments dated April 5, 2024.

Copies of correspondence is provided in **Appendix 1**.



## 2 Location

### 2.1 Regional Setting

The Township of McNab/Braeside has a 2021 census population of 7591 within an area of 255.28 km<sup>2</sup>. The Township has shoreline along the Ottawa River, is bisected by the Madawaska River and has lake shore development on White Lake. There are a total of 3235 private dwellings (2021 Census). Many of the residents enjoy waterfront homes and cottages, as the Township is an easy commuting distance to Arnprior, Renfrew and Ottawa.

The proposed rural subdivision development is located within Part of Lot 16 and 17, Concession 2, in the geographic Township of McNab as shown on **Figure 3**.

The proposed development is located along Shady Maple Road, a municipally maintained road, off of Building Supply Road, near the junction of Calabogie Road (County Road 508) and Burnstown Road (County Road 52). The property has approximately 965 metres of road frontage on Shady Maple Road.

Waterfront development along the southern shore of the Madawaska River upstream of the Burnstown bridge to Calabogie Lake is limited as access is only provided by Lower/Upper Spruce Hedge Road via the Springtown Bridge Road. Downstream of the subject lands to the Stewartville Dam waterfront development is accessed from McLeod Road, Lorlei Drive, Deerfield Drive and numerous private roads.

Waterfront development along the northern shore upstream of the Burnstown bridge is extensive given access from Calabogie Road, downstream to Stewartville Road access to the shoreline is limited.

### 2.2 Site & Surrounding Land Use

The location of the proposed development in relation to the adjacent land use and road network is shown on the Location Plan and Draft Plan of Subdivision as **Figures 1 and 2**. The site has thin topsoil, with areas of sandy and gravel overburden underlain by bedrock. The topography on the subject lands is relatively flat to hilly, with up to 13 m in elevation difference over the subject lands.

The surrounding land uses are as follows:

- North: Shady Maple Road and twenty-five (25) existing waterfront residential lots within Phase 1 & 2 of the Braeburn Estates Subdivision along the Madawaska River.
- South: Vacant Woodlands, an existing residential lot and the McLeod Building Centre which front Building Supply Road.
- East: Vacant Woodlands
- West: Building Supply Road, Burnstown Road (County Road 52) and vacant woodlands.

The property is designated Rural on Schedule “A” Township of McNab/Braeside Enlargement to the County of Renfrew Official Plan, similar to adjacent lands as illustrated in **Appendix 2**. Further detail is provided in Section 5.0 of this report.

The property is zoned Rural (RU) and Open Space (OS) on Schedule “A” Map 1 – West Half to the Zoning By-law 2010-49 as illustrated in **Appendix 3**. Further detail is provided in Section 6.0 of this report.

The subject lands have several attributes which makes it suitable for residential development. These attributes are summarized as follows:

- Item 1: The proposed subdivision abuts Shady Maple Road and makes efficient use of Township infrastructure.
- Item 2: The proposed subdivision is located in close proximity to Highway 17.



- Item 3: The site is located within the influence of the Burnstown residential and tourist commercial development area.
- Item 4: The proposed subdivision is a logical addition to the existing residential development along the Madawaska River.
- Item 5: The proposed subdivision is in close proximity to open space within the Braeburn Estates Phase 1 & 2 subdivision and the proposed lots in Phase 3 will have waterfront access as members of the Braeburn Estates Community Association.

## 3 Proposed Development

### 3.1 Proposal Overview

The proposal includes 16 lots that are allocated for residential use on a thin (average 80 m) parcel extending approximately 965 m along Shady Maple Lane. The configuration of the lots and their dimensions are shown on the Draft Plan of Subdivision, attached as **Figure 2**.

The Draft Plan has been prepared in accordance with the prescribed requirements for a Plan of Subdivision under Section 51(17) of the Planning Act.

### 3.2 Vehicular Access

The proposed residential development will front on the existing municipal road known as Shady Maple Road which extends approximately 1150 m from Building Supply Road (a municipally maintained road). No new roads are proposed to service the proposed lots.

As part of the pre-submission consultation, email correspondence was received from the County Roads Department and Township. Copies are included in **Appendix 1**.

### 3.3 Parkland

The Ontario Planning Act, R.S.O. 1990, c. P.13, allows a municipality to require up to 5% of the residential lands within the subdivision for parkland. Alternatively, the Township may accept cash-in-lieu of the land that would otherwise be required for parkland. The cash amount is determined based on the value of the land that would otherwise be required to be conveyed to the municipality, as of the date before the date of draft plan approval.

It is understood that the Township's historical practice for calculating cash-in-lieu of parkland is based upon a quote from a realtor or appraiser (email L. Parkes April 14/15) or in the case of Phase 1 & 2 of the Braeburn Estates Subdivision, the cash-in-lieu of parkland was based on the purchase price of the property.

Other than Block 17 Plan 49M-105 in Phase 1 of the Braeburn Subdivision which consists of developed parkland, there are no other public parks in the immediate vicinity of the subject lands. This recreational area is owned by the Braeburn Estates Community Association which will include the owners of the Phase 3 lots, which will be able to utilize this recreational area as well.

It is proposed that the parkland dedication requirements for Phase 3, be satisfied using cash-in-lieu.

### 3.4 Servicing

Sewage and water servicing options have been considered as required under the PPS 2020, a Servicing Options Statement is included in Section 7.0 of this report. A detailed Hydrogeological Assessment and Terrain Analysis is found under separate cover. Based on the nitrate impact assessment the subject lands "the proposed residential subdivision can adequately support the proposed single detached dwellings without having an adverse impact on the underlying bedrock aquifer." The Draft Plan of Subdivision proposing up to 16 single



detached dwellings, and the report recommend that tertiary systems are used to minimize the bed areas. The report will be reviewed by the County of Renfrew, and the Township of McNab/Braeside is to consider the recommendations of the study to ensure the groundwater and surface water resources are protected.

Surface water drainage will be controlled and directed to the existing roadside ditches to an existing outlet (in Phase 1 /2 of the Braeburn Subdivision) which flows to the river. A Phase 3 Stormwater Management Brief is found under separate cover.

### 3.5 Land Use Compatibility

Land use compatibility requirements for the proposed subdivision may include addressing the impact of adjacent land uses on the subject lands, the impact of the proposed subdivision on adjacent lands, and the internal land use compatibility of the subdivision. The proposed subdivision has been designed taking into consideration the adjacent land uses and their compatibility. A MDS 1 assessment has been completed which addresses land use compatibility between the proposed subdivision and adjacent agricultural uses. A copy is found in **Appendix 4** and is discussed further in Section 5.1.1 of this report.

The subdivision has also been designed to address land use compatibility within the subdivision. Land use considerations incorporated within the design of the proposed Braeburn Estates Subdivision include the following:

- All lots for single detached residential dwellings meet or exceed the Rural Residential zoning provisions requiring a minimum 45m road frontage and minimum lot area of 4047m<sup>2</sup>.

### 3.6 Residential

Residential land use within the proposed subdivision includes 16 lots for single detached residential dwellings. It is estimated that the proposed development will accommodate a future population of approximately 39 persons, assuming 2.4 persons per dwelling.

## 4 Provincial Policy Statement (PPS) 2020

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land.

A decision of council regarding the draft plan of subdivision and corresponding zoning by-law amendment must be consistent with the Provincial Policy Statement. This Section describes the relevant provisions of the Provincial Policy Statement that apply to the lands affected by the proposed development.

### 4.1 Healthy, Liveable and Safe Communities (Section 1.1.1)

Section 1.1.1 of the PPS includes policies for promoting healthy, liveable and safe communities. The proposed development is designed in accordance with Section 1.1.1 of the PPS as follows:

- a. No adverse impacts on the financial well-being of the Province or the Township of McNab/Braeside are expected over the long-term as a result of the approval of the proposed development (1.1.1 a).
- b. No environmental or public health and safety concerns are expected as a result of the proposed development and land use pattern (1.1.1 c).
- c. Suitable infrastructure such as roads and electrical distribution systems as well as public servicing facilities such as firefighting, libraries, recreation and schools are available to service the proposed development (1.1.1 g).

## 4.2 Rural Areas (Section 1.1.4)

The subject lands are located within a “Rural Area” which is defined by the PPS as a system of lands within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas. The PPS further explains that Ontario’s rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies.

PPS policy 1.1.4.1 provides the criteria to support healthy, integrated and viable rural areas. The proposed development is designed in accordance with the applicable policies in Section 1.1.4.1 as follows:

- a. The development builds upon rural character, and leveraging rural amenities and assets (1.1.4.1 a).
- b. The development will use rural infrastructure and public service facilities efficiently (1.1.4.1 e).
- c. The development will conserve biodiversity and consider the ecological benefits provided by nature (1.1.4.1 h).

Section 1.1.4.4 further states that growth and development may be directed to rural lands in accordance with policy 1.1.5 which is described in the following section.

## 4.3 Rural Lands in Municipalities (Section 1.1.5)

The proposed development is designed in accordance with the applicable policies in Section 1.1.5 as follows:

- a. The development will comply with the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety (1.1.5.1)
- b. The creation of lots and limited residential development is a permitted use on rural lands (1.1.5.2)
- c. The development is compatible with the rural landscape and can be sustained by rural service levels (1.1.5.4)
- d. The development will be appropriate to the infrastructure which is planned or available, and avoids the need for the unjustified and/or uneconomical expansion of this infrastructure (1.1.5.5)
- e. The development will comply with the minimum distance separation formulae (1.1.5.8)

## 4.4 Sewage, Water and Stormwater (Section 1.6.6)

Planning for sewage and water services must accommodate growth in a way that promotes the efficient use of existing municipal sewage and water services. The PPS states that full municipal sewage and water services are the preferred form of servicing for Settlement Areas to support protection of the environment and minimize potential risks to human health and safety (Section 1.6.6.2). Where municipal sewage and water services are not available, planned or feasible, private communal sewage services and water services are the preferred form of servicing for multi-unit/lot development (Section 1.6.6.3).

Section 1.6.4.4 of the Provincial Policy Statement (PPS) states that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used, provided that site conditions are suitable for the long-term provision of such services with no negative impact.

As detailed in Section 7.0 of this report. In this case, there are no municipal water and sewage services available in proximity to the subject lands. The nearest municipal water and sewage services are located in the Renfrew urban service area which is located approximately 11.5 kilometers northwest of the subject lands. Given the distance to existing municipal service infrastructure, it is proposed that the development be serviced by private water and private septic systems because it is neither practical nor feasible to consider the construction of municipal piped water and sewage services. As Phase 1 and 2 of Braeburn Estates is serviced on individual on-site it is not feasible to service the additional 16 lots on communal services.



A Hydrogeological Assessment and Terrain Analysis has been prepared by Paterson Group Consulting Engineers, dated November 27, 2023. The Hydrogeological report confirms that the subject site can support the proposed residential subdivision with respect to water quality, quantity, and sewage system placement.”.

Section 1.6.6.7 of the PPS states that planning for stormwater management shall minimize, or prevent increases in contaminant loads, minimize changes in water balance and erosion, maintain or decrease risks to human health and safety and property damage, maximize the extent and function of vegetative and pervious surfaces, and promote stormwater management best practices including stormwater attenuation and re-use, and Low Impact Development (LID).

The sewage and water servicing arrangement for the proposed development is consistent with the preferred form of servicing for rural areas. A Servicing Options Statement and Hydrogeological Assessment and Terrain Analysis Report supports individual on-site sewage and water services.

A Phase 3 Stormwater Management Brief was prepared by Jp2g Consultants Inc., dated November 22, 2023 which utilizes the existing roadside ditches, rock check dams and the outlet on the Phase 1/2 lands to provide quality and quantity control.

#### 4.5 Natural Heritage (Section 2.1)

Section 2.1.1 of the PPS states that natural features and areas shall be protected for the long term. The subject property is located within Ecoregion 5E in the PPS. Site development and alteration shall not be permitted in significant wildlife habitat unless it has been determined that there will be no negative impacts on the natural features or their ecological functions (2.1.5 d). Development and site alteration also shall not be permitted in fish habitat or in the habitat of endangered and threatened species, except in accordance with provincial and federal requirements (2.1.6 and 2.1.7). Development and site alteration shall not be permitted on adjacent lands (120 metres) to fish habitat or significant wildlife habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (2.1.8).

An EIS has been prepared by Jp2g Consultants Inc. and Muncaster Environmental Planning, dated October 21, 2022 with the following scope:

- (1) To evaluate natural environment conditions and ecological significance within the subject property,
- (2) To identify potential impacts of residential development on the apparent and potential natural environment values within and/or adjacent to the subject property, and
- (3) To identify ecologically appropriate mitigation opportunities.

The EIS evaluated the potential impacts of the proposed development on the unevaluated wetlands, significant wildlife habitat, fish habitat, and habitat of endangered species and threatened species on/adjacent to the proposed lots and includes recommendations for mitigation measures that should be implemented to protect these natural heritage features.

#### **Significant Wildlife Habitat and Significant Habitat of Endangered and Threatened Species Mitigation**

While some endangered and threatened species habitat was found on the site, specifically black ash and butternut, and potential habitat for bats and snakes, no adverse impacts are anticipated, provided the mitigation measures recommended in the EIS are properly implemented.

Two Butternut Health Assessment Reports, dated October 20, 2022 and July 10, 2023 were prepared for the subject lands (for the Armishaw lands and an updated BHA was prepared for Block 28 in Phase 1, which is now part of the Phase 3 lands). The Butternut Reports were filed with MECF on November 21, 2022 and July 13, 2023 respectively. As all butternut trees are Category 1 trees (unhealthy), no further action is needed. See **Appendix 5**.



There is also potential significant wildlife habitat for bat maternal colonies, reptile hibernaculum, deer yarding area, woodland raptor nesting habitat, amphibian breeding habitat, habitat for species of conservation concern and animal movement corridors.

It is recommended that any works take place between October 16th and April 1<sup>st</sup> to be outside the active season for amphibians, turtles, and bird species, and that the subject lands be maintained in a natural state as much as possible. Other recommended mitigation measures are included in the EIS.

#### **Wetland Mitigation**

As part of the EIS, Jp2g Consultants Inc. and Muncaster Environmental Planning defined the boundary of two small unmapped wetlands on the subject lands. The EIS recommends a 15-metre building setback from the wetland boundary be maintained in a natural vegetated state, or alternatively, if these wetlands and associated intermittent watercourses pose an issue for development, they can be removed/relocated provided that the recommendations in the report are properly implemented and any required agency approvals are obtained.

#### **Fish Habitat Mitigation**

Given the site conditions, fish habitat is limited or not present in the intermittent watercourses and associated low areas and wetlands on the subject lands. The EIS provides recommendations for obtaining approvals for any driveway crossings through the wetlands, low area or intermittent watercourses or the removal/relocation of these features. The EIS also contains recommendations for a 15 m wide vegetated buffer area from these features or measures for filling in these features (if required), sediment and erosion control measures as well as for installing culverts within the watercourses on the subject lands.

#### **Summary**

Provided the recommendations and mitigation measures recommended in the EIS are properly implemented, no adverse impacts are anticipated on the site's natural heritage.

### **4.6 Cultural Heritage and Archaeology (Section 2.6)**

Section 2.6.1 of the PPS states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Development and site alteration shall not be permitted on lands containing archaeological resources unless significant archaeological resources have been conserved (2.6.2). Development and site alteration on adjacent lands to protected heritage property shall not be permitted except where the proposed development and site alteration has been evaluated, and where it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (2.6.3).

A Stage 1 and 2 Archaeological Study was completed for the proposed subdivision by Past Recovery Archaeological Services Inc. (October 12, 2023). The report concluded that no further archaeological assessment is required for the proposed subdivision.

### **4.7 Summary**

The proposed development is located on rural lands within the Township of McNab/Braeside and will be serviced by private water and sewage services and utilize the existing drainage works. The proposal has been determined to be consistent with the PPS, including the Servicing, Natural Heritage and Cultural Heritage policies, provided the recommendations from the reports are properly implemented as summarized in Section 8 of this report.

## **5 County of Renfrew Official Plan**

The following sections describe the relevant policies of the County of Renfrew Official Plan that apply to the lands which are affected by the proposed subdivision. Copies of sections of the Official Plan are provided in **Appendix 2**.



## 5.1 General Development Policies (Section 2.0)

The general development policies of the Official Plan have been established so that future development of the County is controlled in an orderly and systematic fashion. The proposal has been assessed against the following relevant general policy areas.

### 5.1.1 Minimum Distance Separations Relating to Agriculture (Section 2.2(2))

The Minimum Distance Separation (MDS) policies state that all non-farm development needs to comply with MDS 1 requirements.

A letter dated February 5, 2024 has been prepared by Jp2g Consultants Inc., which address the MDS 1 requirements for the Phase 3 lands (see **Appendix 4**). As there are 4 or more intervening land uses of the same or greater land use sensitivity between the livestock facilities and the Phase 3 lands, an MDS calculation was not required to be completed as per implementation guideline #12.

### 5.1.2 Cultural Heritage and Archaeological Resources (Section 2.2 (6))

The Cultural Heritage and Archaeological Resources policies of the Plan state that significant built heritage resources and cultural landscapes will be conserved. Where new development is proposed within an area which has been identified as containing known archaeological resources, a proponent shall undertake an archeological impact assessment. Any significant archaeological resource identified may be preserved on site, to ensure that the integrity of the resource is maintained or may be systematically removed. Section 2.2(6) policy (5) a. states that for applications adjacent (within 300 metres) to navigable waterbodies the policies of Section 2.2(6)(1) shall apply.

Accordingly, a Stage 1 and 2 Archaeological Assessments has been completed for the Phase 3 lands by Past Recovery Archaeological Services Inc. (October 12, 2023). As discussed in Section 4.6, the report recommended that no further archaeology assessment is necessary.

### 5.1.3 Natural Heritage (Section 2.2(8))

Section 2.2(8) of the Plan includes policies regarding natural heritage features and areas and development in areas of natural heritage. Schedule B – Map 4 – Natural Heritage Features attached to the County Official Plan does not identify any significant woodlands, significant valleylands, significant wildlife habitat, provincially significant wetlands, or areas of natural and scientific interest (ANSI) that affect the subject lands. In order to address the policies in this section, an EIS has been prepared in accordance with the policies set out in Section 2.2(23). The Study assessed the property for any significant natural features, including significant wildlife habitat, fish habitat, and habitat for endangered or threatened species and completed species-at-risk (SAR) surveys. As noted above in Section 4.5, provided the recommendations and mitigation measures set out in the EIS are properly implemented, no adverse impacts are anticipated on the site's natural heritage.

### 5.1.4 Hazards – Wildland Fire (Section 2.2(9)(d))

Section 2.2(9) of the Plan includes policies regarding Wildland Fire Hazard. Schedule B – Map 1 attached to the County Official Plan identifies the subject lands as having a pine forest that needs evaluation. A Wildland Fire Risk and Hazard Assessment Form was completed as part of the EIS which indicates that the risk of wildland fire is low on the subject lands and therefore, no measures are required to mitigate the risk of Wildland Fire on the subject lands.

### 5.1.5 Servicing Policies (Section 2.2(12))

Section 2.2(12) of the Official Plan outlines the preferred servicing hierarchy in the County of Renfrew. Section 2.2(12)(a)(iii) states that development may be serviced by individual on-site systems where the use of communal systems is not feasible and where site conditions are suitable over the long term with no negative impacts.



As discussed in Section 4.4, given the distance to existing municipal service infrastructure, it is proposed that the development be serviced by private water and private septic systems because it is neither practical nor feasible to consider the construction of municipal water and septic services, or communal services, for the proposed development.

A Hydrogeological Assessment and Terrain Analysis, including a nitrate impact assessment has been completed for the proposed development which examines groundwater quality, quantity and suitability of the site for septic systems and contains recommendations for mitigation measures. The conclusions from the Hydrogeological Assessment and Terrain Analysis report prepared by Paterson Group, dated November 27, 2023 include the following:

1. The water supply aquifer intercepted by the onsite test wells is considered to be adequate to support the water quantity demands for the proposed subdivision.
2. The preferred water supply intercepted by the onsite test wells contains a water supply that is potable and contains only elevated concentrations of hardness, iron, and manganese. The noted parameters can be treated with current readily available water conditioning equipment.
3. The results of the water supply assessment have provided satisfactory evidence that the water supply aquifer underlying the subject site can support the proposed subdivision development from both a quality and quantity perspective.
4. There are minimal potential impacts from surrounding land uses within 500 m of the site, based on available information. Moreover, offsite impacts from the proposed density of residential development are considered to be negligible.
5. The probable well yields determined on the basis of this investigation are representative of the yields which residents of the proposed subdivision are likely to obtain from their wells in the long term.
6. The subject property is located on a significantly sloping setting on the south shore of the Madawaska River, with all areas exhibiting good characteristics in pre-development condition.
7. Sampling of dwellings currently in use shows that the water supply aquifer is capable of supporting the proposed development from a water quality perspective.
8. As a precautionary measure, a residential Ultra-Violet (UV) treatment system is recommended at the point of entry from all potable supply wells due to the hydrogeological sensitivity.
9. The construction of an on-site sewage system should not affect the performance or water quality associated with a drilled well, contingent upon the on-site sewage system being designed in accordance with the Ontario Building Code (i.e., properly sized sewage system and conforming to all separation distances)
10. A tertiary treatment system could be used to provide higher quality effluent and a reduced site footprint. A tertiary treatment system would require an annual maintenance contract to be reported to the local regulator.
11. Secondary dwellings are not considered feasible for this development.
12. The results of the Hydrogeological Report and Terrain Analysis have provided satisfactory evidence that the subject site can support the proposed residential subdivision with respect to water quality, quantity and sewage system placement.

#### 5.1.6 Parkland Dedication (Section 2.2(29))

Section 2.2(29)(b) of the Plan states that: “for residential plans of subdivision..., local municipalities may, by by-law, require, as a condition of approval, 5% of the land proposed for development, be conveyed to the



Municipality for park or other public recreational purposes.” In accordance with Section 2.2(29)(f) of the Plan, which allows for cash-in-lieu as an alternative to conveying parkland, as noted in Section 3.3, parkland dedication requirements for Phase 3 are proposed to be satisfied using cash-in-lieu.

#### 5.1.7 Stormwater Management (Section 2.2(30))

Section 2.2(30) of the Plan requires the use of stormwater management facilities in new developments to mitigate the impacts from development. A Phase 3 Stormwater Management Brief has been prepared in support of this application. Stormwater runoff from the residential lots within the subject property will be collected by the roadside ditches and check dam system and will use the outlet channels that were constructed for Phase 1 / 2. Water quality control criteria is based on the normal to enhanced treatment level (70-80% total suspended solids removal). Water quantity control is based on controlling flows. The report states that: “the post development flows within the slope stability zone is lower than pre-development” and that “the outfall channels will be engineered and constructed to accommodate the increased concentrated flow at these outlets.”

### 5.2 Rural Designation (Section 5.0)

The development lands are designated in the current County of Renfrew Official Plan as Rural. The Rural designation contains objectives that are intended to reserve the open space, rural character, topography and landscape of the Rural area; promote rural living in a manner sensitive to the ecological balance, sensitive to the farming and forestry communities and sensitive to the protection of groundwater and surface water quantity and quality; and to maintain economic and social stability in the County by considering factors such as municipal servicing limitations, environmental factors, compatibility of land uses, and land capability when reviewing development proposals.

#### 5.2.1 Policy 5.3(1)

Low density residential uses are a permitted use in the Rural designation.

#### 5.2.2 Policy 5.3(2)

Policy 5.3(2) states that: “Residential development permitted in the Rural designation shall be in accordance with the following policies:

- (a) where a plan of subdivision is not considered necessary in accordance with section 14.2 (1) of this Plan, a consent for a new lot which satisfies the Land Division Policies of this Plan may be considered;
- (b) residential development should not be located on lands which would involve major public expense in opening up and/or maintaining access routes, providing drainage or providing other public services and facilities, unless such major public services, access, or facilities are provided at the developer’s expense;
- (c) lots should be relatively large being not less than 4000 square metres (approximately 1.0 acre) and adequate for the installation of private services; and
- (d) mobile homes may be regulated in local implementing zoning bylaws.
- (e) the policies of Section 2.2(12) and 14.3(11) shall apply with regards to development on private services.”

In this case, a plan of subdivision is being proposed for the Phase 3 lands, which are located on lands that do not involve a major public expense as the lots will be privately serviced and will be accessed by an existing municipally maintained road. The lots will be greater than 4047 square metres in area which the hydrogeology report confirms are large enough for the installation of private services. Servicing is further discussed in Sections 4.4 and 5.1.5 of this report. No mobile homes are proposed, only low density residential uses.

#### 5.2.3 Policy 5.3(3)

Policy 5.3(3) outlines conditions to be met to determine the size, location and suitability of a proposed residential plan of subdivision which are addressed below:

- a. Not applicable (see below).

- b. Not applicable as the development is not associated with resource based recreational uses.
- c. The subdivision has been designed to have at least 4000 square metre lots which accommodate the topography, vegetated nature and soil and drainage characteristics on the subject lands.
- d. The Hydrogeological Assessment and Terrain Analysis report indicates that the average lot size is 0.60 ha and the predicted nitrate concentration in consideration of Phase 1, 2 and 3 is <10 mg/L at the property boundary.
- e. The development will have direct access to a year-round maintained public road (Shady Maple Road) that was constructed to municipal standards.
- f. The development will maintain the rural character of the landscape as the lots have natural amenities (varied topography, mature tree cover) and the mitigation measures proposed in the EIS (i.e limited tree removal etc.) will ensure that the development will blend in with the natural landscape.
- g. The development is not located within 1km of a settlement area serviced with municipal infrastructure.
- h. Mature tree cover will be retained on each lot, where possible.
- i. The development can occur in accordance with the servicing policies of the Official Plan as previously discussed.

#### 5.2.4 Policy 5.3(4)

Policy 5.3(4) outlines additional policies to be met for new residential waterfront development (within 300 m of a waterbody) which are addressed below:

- a. Block 17 Plan 49M-105 is reserved for public recreational open space and is maintained by the Braeburn Estates Community Association.
- b. Sufficient public access to water will be available for the second tier of development proposed by this subdivision application.
- c. The Block 17 Plan 49M-105 has various amenities rather than providing 6.0m of waterfrontage for each backlot.
- d. Not applicable as the lots do not front on the water. However, the proposed lots will be greater than 4000 square metres and will have more than 45 metres of road frontage.
- e. Development will not negatively impact significant natural heritage features, through activities such as dredging or filling, the removal of shoreline vegetation or the construction of buildings and structures.
- f. Not applicable as the proposed lots are not located on the River.
- g. As recommended in the EIS, any approvals/permits required from NDMNRF will be obtained.
- h. Not applicable as there are no water access only lots within the subdivision.
- i. Not applicable as there are no islands within the subdivision.

Furthermore, as noted in this report, the site conditions are suitable for private services and the servicing policies of Section 2.2(12) will be met. The development will not negatively impact the financial resources of the municipality and the development is compatible with the existing character of the area.

### 5.3 Plan of Subdivision Review Criteria (Section 14.4)

The proposed development has been reviewed in accordance with the subdivision criteria to be considered in Section 14.4 of the Official Plan. Compliance with these criteria is as follows:

- (1) A review of the Objectives and Policies of the County of Renfrew Official Plan has been undertaken to ensure the proposed development complies with the Plan.
- (2) There have been no identified areas of national, provincial, or local cultural heritage value found in the proposed development area.
- (3) The proposed subdivision has been designed with consideration to active transportation linkages (the site is within walking distance of the water access Blocks within the Phase 1 & 2 lands).

- (4) The boundary of the wetlands have been defined and a setback from the boundary has been recommended. These areas can however, be filled in provided the mitigation measures in the EIS are properly implemented. Hazards, including wildland fire, have been considered during the design.
- (5) The proposed development is supported by the studies set out in Section 1.0 above.
- (6) No new roads are required to service the new subdivision. All lots will have frontage and access to Shady Maple Road (a municipally maintained road).
- (7) The proposed Draft Plan of Subdivision has public road frontage on Shady Maple Road.
- (8) The development of the property will not result in any landlocked parcels.
- (9) A subdivision agreement will be entered into as a condition of draft approval.
- (10) Not applicable as the subdivision does not abut a provincial highway or County Road.
- (11) The proposed subdivision is not near Highway 17.
- (12) The proposed development is not within a designated growth area.
- (13) Only single detached dwellings are proposed within the Draft Plan of Subdivision which will be developed on private services.
- (14) The proposed development completes the development potential of the property and represents an efficient use of existing municipal infrastructure (i.e having frontage on a municipally maintained road). The proposed lots will be serviced by private services.
- (15) The proposed development is not located near a settlement area.

#### 5.4 Other Supporting Studies

As noted in Section 14.4 (5) above in the Official Plan outlines a number of reports that may be required to be submitted for review by the County and or other agencies. A geotechnical study was identified as a requirement and was prepared by Paterson Group. The geotechnical study was intended to, among other objectives: establish the subsurface soil and groundwater conditions at six test pit locations; make recommendations regarding site grading and preparation, fill placement, foundation design, and pavement structure for driveways.

#### 5.5 Summary

The proposed subdivision complies with all applicable policies of the County of Renfrew Official Plan. Study recommendations and mitigation measures will be implemented through a zoning by-law amendment, a subdivision agreement and/or other conditions of approval.

### 6 Township of McNab/Braeside Zoning By-law No. 2010-49

The subject lands are currently zoned Rural (RU) and Open Space (OS) under the Township of McNab/Braeside Zoning By-law No. 2010-49. Copies of relevant sections of the zoning by-law are included in **Appendix 3** for reference. Notwithstanding the existing zoning on the subject lands, an application for a Zoning By-law Amendment will be a condition of the draft plan approval of the subdivision.

The purpose of the Application for Zoning By-law Amendment is to rezone the subject lands in order to permit construction of residential dwellings on individual lots in consideration of the Rural Residential (RR) zone provisions.

The effect of the rezoning is to rezone Lots 1 -16 from Rural (RU) and Open Space (OS) to Rural Residential (RR-X) to permit only single detached dwellings with a minimum lot frontage of 45m and minimum lot area of 4047 square metres.

### 7 Servicing Options Statement

As required by MOE Procedure D-5-3 dated March 1995 this section has demonstrated that there is no potential for servicing the development on full municipal services and consideration of communal sewage and water



services for the residential lots is deemed uneconomical and unnecessary. The findings and recommendations presented should be endorsed by the municipality in support of the application for plan of subdivision.

## 7.1 Proximity of Existing Municipal and Communal Services

There are no municipal services in the Township of McNab/Braeside. There are no communal services located in close proximity to the site, and the municipality is not involved in any servicing agreements for developments on communal services (email L. Parkes April 14/15).

## 7.2 Development Potential of the Whole Area

The Township Official Plan recognizes that new rural development will be serviced on individual on-site sewage and water systems. Residents in the Burnstown area are serviced with on-site sewage disposal systems. Water supply is obtained from wells or possibly the Madawaska River. This property represents a major landholding near the southern shore of the river in the area which is readily accessible by existing municipal roads. A description of the local development is provided in Section 2.0 of this report.

## 7.3 Environmental Suitability and Evaluation

### 7.3.1 Environmental Constraints

The design of sub-surface sewage disposal and water supply systems are governed by provincial regulation and guidelines. There are minimum setback distance requirements and/or capacity limitations for sewage and water systems in relation to the proximity and potential effect on surface and groundwater resources. Paterson Group Consulting Engineers has examined the feasibility for installation of subsurface sewage disposal system and use of groundwater as a potable water supply.

**Sewage Disposal** – The density of individual on-site sewage systems for any given plan of subdivision is determined using MOE Procedure D-5-4. The proposed 16 septic systems will not generate nitrate loading above 10 mg/L at the site boundary.

**Water Supply** – An assessment of test wells has determined that there is adequate water quantity and quality for potable water serving the proposed 16 lots in accordance with MOE Procedure D-5-5.

### 7.3.2 Suitability of the Terrain

Paterson conducted a test pit program to assess the suitability of septic system locations and installation. The Hydrogeological Assessment and Terrain Analysis Report includes a Lot Development Plan illustrating proposed locations of dwellings, septic systems and wells for all 16 lots.

### 7.3.3 Performance of Services in Similar Developments

Phase 1 and 2 has been serviced with individual septic system and wells and is located in a similar terrain and hydrogeological setting. No problems have been reported (email Tom Webster January 18, 2024) a copy found in **Appendix 1**.

## 7.4 Suitability of Development

### 7.4.1 Municipal

Extending Municipal services available from the Town or Renfrew through the Township to the proposed development is not viable.

### 7.4.2 Communal Servicing

For communal servicing to work properly, the development requires a compact layout with high occupancy rates, which is not proposed.



### 7.4.3 Private Servicing

The proposed development is suitable for private individual on-site services for each dwelling unit on the 16 lots.

## 7.5 The Decision Making Process

The preferred servicing option for the proposed 16 lot residential development is on private individual on-site sewage and water system for the following reasons:

- Municipal services are not an option.
- A communal system is not practical or recommended.
- Due to the size of the development, individual on site private sewage and water service for each dwelling unit is supported.

## 8 Conclusions and Recommendations

The proposed Draft Plan of Subdivision has been reviewed against the policies contained in the PPS and the County of Renfrew Official Plan. Consideration has also been given to the standards in the Township of McNab/Braeside Zoning By-law with respect to the design of the blocks/lots and the proposed built form. It is concluded that the proposed subdivision is consistent with the PPS and conforms to the Official Plan for the County of Renfrew. The proposal would result in development that is compatible with the surrounding neighbourhood. It is concluded that the Draft Plan of Subdivision is consistent with Section 51(24) of the Planning Act.

The development is considered to be good planning for the following reasons:

- Mitigation measures will be implemented through the Zoning By-law Amendment and the Subdivision Agreement to ensure that the proposed subdivision will be compatible with surrounding land uses,
- The proposed subdivision is designed on a neighbourhood scale and will have access to the Braeburn Subdivision Community Recreation Area presently used by Phase 1 & 2 residents.
- No adverse servicing, infrastructure or financial impacts on the Township of McNab/Braeside are expected as a result of the approval of the proposed development,
- No adverse impacts on Agricultural, Natural Heritage, Cultural or Archaeological Heritage resources have been identified.

It is our opinion that the proposed draft plan of subdivision and zoning by-law amendment represent good planning, conforms with the policies of the County of Renfrew Official Plan and is consistent with the 2020 Provincial Policy Statement.

It is recommended that this Planning Justification Report and supporting documentation be filed in support of the application for Draft Plan of Subdivision with the County of Renfrew in consideration of the following Conditions of Draft Approval:

### Servicing – Hydrogeology

1. That the Hydrogeological Assessment and Terrain Analysis prepared by Paterson Group dated November 27, 2023 will be made available to lot purchasers as a guide to development.
2. Future wells should be constructed in accordance with O.Reg. 903 and be installed similarly to the well construction of the on-site test wells. Due to the hydrogeological sensitivity of the region, future wells should be installed with a minimum casing length of 12m bgs (double the standard length) and have a minimum of 30m separation distance between any drilled potable supply well and the closest distribution pipe or septic tank of a sewage system.



3. The drilling of the casing hole, the installation of casing, and the grouting of the annular space should be inspected by a qualified individual, as per O.Reg. 903. All well construction must be carried out by a licensed well technician.
4. Future wells must be completed such that the top of the well casing is a minimum of 400mm above the finished grade and the area surrounding the well is graded to shed water.
5. Well owners should ensure that the wellhead and surrounding area are maintained in accordance with the requirements of O.Reg. 903. Future well owners should refer to the MECP Water Supply Wells Requirements and Best Management Practices, for additional details.
6. Additional treatment to address hardness, iron, and manganese may be used as desired. Water treatment methods may include a water softener, reverse osmosis, coagulation/flocculation processes, biological filtration, and/or granulated activated charcoal filtration.
7. Existing wells which are not to be utilized for water supply wells, or retained for sentinel well purposes, should be decommissioned in accordance with O.Reg. 903.
8. Wells should be developed to a sand free state in order to ensure that the residual turbidity created by the well drilling activities is completely purged from the well. Additional well development, prior to placing the well into use, is strongly recommended in order to provide the adequate development of the formation and remove extraneous rock debris from the aquifer pathways. It is likely that future wells at this site will require additional well development. The additional well development should take place during well construction, or alternatively, take place during the mandatory pumping test required by O.Reg. 903.
9. Individual future well owners should carry out semi annual verification of potability of the raw water supply, specifically bacteriological analyses (E.coli and total coliforms). Moreover, the well owner should ensure that they maintain the wellhead and immediate area in accordance with the requirements of O.Reg. 903.
10. The on-site sewage disposal needs can be accommodated with standard Class 4 sewage systems consisting of a septic tank and in-ground, partially or fully raised leaching beds, as per Part 8 of the Ontario Building Code.

### Lot Development

1. That the Lot Development Plans prepared by Jp2g Consultants Inc. dated December 22, 2023 as approved by the Township of McNab/Braeside be provided to potential lot purchasers as a guide for the development of the lot.
2. That potential lot purchasers be provided a copy of the Geotechnical Investigation prepared by Paterson Group dated June 20, 2023.



## Environmental Impact Study

1. That the Environmental Impact Study prepared by Jp2g Consultants Inc. dated October 21, 2022 will be available to lot purchasers as a guide to development.
2. To protect bats, no tree or shrub removal should occur between April 1<sup>st</sup> and October 1<sup>st</sup>, unless an evening June bat survey is completed by a qualified professional within five days of the woody vegetation removal identifies no bat activity in the vicinity of the work area.
3. Nests and eggs of many bird species are protected under federal and/or provincial legislation such as the Migratory Birds Convention Act and the Fish and Wildlife Conservation Act. In order to protect breeding birds, no tree or shrub removal should occur between April 15<sup>th</sup> and August 15<sup>th</sup>, unless a breeding bird survey is completed by a qualified professional within five days of the woody vegetation removal which identifies no nesting activity in the vicinity of the work area.
4. The Butternut Health Assessment prepared by Jp2g Consultants Inc. will need to be submitted to the MECP prior to any site disturbances. Following the 30 day review period by the Ministry, the Category 1 butternuts can be removed provided any other applicable mitigation measures for tree removal are adhered to.
5. If any other Butternut trees are noted in or adjacent to the proposed work areas, a Butternut Health Assessment will need to be completed during the leaf-on period for those trees to identify if they are healthy. Healthy butternuts are not to be removed or harmed until an overall benefit for the species has been provided following MECP protocols. Depending on the Category of butternut tree and how many there are, registration or authorization under the Endangered Species Act may be required.
6. Although not anticipated and out of an abundance of caution, the following mitigation measures are recommended in order to mitigate the potential impacts on turtle species from the proposed works. The following mitigation measures will also mitigate any impacts on snake species that may be utilizing the subject lands:
  - a. Specific site preparation work requiring clearing of vegetation and construction activities should be undertaken between October 16<sup>th</sup> and April 15<sup>th</sup>, which is outside of the more active season for turtles.
  - b. If the proposed works will occur between April 16<sup>st</sup> and October 15<sup>th</sup>, in order to prevent potential movement of turtle and snake species into the proposed work area, a properly installed and maintained temporary exclusion barrier (for example silt fencing) should be erected as per the *Species at Risk Branch Best Practices Technical Note Reptile and Amphibian Exclusion Fencing Version 1.1 July 2013* around any areas where the proposed works will occur prior to all site preparation and construction activities.
  - c. Once the work areas are surrounded by properly dug in fencing and prior to further site alterations, the work areas are to be searched for turtles and snakes. Any turtles and snakes observed during the construction phase are to be relocated outside of the work area as required to ensure they are not endangered by the construction activities.



7. If a driveway is proposed through the small wetlands, low areas or intermittent watercourses on the subject lands, or if any of these features are to be removed/relocated on the subject lands, the following recommendations will apply:
  - a. Any permits and/or approvals required from the Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR) are to also be obtained prior to any works involving any driveway crossings through the wetlands, low areas or intermittent watercourses or the removal/relocation of these features.
  - b. If the small wetlands, low areas or the intermittent watercourses will be removed/relocated:
    - i. at the time that they will be filled in, if there is standing or flowing water present, defishing, if applicable will need to occur prior to filling it in. A sampling permit will be required from NDMNR for the defishing.
    - ii. the filling activities should start in the southeastern portion of the wetland, low area or intermittent watercourse and proceed in a northwesterly direction on the subject lands in order to encourage any wildlife utilizing these features on the subject lands to re-locate to the northwest towards the Madawaska River.
  - c. If culverts are required in the intermittent watercourses on the subject lands, the following mitigation measures shall be implemented:
    - i. Timing of the in-water work for the installation of a culvert is favoured for the summer period (between July 15 and September 30) due to generally reduced flow, decreased potential for sediment input and the greater growing season afforded for re-vegetation of disturbed areas. The re-vegetation of the disturbed areas shall be done with native species to the area. If in-water occurs between September 30 and March 15, depending on the length of construction period and how the re-vegetation germinates, it may be necessary to have any exposed areas along the banks covered with erosion control blankets to keep the soil in place and prevent erosion from occurring during the spring freshet period. The sediment and erosion control measures shall remain in place until the area has completely stabilized. No in-water work is to occur between March 15 and July 15 if water is present in the vicinity of the work area;
    - ii. The channel bed and banks shall be stabilized with clean shot rock one metre upstream and downstream of the new culvert after installation. Smaller rounded material will be placed over the larger rock protection to provide more habitat utilization potential;
    - iii. All material to be placed in the watercourse is to be clean and free of fines;
    - iv. All access to the work areas shall be within the road allowance to avoid tree removal and other potential disturbances in portions of the watercourse corridor that will not be disturbed;

- v. It is important to ensure the banks are stabilized as soon as possible after the installation is completed and exposed soil is kept to a minimum at all times;
  - vi. Erosion and sediment control measures are a critical component of the construction work. Effective sediment and erosion control measures are to be maintained until complete re-vegetation of disturbed areas is achieved with native species to the area. Prior to any in-water work a rock flow check dam, with a sediment trap immediately upstream of the flow check, is recommended downstream of the work area. Silt fencing is to be installed along the edges of the work areas and along both banks of the watercourse where the fencing will not conflict with work within and under the watercourse. It is important that fencing is properly dug-in to treat any surface water flow and is maintained as required, including removal of accumulated sediment until the area has completely stabilized;
  - vii. Additional mitigation measures to minimize the potential for inputs of sediments and other contaminants into the watercourse and the environment in general include proper maintenance on construction equipment with respect to refuelling, washing and fluid changes, and proper disposal of fluids, filters and other waste materials. None of this work shall take place within 30 metres of any surface water features;
  - viii. It is important that monitoring be completed at all times and any water quality issues such as elevated turbidity levels be addressed immediately with cessation of work until proper sediment and erosion controls are in place.
8. To ensure that no adverse impacts occur on the small wetlands, the low areas, or the intermittent watercourses and the potential fish habitat within these features as well as the potential significant wildlife habitat located on and adjacent to the subject lands, the following recommendations should be implemented:
- d. A 15 metre wide buffer area from the edge of the small wetlands on the subject shall be maintained in a natural vegetated state. The low areas and intermittent watercourses as well as the adjacent lands should also remain in a natural state where possible. However, the removal/relocation of these features is also permitted, if needed, provided the other applicable mitigation measures in this report are properly implemented.
  - e. Vegetation on the subject lands should also remain in a natural state as much possible, except for the clearing portions of the property to allow for the construction of structures and associated access requirements.
  - f. The extent of exposed soils is to be kept to a minimum at all times. Re-vegetation with native trees and shrubs of exposed, non-developed areas is to be achieved as soon as possible.
  - g. Erosion and sediment control measures are a critical component of the construction work. Effective sediment and erosion control measures are to be maintained until complete re-vegetation of disturbed areas is achieved. Silt fencing is to be installed along the edges of



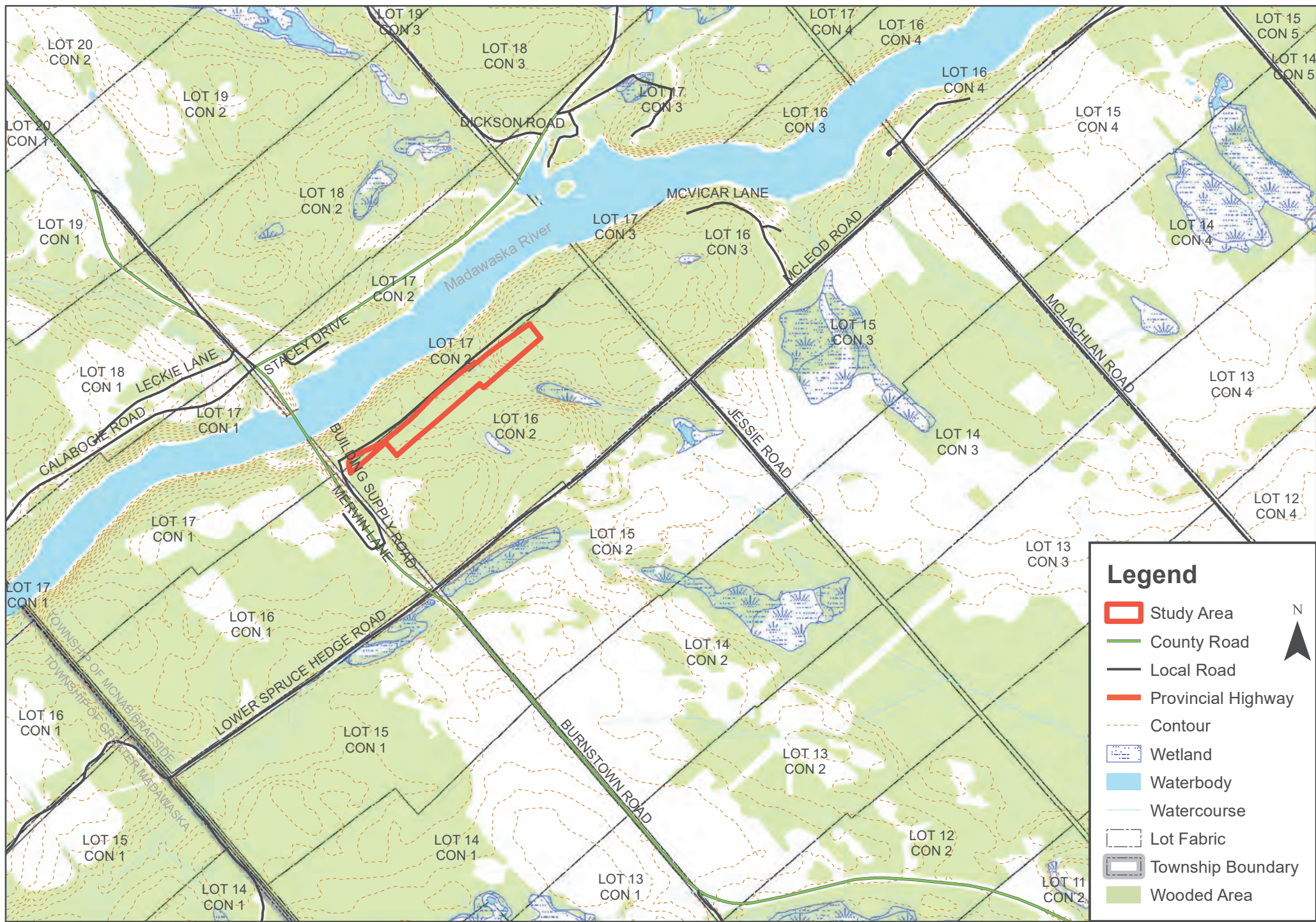
the work areas. It is important that fencing is properly dug-in to treat any surface water flow and is maintained as required, including removal of accumulated sediment.

- h. Additional mitigation measures to minimize the potential for inputs of sediments and other contaminants into the wetlands, watercourses and the environment in general include proper maintenance on construction equipment with respect to refuelling, washing and fluid changes, and proper disposal of fluids, filters and other waste materials. None of this work should take place within 30 metres of any surface water features.
12. If applicable, municipal by-laws and provincial regulations for noise will be followed and utilities will be located as required in the vicinity of the site prior to construction.
  13. Construction staff should receive training by a qualified professional to know how to identify species at risk on site and to know what to do if one is found on site (alive, injured, nesting etc.). If any SAR (alive or injured) are observed or if a nest is observed during construction, activity in the area is to stop and the Ministry of Environment, Conservation and Parks (MECP) and a biological consultant contacted immediately.
  14. Any occurrences of species at risk found on site should be submitted to the Natural Heritage Information Centre as soon as possible.
  15. If any SAR are discovered throughout the course of the work and/or should any SAR or their habitat be potentially impacted by on site activities, MECP should be contacted, and operations be modified to avoid any negative impacts to SAR or their habitat until further direction is provided by MECP.

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End of report.

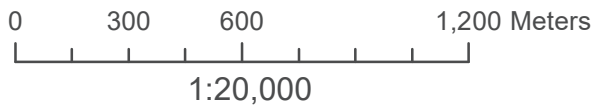




**Legend**

- Study Area
- County Road
- Local Road
- Provincial Highway
- Contour
- Wetland
- Waterbody
- Watercourse
- Lot Fabric
- Township Boundary
- Wooded Area

N

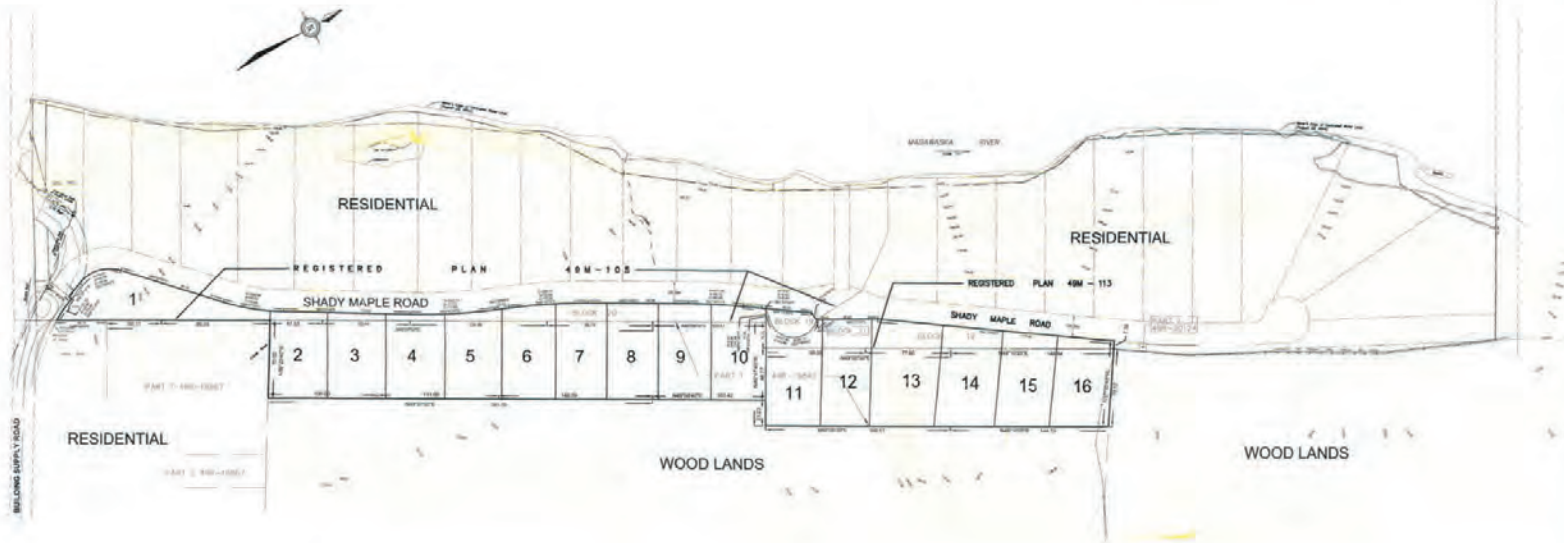


**Figure 1 - Site Location Map**  
 Braeburn Estates Subdivision  
 Lot 16, Concession 2 Township of McNab

Project No. 17-7017F  
 Prepared by: KC | Reviewed by: KM  
 Date: February 2024



BRAEBURN ESTATES PHASE 3  
 DRAFT PLAN OF SUBDIVISION OF  
 BLOCKS 19, 20 & 21 PLAN 49M-105 AND  
 PART OF BLOCK 12 PLAN 49M-113  
 PART OF LOT 16 AND 17, CONCESSION 2  
 GEOGRAPHIC TOWNSHIP OF McNAB  
 TOWNSHIP OF McNAB BRAESIDE



**NOTES:**

- LOTS 1 TO 9 INCLUDE PART OF BLOCK 20 PLAN 49M-105.
- LOT 10 INCLUDES PART OF BLOCK 19 AND BLOCK 21 PLAN 49M-105.
- LOT 11 INCLUDES PART OF BLOCK 19 AND BLOCK 21 PLAN 49M-105 AND PART BLOCK 12 PLAN 49M-113.
- LOT 12 TO 16 INCLUDE PART OF BLOCK 12 PLAN 49M-113.
- LOT FRONTAGE MEASURED 7.6m BACK AND PARALLEL TO THE SHADY MAPLE ROAD STREET LINE.
- LOT AREA INCLUDES THE LANDS EXTENDING TO THE SHADY MAPLE ROAD STREET LINE.

PHASE 3		
LOT	FRONTAGE (m)	AREA (m <sup>2</sup> )
1	192.6	5416
2	52.1	4117
3	53.5	4106
4	54.0	4104
5	52.2	4077
6	49.3	4122
7	47.0	4081
8	47.0	4084
9	48.0	4165
10	50.4	4250
11	55.0	5224
12	48.0	4338
13	64.8	5866
14	55.0	4804
15	80.0	4216
16	51.8	4224

**ADDITIONAL INFORMATION**

UNDER SECTION 61 (17) OF THE PLANNING ACT R.S.O. 1990 CHAPTER P.13

- AS SHOWN ON DRAFT PLAN
- AS SHOWN ON DRAFT PLAN
- AS SHOWN ON DRAFT PLAN
- LOTS 1-16 SINGLE DETACHED RESIDENTIAL
- TO THE NORTH - BRAEBURN ESTATES PHASE 1 AND 2 TO THE EAST - VACANT LANDS TO THE SOUTH - SHADY MAPLE ROAD AND RESIDENTIAL TO THE WEST - BRAEBURN ESTATES PHASE 1 AND 2
- AS SHOWN ON DRAFT PLAN
- AS SHOWN ON DRAFT AND KEY PLANS
- GROUNDWATER
- GLACIAL TILL
- AS SHOWN ON DRAFT PLAN
- INDIVIDUAL ON SITE WATER AND SEWER SERVICES
- NONE

**OWNER'S AUTHORIZATION**  
 I HEREBY AUTHORIZE SUEAN WOODS TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE COUNTY OF RENFREW FOR APPROVAL.  
 2024/03/06  
 SUEAN WOODS  
 SUEAN WOODS DEVELOPMENT CORP.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT THE INDICATIONS OF THE LANDS TO BE SUBDIVIDED ARE CORRECTLY SHOWN.  
 2024/03/06  
 J. P. J. JONES  
 J. P. J. JONES INC.

THIS DRAFT PLAN OF SUBDIVISION IS APPROVED UNDER s. 61(17) OF THE PLANNING ACT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

BLAISE HONNATH, MPP, DEPT. MANAGER OF PLANNING SERVICES, DEVELOPMENT AND PROPERTY DEPARTMENT, CORPORATION OF THE COUNTY OF RENFREW.



NO.	DATE	PROJECT	REVISION COMMENTS

**BRAEBURN ESTATES**  
 BURNSTOWN, ONTARIO  
 -  
 DRAFT PLAN OF SUBDIVISION

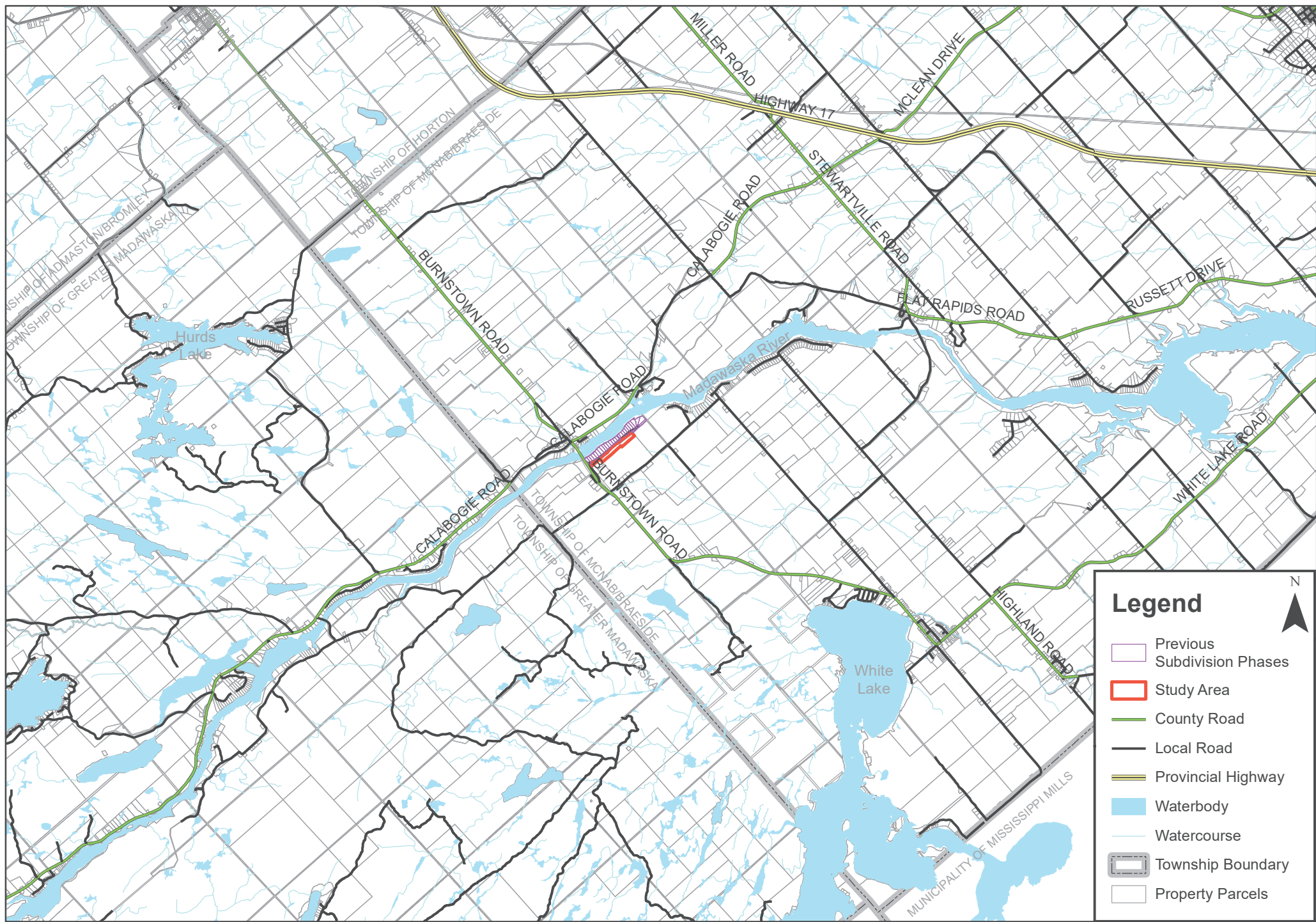
**Jp2g Consultants Inc.**  
 ENGINEERS - PLANNERS - PROJECT MANAGERS

1. CONSULTATIONS ONLY. THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION. THE INFORMATION ON THIS PLAN IS SUBJECT TO THE TERMS AND CONDITIONS OF THE AGREEMENT BETWEEN THE CLIENT AND THE CONSULTANT.










DESIGNED BY: SA	PROJECT NO.: 240107
DRAWN BY: LA	ORIGINAL DATE: 06/07/20
CHECKED BY: AM	APPROVED BY: DD
SCALE: 1:1,200	SHEET NO.: 1 OF 1

**PHASE 3 DRAFT PLAN**





**Legend**

-  Previous Subdivision Phases
-  Study Area
-  County Road
-  Local Road
-  Provincial Highway
-  Waterbody
-  Watercourse
-  Township Boundary
-  Property Parcels

0 1 2 4 Kilometers  
 1:90,000

**Figure 3 - Madawaska River Development**  
 Braeburn Estates Subdivision  
 Lot 16, Concession 2 Township of McNab

Project No. 17-7017F  
 Prepared by: KC | Reviewed by: KM  
 Date: February 2024





## Appendix 1: Pre-submission Consultation





Development & Property Department

**PLANNING RESPONSE**

<b>Date:</b> January 26, 2021		<b>Lot:</b> Part Lot 16	<b>Conc:</b> 2
<b>Name of Applicant (owner or agent):</b> Rick & Nancy Armishaw 504 McLeod Road White Lake, ON K0A 3L0 <u>Agent: Susan Anglin</u> 228 Bradford Street Ottawa, ON K2B 5Z6		<b>Geographic Township:</b> McNab	
<b>Telephone:</b> Rick 613-890-0872 Susan 613-795-2227		<b>Municipality:</b> McNab/Braeside	
<b>E-mail:</b> Susananglin16@gmail.com		<b>Address / Access:</b> 504 McLeod Road	

<b>Proposal</b> (copy attached): Ms. Anglin proposes to sever 5.42 hectares of vacant land from the abutting 50 hectare property to add to the abutting lands containing Braeburn Subdivision. The purpose is to allow for additional subdivision lot development on the south side of Shady Maple Road. The resulting retained property would be approximately 44.5 hectares in area with 765 metres of road frontage on McLeod Road containing the existing dwelling and outbuildings.	
<b>Official Plan Designation:</b> (see attached map excerpt)	Rural
<b>Applicable Official Plan Policies:</b> Sections: 5.3(1) – uses permitted in the Rural designation 5.3(3) – requirements for considering lands for subdivision development in the Rural designation 2.2(6)(5) – archaeological resources 2.2(9)(d)- wildland fire risk 2.2(12)(a)(iii) – private servicing 2.2(23) – Environmental Impact Study (EIS) 2.2(29) – parkland dedication 2.2(3) – stormwater management 13.3(2) – County road requirements 13.3(3) – local municipal road requirements 14.3(12) – consents for boundary adjustments 14.4 – plans of subdivision	
<b>Zoning:</b> (see attached map excerpt)	Rural (RU) Open Space (OS)
<b>Applicable Zoning Provisions</b> (copies attached): Sections: 17.1 and 17.2 – permitted uses and lot development requirements in the RU Zone 21.1 and 21.2 – permitted uses and lot development requirements in the OS Zone 3.23(b) – County road requirements 3.23(c) – local road requirements	
<b>Severance History:</b> B-8/87; B-18/09; B-13/16 (lot addition); B-14/16 (lot addition)	

**Planning Issues which may affect the proposal:**

<input checked="" type="checkbox"/> Archaeology	<input type="checkbox"/> Natural Gas Pipeline
<input type="checkbox"/> Area of Natural and Significant Interest (ANSI)	<input type="checkbox"/> Provincially Significant Wetland (PSW)
<input type="checkbox"/> At-Capacity Lake / Near Capacity Lake	<input type="checkbox"/> Quarry
<input type="checkbox"/> Contaminated Site / Change of Use	<input type="checkbox"/> Recreation Trail
<input checked="" type="checkbox"/> County Roads	<input type="checkbox"/> Sand, Gravel or Bedrock Resource
<input type="checkbox"/> Crown Lands	<input type="checkbox"/> Septic Effluent >4500 L/day
<input checked="" type="checkbox"/> Environmental Impact Study	<input type="checkbox"/> Septic Effluent >10,000 L/day
<input type="checkbox"/> Environmental Site Assessment/Record of Site Condition	<input type="checkbox"/> Significant Wildlife habitat
<input type="checkbox"/> Fish Habitat	<input type="checkbox"/> Significant Woodlands
<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Significant Valleylands
<input type="checkbox"/> Gravel or Sand Pit	<input type="checkbox"/> Site Plan
<input type="checkbox"/> Karst Topography	<input type="checkbox"/> Slip Clays
<input type="checkbox"/> Livestock Barn within 750 metres (Type A)	<input checked="" type="checkbox"/> Stormwater Management
<input type="checkbox"/> Livestock Barn within 1500 metres (Type B)	<input type="checkbox"/> Waste Disposal Site (active or inactive)
<input checked="" type="checkbox"/> Lot Grading / Drainage	<input checked="" type="checkbox"/> Wildland Fire Hazard
<input type="checkbox"/> Ministry of Transportation	<input type="checkbox"/> Other:

**Comments/Summary/Recommended Contact:**

The following response has been prepared based on a review of the above-noted Official Plan policies, which can be viewed on the County of Renfrew website at: <https://www.countyofrenfrew.on.ca/en/business-and-development/resources/Documents/OfficialPlan.pdf> and municipal zoning provisions, copies of which are attached.

**Lot Addition**

- The consent policies of the Official Plan allow for boundary adjustments which are to be evaluated on the merit of the application. In this case, the additional lands for development on the south side of the new subdivision road would represent cost-effective and efficient use of municipal infrastructure.
- Part of the severed lands abut Block 20, Plan 49M-105 and the rest abut the remaining Phase 2 lands to the east of Plan 49M-105. The subdivision lands have already gone through the "absolute title" process which may prevent the proposed severed lands from legally merging. As a condition of approval of the lot addition the severed lands are required to merge with the subdivision lands. This may require an "absolute title" process for the severed lands.
- An application for lot addition and applicable fee can be submitted to the Township of McNab/Braeside for processing.

**Subdivision Requirements**

- New lots created on the south side of Shady Maple Road, would include lands within Block 20, Plan 49M-105 and a portion of the above-noted lot addition lands. This would require a new plan of subdivision to be laid down over those lands and fronting on Shady Maple Road. An application for the subdivision and applicable fees would need to be submitted to the County of Renfrew for processing. The application for subdivision must be supported by the following studies/reports, prepared by qualified professionals:
  1. A planning justification report that demonstrates how the proposed development conforms to Provincial policy, the policies of the County of Renfrew Official Plan, and that the use constitutes good land use planning. [14.4(5)]
  2. Site servicing options report [2.2(4)(g)]
  3. Hydrogeological Study with nitrate impact assessment demonstrating long-term site suitability for private services with no long-term negative impacts and an adequate, potable water supply [2.2(12)(a)(iii) and 14.4(5)]

The hydrogeological study will be peer reviewed in relation to the Ministry of Environment Guidelines D-5-4 and D-5-5. You may wish to pre-consult with the peer review consultant regarding a terms of reference for the study. The County will also peer review the Environmental Impact Study. You can contact Bruce Howarth at the County of Renfrew to set up a meeting with the County's peer review consultant.

4. Preliminary stormwater management report [2.2(30)]

This report must consider the impact of the additional development on stormwater and the stormwater management facilities within Phase 1 of the subdivision on the south north side of Shady Maple Street.

5. Archaeological assessment [2.2(6)(5)]

6. Environmental Impact Study (EIS) demonstrating no negative impact on habitat of endangered and threatened species [2.2(8)(a); 2.2(23)]

7. Geotechnical study [14.4(5)]

- These lands fall within an area of pine which poses a wildland fire risk, as identified on Schedule B-Map 1–Hazards, to the County of Renfrew Official Plan. Under Section 2.2(9)(d) development should take place outside of these risk areas, but may be permitted in them provided the risk is mitigated in accordance with Ministry of Natural Resource and Forestry (MNRF) assessment and standards.

Building sites on the proposed lots must incorporate MNRF standards for mitigating wildfire risk in accordance with the Provincial [Wildland Fire Risk Assessment and Mitigation Reference Manual](#) and will need to be addressed through the subdivision approval process (in the EIS and Planning justification studies). You should review this manual which explains fire risks and provides practical mitigation measures (i.e. Section 7.5.1.1). Another manual which may provide additional assistance is the Canada [FireSmart Begins at Home Manual](#). The links to both manuals are provided below (hit Ctrl and select link):

[https://files.ontario.ca/wildland\\_fire\\_risk\\_assessment\\_and\\_mitigation\\_reference\\_manual\\_2017.pdf](https://files.ontario.ca/wildland_fire_risk_assessment_and_mitigation_reference_manual_2017.pdf)

[https://firesmartcanada.ca/wp-content/uploads/2019/10/FS\\_Generic-HomeOwnersManual\\_Booklet-November-2018-Web.pdf](https://firesmartcanada.ca/wp-content/uploads/2019/10/FS_Generic-HomeOwnersManual_Booklet-November-2018-Web.pdf)

- A plan of subdivision/condominium requires an application, draft plan prepared by an Ontario Land Surveyor and fee submitted to the County of Renfrew. The subdivision application form is available on the County of Renfrew website at: <https://www.countyofrenfrew.on.ca/en/business-and-development/subdivision-and-condo-approvals.aspx>. The process requires that you provide detailed plans to the municipality including, but not limited to lot grading and drainage plans, proposed road drawings, etc. and that you enter into an agreement with the municipality to develop the subdivision in accordance with approved plans and municipal requirements.
- Both the Official Plan and Township Zoning By-law require development to meet County road and local municipal road requirements. It is recommended that you pre-consult with Nathan Kuiack, Engineering Technician, with the County of Renfrew Public Works and Engineering Department at [nkuiack@countyofrenfrew.on.ca](mailto:nkuiack@countyofrenfrew.on.ca) or 613-732-4353 and Ryan Frew, Director of Public Works, with the Township of McNab/Braeside at [rfrew@mcnabbraeside.com](mailto:rfrew@mcnabbraeside.com) or 613-623-5756.

From: [Susan Anglin](#)  
To: [Kevin Mooder](#)  
Subject: Fwd: PH4748 - Phase 3 Braeburn Estates - Hydrogeological Pre-consultation  
Date: Tuesday, May 7, 2024 11:42:55 AM  
Attachments: [image001.png](#)  
[PH4748-1-Site Plan.pdf](#)

---

**\*\*EXTERNAL EMAIL\*\*** Please use caution.

fyi

----- Forwarded message -----

From: **Erik Ardley** <[EArdley@patersongroup.ca](mailto:EArdley@patersongroup.ca)>  
Date: Wed, Jun 7, 2023 at 2:30 PM  
Subject: PH4748 - Phase 3 Braeburn Estates - Hydrogeological Pre-consultation  
To: Susan Anglin <[susananglin16@gmail.com](mailto:susananglin16@gmail.com)>  
Cc: Michael Killam <[MKillam@patersongroup.ca](mailto:MKillam@patersongroup.ca)>, Kevin Pickard <[KPickard@patersongroup.ca](mailto:KPickard@patersongroup.ca)>

Good afternoon Susan,

As per our phone call, please find the revised Site Plan drawing attached and an email below which we plan on sending to the Hydrogeological Reviewer once you have reviewed it. We are phrasing the email in a manner that allows us to include the Park conversion, the new lots (Phase 3), and the previous phases of the subdivision all together in our assessment. Please let me know if you have any questions, or if we are good to send the email to Anne McVean.

-----

Good afternoon Anne,

Sorry for the late reply! Further to our discussion, we are proposing the following program for the Hydrogeological Assessment and Terrain Analysis in support of the proposed Lot Severance of Phase 3 Braeburn Estates in Burnstown, Ontario. We are proposing this approach due to the undeveloped nature of the previous phases, the low lot density of the subdivision, and the fact that the previous test wells are extremely close to the new phase (directly across the street). It should be noted that the majority of the previous phases (80%) lots have been sold, however only a few have been developed.

D-5-5

- Assessment of groundwater quality via the following:
  - Approach the homeowners who are using the Test Wells in Phase 1 and Phase 2 as their potable supply wells to ask if we can collect a raw groundwater sample. We would incentivise the homeowner by providing them with the groundwater geochemistry results free of charge, as an attempt to encourage their participation. The raw groundwater samples would be submitted to an analytical laboratory for comprehensive analysis of bacteriological and chemical parameters consistent with a Subdivision Package.
  - We propose collecting 2 groundwater samples from actively used potable supply wells, distributed across the site as evenly as feasible, starting with requests from the homeowners who are currently using the test wells from the previous Hydrogeological Reports. Should it not be possible to collect two samples from actively used potable supply wells, then the hydrogeological data collected in support of the previous Hydrogeological Assessments will be used to support Phase 3.
  - A survey will be completed with the homeowners to collect anecdotal information regarding their experience with their groundwater quality.
  - A Letter Report addressing the groundwater sampling and related geochemical analysis will be completed. A comparison of the current groundwater geochemistry and the historical groundwater geochemistry collected as part of the previous phases Hydrogeological Assessments will be included in the Letter report.
- Assessment of Groundwater Quantity via the following:
  - The available water quantity will be addressed via a Desktop Study using the data collected from the previous Hydrogeological Assessments supporting the previous phases. We are proposing this approach due to the extremely close proximity of Phase 3 to the existing test wells.
  - A survey will be completed with the homeowners who are approached for groundwater sampling to collect anecdotal information regarding their experience with the groundwater quantity accessed by their wells.
  - A Letter Report addressing the available groundwater quantity will be completed.

#### D-5-4

- Assessment will be based on geotechnical test pits to be distributed in an even manner, taking into consideration site features, across the proposed Phase 3.
- Where surficial groundwater samples can be collected from the test pits, they will be collected and submitted to an accredited analytical laboratory for testing of the nitrate family suite of parameters.
- Where surficial groundwater samples cannot be collected, the nitrate concentrations from the groundwater geochemistry samples collected from the drilled potable supply test wells will be used to support the Hydrogeological Assessment.
- The Nitrate Impact Assessment will be updated.
- A Letter Report will be completed addressing the subdivisions ability to support private sewage servicing, sewage system design recommendations, and will include a proposed Lot Development Plan.

Thanks,

Erik



**ERIK ARDLEY, P.Geo.**  
Project Manager – Hydrogeology

TEL: (613) 226-7381 ext. 246  
DIRECT: (613) 808-9776

9 AURIGA DRIVE  
OTTAWA ON K2E 7T9

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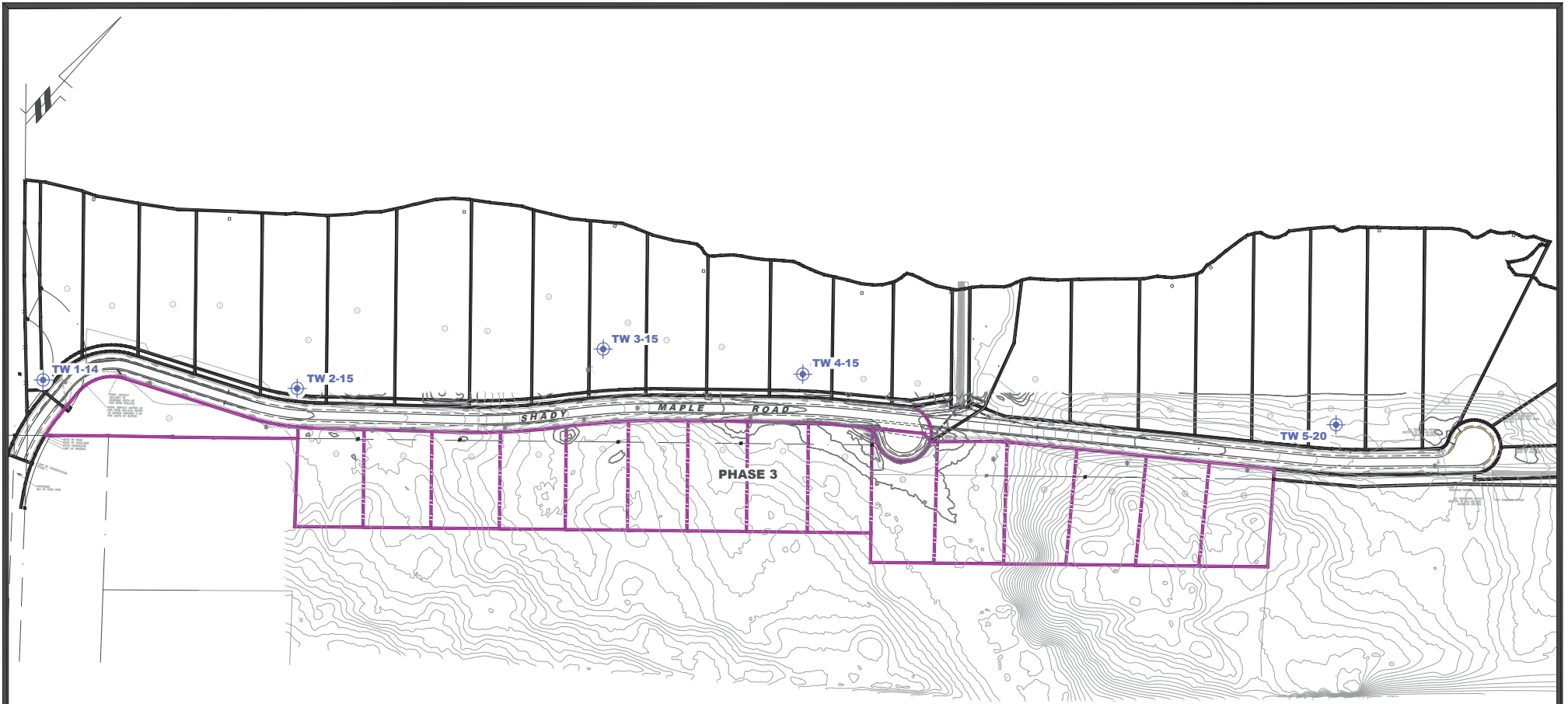
---

Susan Anglin

+1 (613) 795-2227



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**LEGEND:**

 TEST WELL LOCATION

SCALE: 1:3000



9 AUBICA DRIVE  
OTTAWA, ON  
K2E 7T9  
TEL: (613) 226-7381

NO.	REVISIONS	DATE	INITIAL

OTTAWA,  
Title:

**BRAEBURN ESTATES - PHASE 3**

ONTARIO

**SITE PLAN**

Scale:	1:2000	Date:	06/2023
Drawn by:	YA	Report No.:	PH4748-1
Checked by:	EA	Dwg. No.:	<b>PH4748-1</b>
Approved by:	EA	Revision No.:	



From: [Susan Anglin](#)  
To: [Kevin Mooder](#)  
Subject: Fwd: PH4748 - Phase 3 Braeburn Estates - Hydrogeological Pre-consultation  
Date: Tuesday, May 7, 2024 11:42:55 AM  
Attachments: [image001.png](#)  
[PH4748-1-Site Plan.pdf](#)

---

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fyi

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From: **Erik Ardley** <[EArdley@patersongroup.ca](mailto:EArdley@patersongroup.ca)>  
Date: Wed, Jun 7, 2023 at 2:30 PM  
Subject: PH4748 - Phase 3 Braeburn Estates - Hydrogeological Pre-consultation  
To: Susan Anglin <[susananglin16@gmail.com](mailto:susananglin16@gmail.com)>  
Cc: Michael Killam <[MKillam@patersongroup.ca](mailto:MKillam@patersongroup.ca)>, Kevin Pickard <[KPickard@patersongroup.ca](mailto:KPickard@patersongroup.ca)>

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Erik



**ERIK ARDLEY, P.Geo.**  
Project Manager – Hydrogeology

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DIRECT: (613) 808-9776

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Susan Anglin

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---

## Phase 3 - Road Comments - Plan of Subdivision

---

Ryan Frew <Rfrew@mcnabbraeside.com>

Thu, Jul 6, 2023 at 1:47 PM

To: Susan Anglin <susananglin16@gmail.com>

Cc: Angela Young <ayoung@mcnabbraeside.com>, Lindsey Lee <llee@mcnabbraeside.com>, "Bruce Howarth, MCIP, RPP" <bhowarth@countyofrenfrew.on.ca>

Ms. Anglin,

In general, there are no concerns with the proposed Phase 3 lots fronting on Shady Maple Road. Lot access and drainage requirements/improvements are to be addressed through the supporting subdivision studies.

Notwithstanding the above, Township Council may request a financial contribution through the subdivision agreement to be allocated to improvements of Building Supply Road.

Regards,

Ryan

**Ryan Frew, M.Eng., P.Eng.**

*Director of Public Works*

T: 613-623-5756 ext. 227

F: 613-623-9138

Toll Free: 1-800-957-4621

rfrew@mcnabbraeside.com

mcnabbraeside.com

2473 Russett Drive, Arnprior, ON K7S 3G8



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---

**From:** Susan Anglin <susananglin16@gmail.com>

**Sent:** Tuesday, July 04, 2023 3:42 PM

**To:** Ryan Frew <Rfrew@mcnabbraeside.com>

**Subject:** Phase 3 - Road Comments - Plan of Subdivision

Hi Ryan,

I hope you are having a great summer!

We are busy getting the studies together to support the Plan of Subdivision for Phase 3 of Braeburn; a preliminary lot plan is attached for your reference which shows 16 lots.

As part of the subdivision application requirements, I need to consult with you regarding the road suitability for the new lots.

Do you give your approval to add the P3 new lots to the road? Are there any other considerations?

The lines are painted on Shady Maple Road now. :-) and I'm still working with Hydro for the streetlights.

Kind regards,

Susan

--

---

Susan Anglin

+1 (613) 795-2227

[Quoted text hidden]

---

 **PH4748-1-Site Plan (3).pdf**  
889K



Susan Anglin <susananglin16@gmail.com>

---

## Phase 3 - Road Comments - Plan of Subdivision

---

**Nathan Kuiack** <NKuiack@countyofrenfrew.on.ca>  
To: Susan Anglin <susananglin16@gmail.com>

Mon, Jul 24, 2023 at 3:01 PM

Hi Susan,

The County of Renfrew Public Works and Engineering Department has no concerns with the proposal.

Regards,

Nathan Kuiack, C.E.T.

Infrastructure Technician

Public Works Department

9 International Drive, Pembroke, ON K8A 6W5

p 613-732-4353    f 613-732-0087



---

**From:** Susan Anglin <[susananglin16@gmail.com](mailto:susananglin16@gmail.com)>

**Sent:** July 4, 2023 3:44 PM

**To:** Nathan Kuiack <[NKuiack@countyofrenfrew.on.ca](mailto:NKuiack@countyofrenfrew.on.ca)>

**Subject:** Fwd: Phase 3 - Road Comments - Plan of Subdivision

[CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.]

Hi Nathan,

I hope you are having a great summer!

We are busy getting the studies together to support the Plan of Subdivision for Phase 3 of Braeburn; a preliminary lot plan is attached for your reference which shows 16 lots.

As part of the subdivision application requirements, I need to consult with you regarding the road suitability for the new lots.

Do you give your approval to add the P3 new lots to the road network? Are there any other considerations?

Kind regards,

Susan

--

---

Susan Anglin

+1 (613) 795-2227



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From: [Susan Anglin](#)  
To: [Kevin Mooder](#)  
Subject: Fwd: Braeburn p3  
Date: Tuesday, May 7, 2024 11:37:44 AM

---

**\*\*EXTERNAL EMAIL\*\*** Please use caution.

fyi

----- Forwarded message -----

From: **Susan Anglin** <[susananglin16@gmail.com](mailto:susananglin16@gmail.com)>  
Date: Wed, Oct 25, 2023 at 2:23 PM  
Subject: Braeburn p3  
To: Anne McVean <[amcvean@countyofrenfrew.on.ca](mailto:amcvean@countyofrenfrew.on.ca)>

Hi Anne,

If you are open to it, I would like to have a call to discuss the process for applying for subdivision approval for Braeburn P3. There is no additional road construction as the lots are on the south side of the newly constructed subdivision road.

All the studies are done and there are no roadblocks, as expected.

What's still to do is finalize the draft lot plan, the stormwater plan, and entrances. Absolute title is well underway.

What I was wondering is whether we could collapse the Draft and Final approval into one.

The subdivision agreement will similar or simplified. There will be around 15 lots so it's small.

Let me know what you think.

Susan

Susan Anglin  
(613)795-2227

--

---

Susan Anglin

+1 (613) 795-2227



“Change is the law of life, and those who look only to the past and present are certain to miss the future” -John F. Kennedy



Susan Anglin <susananglin16@gmail.com>

---

## Print to file Fwd: Septic systems - Braeburn Estates

1 message

---

**Susan Anglin** <susananglin16@gmail.com>  
To: Susan ANGLIN <susananglin16@gmail.com>

Sun, Jan 21, 2024 at 10:53 AM

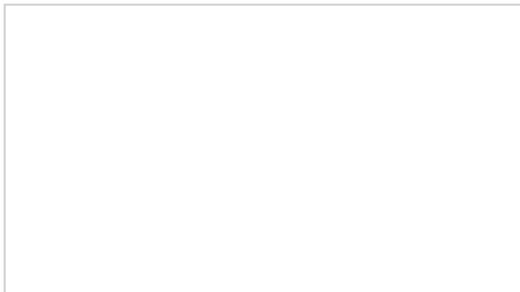
Susan Anglin  
(613)795-2227

----- Forwarded message -----

From: **Tom Webster** <twebster@mcnabbraeside.com>  
Date: Thu., Jan. 18, 2024, 1:16 p.m.  
Subject: RE: Septic systems - Braeburn Estates  
To: Austin Hisko <ahisko@mcnabbraeside.com>, Susan Anglin <susananglin16@gmail.com>

I have not heard of any concerns.

Thanks



---

**From:** Austin Hisko <ahisko@mcnabbraeside.com>  
**Sent:** Wednesday, January 17, 2024 2:46 PM  
**To:** Susan Anglin <susananglin16@gmail.com>

**Cc:** Tom Webster <twebster@mcnabbraeside.com>

**Subject:** Re: Septic systems - Braeburn Estates

Hi Susan,

There have been no issues reported to me. I will CC our Chief Building Official to see if he's had any complaints.

Thanks,

## Austin Hisko

*Building Inspector*

**T:** 613-623-5756 ext. 225 **F:** 613-623-9138 **Toll Free:** 1-800-957-4621

[ahisko@mcnabbraeside.com](mailto:ahisko@mcnabbraeside.com)

mcnabbraeside.com

2473 Russett Drive, Arnprior, ON K7S 3G8

 Icon Description automatically generated  Icon Description automatically generated

 A picture containing text Description automatically generated

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---

**From:** Susan Anglin <susananglin16@gmail.com>

**Sent:** Wednesday, January 17, 2024 2:31 PM

**To:** Austin Hisko <ahisko@mcnabbraeside.com>

**Subject:** Septic systems - Braeburn Estates

Hi Austin,

A number of houses have been developed at Braeburn Estates over the last few years. Can you tell me whether there have been any issues reported by homeowners?

Susan Angli

Owner/Developer

Braeburn Estates

--

---

Susan Anglin

+1 (613) 795-2227



“Change is the law of life, and those who look only to the past and present are certain to miss the future” -John F. Kennedy

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**8 attachments**

Tom Webster  
Acting Chief Building Official  
613-623-5756 ext 225



image001.png  
23K

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2K

 image003.png  
2K



image004.png  
30K


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Tom Webster  
Acting Chief Building Official  
613-623-5756 ext 225

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2K



**COUNTY OF RENFREW**

**NOTICE OF INCOMPLETE APPLICATION**

**RE: APPLICATION FOR SUBDIVISION  
SECTION 51(19.1) OF THE PLANNING ACT**

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April 5, 2024

Susan Anglin  
KDSA Development Corp.  
228 Bradford Street  
Ottawa, ON K2B 5Z6

Dear Ms. Anglin:

**Subject: Plan of Subdivision Application  
Braeburn Estates Phase 3  
Owner/Applicant: KDSA Development Corp.  
Block 20, Plan 49M-105 and part of Lots 16 and 17,  
Concession 2  
Township of McNab/Braeside**

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Please be advised that your application received at our office did not include all of the required information under Section 51(17) of the Planning Act and as of March 15, 2024, the application is deemed incomplete.

The following information is required in order for the application to be deemed complete:

- 1) A Planning Justification Report prepared by a qualified land use planning professional, or alternatively the Planning Justification Report prepared by the applicant that has been reviewed and signed-off by a qualified professional land use planner, with an MCIP, RPP designation. A digital copy of the report in .pdf format is required.

The Report must reference the policies of the 2020 Provincial Policy Statement and the County of Renfrew Official Plan. The final recommendations must include a comprehensive list of all of the conditions for draft approval as recommended in the various supporting studies.

- 2) The submission of a Servicing Options Report, as identified in the County of Renfrew Planning Response, January 26, 2021.
- 3) The Stormwater Management Brief is updated to include a list of recommended conditions for draft approval.

- 4) A digital copy of the notarized application form in .pdf format. The original file submitted was corrupted.
- 5) A digital copy of the draft plan in .pdf format.
- 6) Block 12, Plan 49M-113 also forms part of the draft plan of subdivision. Please provide a solution as to how these lands can be legally merged with consolidated PIN 57339-0312.

Under Section 51(19.2) of the Planning Act, within 30 days of giving a notice of incomplete application, the person, public body or Council may make a motion for directions to have the Ontario Land Tribunal (OLT) determine whether the information and material have been provided or whether the requirement for the information is reasonable.

The last date for filing a motion is **May 6, 2024**. The motion must be filed with the clerk of the County, be accompanied by the fee required by the OLT, and set out the reasons for the motion. The decision of the County of Renfrew is final if a motion is not received before or on the last day for filing a motion.

Council will not further consider the application until all of the required information is received.

Our office is returning the entire submission, including the cheques for the application and peer review fees. Please re-submit the entire submission when the above-noted items have been addressed. Please provide only the application fee, as our records show that you already provided a \$15,000 peer review fee in May 2023 during pre-consultation.

**Note: One of the purposes of the Planning Act is to provide for planning processes that are open, accessible, timely and efficient. Accordingly, all written submissions, documents, correspondence, e-mails or other communications (including your name and address) form part of the public record and will be disclosed/made available by the County to such persons as the County sees fit, including anyone requesting such information. Accordingly, in providing such information, you shall be deemed to have consented to its use and disclosure as part of the planning process.**

Sincerely,



Bruce Howarth, MCIP RPP  
Manager of Planning Services  
Development & Property Department  
County of Renfrew  
9 International Drive  
PEMBROKE, ON K8A 6W5

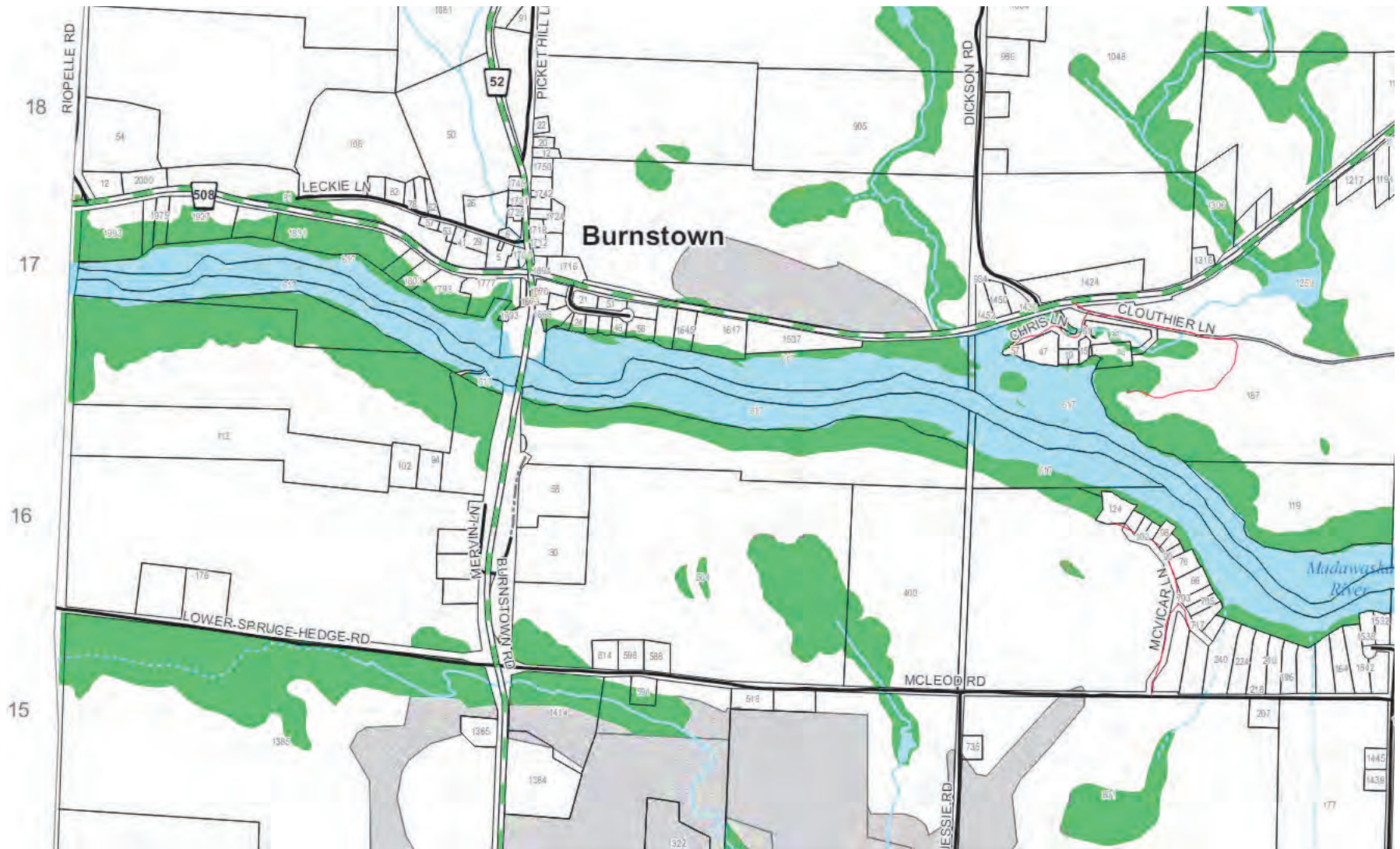
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## Appendix 2: Official Plan and Zoning Schedule Excerpts and Policies



Excerpt Schedule A – Township of McNab/Braeside Enlargement to County of Renfrew Official Plan





## **2.0 GENERAL DEVELOPMENT POLICIES**

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### **2.1 General Intent**

The General Policies for development outlined below augment the other policies of the Plan by defining requirements relating to specific aspects of development.

### **2.2 Policies**

#### **(1) Housing**

County Council supports the following Housing policies:

- (a) Maintaining at all times at least a 10-year supply of land designated and available for new residential development and residential intensification;
- (b) Maintaining at all times, where new development is to occur, at least a 3-year supply of residential units with servicing capacity in draft approved or registered plans;
- (c) Encouraging housing forms and densities designed to be affordable to moderate and lower income households. Local municipalities may develop policies, zoning standards, site plan requirements, licensing by-laws (or a combination thereof), to permit and regulate alternative forms of affordable housing (i.e., tiny homes);
- (d) Encouraging all forms of residential intensification in parts of built-up areas that have sufficient existing or planned infrastructure to create a potential supply of new housing units available from residential intensification;
- (e) Establishing cost-effective development standards for new residential development and redevelopment to reduce the cost of housing;
- (f) Monitoring the need for social assisted housing for households and seniors through periodic surveys in co-operation with area municipalities. Where specific needs are identified, Council will work with the Ministry of Municipal Affairs and Housing and the Social Services Department of the County of Renfrew to meet identified needs;
- (g) As Service Manager, the County of Renfrew has a responsibility for the funding and administration of various housing and homelessness programs. As part of this responsibility, the County

of Renfrew has prepared a Housing and Homelessness Plan (August 2013), which promotes access to housing that is affordable, adequate and suitable, and recognizes that these elements of housing are vital indicators of the overall health and wellbeing of a community. Delivery of that housing is facilitated through an interconnected and coordinated system of partners, whether in the private, public or not-for-profit sectors.

- (h) Encouraging 15% of new housing units to be affordable (as defined by the Provincial Policy Statement);
- (i) An adequate supply of rental accommodation in the County is encouraged. A 3% vacancy rate in rental units in a municipality is desirable. The conversion of rental accommodation to condominium tenure may be discouraged by the local municipality where the conversion would result in a rental vacancy rate below 3%.
- (j) If a private water and/or a private sewage service is proposed, it shall be demonstrated that the site conditions are suitable for the long-term provision of such services with no negative impacts, in accordance with Section 2.2(12) of this Plan.

## **(2) Minimum Distance Separations Relating to Agriculture**

All new farm and non-farm development, including consents, shall comply with the applicable Minimum Distance Separation (MDS) Formula I and II requirements, as amended from time to time or as outlined in an approved local Official Plan. The calculations are meant to assist landowners and developers in reducing land use conflicts and minimizing odour complaints between farm and non-farm uses. MDS I is applied to new/expanding non-farm land uses. MDS II is applied to new/expanding livestock facilities.

- (a) MDS I does not apply within settlement areas;
- (b) MDS I does not apply to existing lots of record that are less than 2 Hectares in area;
- (c) For the purposes of MDS, closed cemeteries shall be considered a Type A land use.

Local Official Plans or Zoning By-laws may be more restrictive in accordance with the MDS guidelines.

**(3) Buffering and Land Use Compatibility**

Where different land uses abut, every effort shall be made to avoid conflicts between different uses. Where deemed necessary, buffering will be provided for the purpose of reducing or eliminating the adverse effects of one land use upon the other. A buffer may be open space, a berm, wall, fence, plantings or a land use different from the conflicting ones, compatible with both or any combination of the aforementioned sufficient to accomplish the intended purpose.

In order to implement buffering principles, regulations may be established in local zoning by-laws providing for separation distances between potentially incompatible uses. Gravel pits and quarries, farm uses, kennels, septage and sewage sludge disposal sites, industrial uses and waste disposal sites, in relation to sensitive land uses and vice versa, shall generally be so regulated. Such regulations shall be established in accordance with applicable legislation and guidelines of applicable governing agencies (e.g., D-1 Land Use Compatibility, D-2 Compatibility Between Sewage Treatment Facility and Sensitive Land Uses, D-4 Land Use on or Near Landfills and Dumps, D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses, Publication NPC 300: Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning).

For the purposes of this Plan, sensitive land uses are defined as buildings, amenity areas or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated nearby. Sensitive land uses include dwellings, daycare centres, educational facilities, and health facilities.

The MECP recommends separation distances and/or other control measures for sensitive land uses close to sewage treatment facilities and waste stabilization ponds (lagoons). Separation distances are based on the design capacity of the sewage treatment facility and the type of waste stabilization pond and the characteristics of the waste. These distances are outlined in MECP guideline D-2: Compatibility between Sewage Treatment and Sensitive Land Use.

<b>Sewage Treatment Facility Capacity</b>	<b>Separation Distance</b>
= or < 500 m <sup>3</sup> /day	100 metres
> 500 m <sup>3</sup> /day or <25,000 m <sup>3</sup> /day	Minimum 100 metres Recommended 150 metres
> 25,000 m <sup>3</sup> /day	Greater than 150 metres Site specific Assessment
Waste stabilization ponds/lagoons	Site Specific Assessment Between 100 and 400 metres

#### **(4) Commercial, Industrial and Institutional Uses**

The following provisions shall apply to the establishment of any commercial, industrial or institutional use:

- (a) all new uses/buildings should have direct access to a public road (or a common element access) and be set back from adjacent road allowances a sufficient distance to permit vehicle parking and maneuvering clear of any road allowance;
- (b) adequate off-street vehicle loading and parking spaces shall be provided;
- (c) access points to such parking and loading areas shall be limited in number and designed to minimize the danger to vehicular and pedestrian traffic;
- (d) buffering, including minimum separation distances, shall be provided in accordance with the relevant Section(s) of this Plan, to ensure that any negative impacts upon adjoining lands are mitigated;
- (e) no use shall be permitted which is an obnoxious trade, business or manufacture under the Health Protection and Promotion Act and the Environmental Protection Act or which is obnoxious by reason of the emission of odour, dust, smoke, noise or vibrations;
- (f) wherever possible, the use shall not be located on agricultural lands classified Class 1 to 3 under the Canada Land Inventory for Agriculture and should not negatively impact on any nearby farm operation;
- (g) where appropriate, the proponent may be required, to prepare a servicing options report undertaken for the purpose of determining the preferred servicing alternative for the proposed development;
- (h) if a private water supply is proposed, an adequate and potable water supply shall be available. It shall be the responsibility of the

applicant to provide a report on the adequacy of the water supply, if required by the approval authority or any other agency;

- (i) if a private water supply is proposed, soils shall be suitable or made suitable to support an individual waste disposal system subject to the approval of the authority having jurisdiction;
- (j) if a private water and/or a private sewage service is proposed, it shall be demonstrated that the site conditions are suitable for the long-term provision of such services with no negative impacts, in accordance with Section 2.2(12) of this Plan.
- (k) unless pre-zoned, all new commercial uses, institutional uses, and industrial uses shall require an amendment to a local zoning by-law, or the removal of the Holding-h symbol in the local zoning by-law. The removal of the Holding symbol from a local zoning by-law will be in accordance with Section 17.6 of this Plan or an approved local Official Plan;
- (l) Industrial Minimum Separation Distance and Influence Area

(1) In accordance with the Ministry of Environment and Climate Change Guideline D-6, the minimum separation distances from industrial uses are outlined below. The minimum distance separations may be increased or decreased in accordance with the D-6 Guideline. This guideline does not apply to pits and quarries which are subject to site-specific studies.

i. Class I – 20 metres

A place of business for a small scale, self contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.

ii. Class II – 70 metres

A place of business for medium scale processing and manufacturing with outdoor storage or wastes or materials (i.e. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

## iii. Class III – 300 metres

A place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

In accordance with the Ministry of Environment and Climate Change Guideline D-6, the potential influence areas from industrial lands uses within which adverse effects may be experienced are:

- i) Class I: 70 m
- ii) Class II: 300 m
- iii) Class III: 1000 m

The concept of an influence area is a means of protecting against incompatible land uses encroaching on each other. The land use separations should be applied reciprocally to new industrial uses encroaching upon sensitive land uses and sensitive use encroaching on industrial uses. The approval authority for a development application within an influence area shall request that the proponent provide necessary studies (i.e. noise, dust, air, vibration) to demonstrate whether distance separation between an industrial use and sensitive land use is necessary, establish dimensions of any needed separation area, and provide for implementation of the study results.

- (m) Large scale commercial developments shall be supported by a Market Impact Study when determined by the Local Municipality to be necessary.
- (n) The design of new and re-developed buildings shall meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

**(5) Crown Lands**

The Ministry of Natural Resources and Forestry administers Crown lands within the County. The use of Crown lands will be in accordance with the management policies and plans of the Ministry of Natural Resources and Forestry. The Ministry of Natural Resources and Forestry shall have due regard for land use policies and designations for lands located within the immediate vicinity of Crown lands, when preparing management plans and policies. The Ministry of Natural Resources and Forestry shall consult

with the County and relevant local municipality prior to the implementation of plans and programs within the County of Renfrew.

Council will have regard for the uses carried out on Crown lands when considering proposals for new land uses on adjacent lands. Should Crown lands become private lands, the Rural policies of this Plan shall apply.

## **(6) Cultural Heritage and Archaeological Resources**

### **(1) Archaeological Resources**

Council recognizes that there are archaeological remains of prehistoric and historic habitation within the County. Where new development is proposed within an area which has been identified as containing known archaeological resources or having archaeological resource potential, a development proponent shall undertake an archaeological impact assessment of the property in accordance with the archaeological assessment technical guidelines of the Ministry of Tourism, Culture and Sport. Such assessments shall be undertaken by a consultant archaeologist licensed pursuant to the provisions of Section 38 of the Ontario Heritage Act. Adequate measures shall be undertaken to mitigate potential impacts upon identified significant archaeological resources. Impact mitigation may include preservation in situ as the preferred method, followed by avoidance and removal if necessary.

County Council or local Councils may also undertake the preparation of an Archaeological Master Plan. The Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database as well as lands within the County or municipality that have the potential for the discovery of archaeological resources. The plan will also outline policies, programs and strategies to protect significant archaeological sites.

- (a) It is the intent of this Plan to encourage Council:
- i. to enter into a Municipal-Provincial Heritage Data Sharing Agreement with The Ministry of Tourism, Culture and Sport that will provide updated archaeological site mapping and a database to the County; and
  - ii. to update any archaeological mapping and database as new archaeological sites are identified from land development and/or from the Provincial archaeological database.

(b) **Archaeological Resources**

Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the Ontario Heritage Act. Council may maintain the integrity of

archaeological resources by adopting zoning by-laws under section 34(1) 3.3 of the Ontario Planning Act, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

- (c) The Algonquins of Ontario shall be notified, through the Algonquins of Ontario Consultation Office, if any artifacts of aboriginal interest or human remains are encountered during development.

## (2) Built Heritage and Cultural Landscape Resources

Council recognizes the importance of cultural heritage resources within the municipality. Therefore, Council will encourage the identification, conservation, protection, restoration, maintenance and enhancement of cultural heritage resources. All new development permitted by the land-use policies and designations of this Plan shall strive to conserve cultural heritage resource and incorporate them into development plans. In addition, all new development will be planned in a manner which preserves and enhances the context in which cultural heritage resources are situated.

### (a) Designation

Pursuant to the Ontario Heritage Act, and in consultation with the Municipal Heritage Committee, Council may, by by-law:

- i. designate properties to be of cultural heritage value or interest
- ii. define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district; and
- iii. designate the municipality, or any area or areas within the municipality, as a heritage conservation district.

### (b) Municipal Heritage Committees (MHC)

Pursuant to Section 28 of the Ontario Heritage Act, a municipality may establish a Municipal Heritage Committee (MHC) to advise and assist local council on matters related to Parts IV and V of the Act. Council may expand the role of the Municipal Heritage Committee to advise and assist Council on other matters of cultural heritage conservation.

### (c) Municipal Register

In accordance with Section 27 of the Ontario Heritage Act, the municipal clerk shall maintain a register of all property designated under Part IV and Part V of the Ontario Heritage Act. This register may also contain properties that have heritage conservation

easements placed upon them and properties that are not designated, but which are considered by Council to be of cultural heritage value or interest.

(d) Municipal Initiative

Council shall conserve cultural heritage resources by:

- i. conserving heritage buildings, cultural heritage landscapes and archaeological resources that are under municipal ownership and/or stewardship;
- ii. conserving and mitigating impacts to all significant cultural heritage resources when undertaking public works;
- iii. respecting the heritage designations and other heritage conservation efforts by area municipalities; and
- iv. respecting the heritage resources recognized or designated by federal and provincial agencies;

(e) Demolition Control for Built Heritage Resources

Council shall ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse versus demolition when considering demolition applications of designated heritage properties.

(f) Heritage Impact Assessments

Council will require the preparation of a conservation plan or a heritage impact assessment to be conducted by a qualified professional whenever a development has the potential to affect a protected heritage property/ cultural heritage resource.

(g) Accessibility and Heritage Conservation

In attaining its goal for establishing a barrier-free environment, municipalities shall endeavour to provide access solutions in a manner that respects the cultural heritage value or interest of a protected property. Council recognizes that standardized designs may not always suffice and that each heritage property will require unique accessibility plans to ensure that alterations do not adversely affect the heritage attributes. Council encourages this practice for privately-owned heritage buildings that are open to and used by the public.

(h) Waste Reduction/ Adaptive Re-use

Council shall support the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock.

(i) **Energy Efficiency and Heritage Conservation**

Retrofits for achieving energy efficiency will only be undertaken in a heritage building where it is demonstrated that retrofitting can be accomplished without compromising the heritage integrity of the building.

(3) **Algonquins of Ontario Engagement**

The County shall engage with the Algonquins of Ontario on matters of archaeological or cultural heritage interest and the opportunity for input on any Municipal Heritage Advisory Committee; as well as the opportunity to review any Archaeological Reports that indicate areas of Algonquin historical interest or potential for encountering aboriginal artifacts prior to its submission to the Ministry of Tourism, Culture and Sport.

(4) **Indigenous Engagement**

In partnership with Indigenous communities the County may develop a protocol and collaborative process for identifying, evaluating and protecting properties, cultural heritage landscapes, and archaeological resources that are of interest to Indigenous communities.

(5) **Land Use**

a. **Waterfront Development**

In considering applications for waterfront development (plans of subdivision, commercial/industrial that would disturb greater than 1 ha of land, or lot creation through the consent process if the lot would exceed the third lot severed from the original holding under sections 14.3.4 or 14.3.5 of this Plan), Council shall ensure that archaeological and cultural heritage resources both on shore and in the water are not adversely affected. For applications adjacent (within 300 metres) to navigable waterbodies the policies of Section 2.2(6)(1) shall apply. Council will require satisfactory measures to mitigate any negative impacts on significant cultural heritage resources.

b. **Mineral Extraction**

Council shall conserve cultural heritage resources when considering the establishment of new areas for mineral extraction

or when considering the establishment of new operations or the expansion of existing operations. When necessary, Council will require satisfactory measures to mitigate any negative impacts on cultural heritage resources.

(6) Implementation

a. Ontario Heritage Act

The Ontario Heritage Act will be utilized to conserve, protect and enhance the cultural heritage resources in the municipality through the designation by by-law of individual properties, cultural heritage landscapes, heritage conservation districts and archaeological sites.

b. Community Improvement Plans (CIPs)

Council shall ensure that community improvement plans enacted under Section 28 of the Planning Act and other programs encourage the preservation, rehabilitation, renewal and reuse of heritage resources. Where possible, new development in older established areas of historic, architectural, or landscape value shall be encouraged to develop in a manner consistent with the overall character of these areas.

Council shall ensure that infill development in significant areas with heritage value is sensitive to the existing scale, massing, and pattern of those areas; is consistent with existing landscape and streetscape qualities; and does not result in the loss of any significant heritage resources.

c. Municipal Public Works – EA Process

Council shall make every effort to conserve and protect known cultural heritage resources and areas of archaeological potential when undertaking municipal public works, such as roads and infrastructure projects, carried out under the Municipal Class Environmental Assessment (EA) process. When necessary, Council will require heritage impact assessments and satisfactory measures to mitigate any negative impacts affecting identified significant heritage resources.

(7) **Contaminated Lands and Brownfield Sites**

The development or redevelopment of potentially contaminated sites shall be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant MECP guidelines and procedures.

Sites known or suspected to have soils contaminated with residues of current or previous industrial or commercial land uses must have the environmental condition of the site assessed. When managing development on potentially contaminated sites, a Record of Site Condition (RSC) either prior to the development approval, at the time of release of conditions of approval, or at the time of issuance of building permits, as required or stipulated by the municipality must be received.

When considering applications for development which include sites suspected or known to be contaminated, the municipality will require at its discretion a Phase I Environmental Site Assessment (ESA) be undertaken by the applicant in accordance with Ontario Regulation 153/04 as amended. If recommended by a Phase I ESA or mandated under Regulation 153/04, a Phase II ESA must be undertaken by the applicant in accordance with Ontario Regulation 153/04. This would require sampling and analysis of the site to confirm and delineate the presence or absence of contamination suspected by the Phase I ESA report.

As a condition of approval, the municipality will require that remediation, where required, is undertaken to appropriate standards of the MECP, as specified in Ontario Regulation 153/04 and in the guideline Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, or other regulatory requirements of the MECP, as amended from time to time.

Mandatory filing of a Record of Site Condition in the Registry, by a qualified person, as defined in O. Reg. 153/04, as amended, is required for a change in use of a property from industrial or commercial to residential or parkland, as defined in the regulation, and will be acknowledged by the MECP. A site clean-up plan may be required and the site may need to be cleaned-up in accordance with the O. Reg. 153/04, as amended and with MECP guideline “Records of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition” dated October 2004 or associated guidelines.

A Record of Site Condition may, at the municipality’s discretion, be a required condition of approval under this Plan. In addition to changes of use prescribed by the Environmental Protection Act as uses for which a Record of Site Condition is mandatory (a change of use to a more sensitive land use), the municipality may require a RSC to be filed where the application does not involve a change of use to a more sensitive land use as defined in the Environmental Protection Act. This requirement is to ensure, that any remediation, or risk assessment and risk management, necessary to permit the intended use is to the satisfaction of the MECP.

**(8) Natural Heritage**

The Official Plan incorporates broad general principles protecting and enhancing natural heritage areas and features. These principles include themes of biodiversity and connectivity. Development proposed within and adjacent to sensitive areas are to be assessed to demonstrate that the natural heritage feature is not negatively impacted. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored, or where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Information (where it exists) about these natural heritage features have been identified on Schedule “B” to the Official Plan. This information is updated from time to time by the Province and Schedule “B” may not contain the most current information. Minor updates to Schedule “B” may occur without amendment to this plan. Where the extent of, or location of, natural heritage features is unknown, it is Council’s intention to ensure that these features or areas are identified and incorporated into the Official Plan as part of the five-year review of the Plan.

It is Council’s intention to protect natural heritage features and to ensure no loss of form or function through the review of development applications. Council promotes development and land use patterns that conserve biodiversity and considers the impacts of a changing climate. Private land owners are encouraged to protect and enhance natural heritage features through sound management practices. Council recognizes that hunting, fishing, woodlot management, and trapping have historically been carried out within natural heritage features and that these practices will continue. Nothing in Policy 2.2(8) is intended to limit the ability of agricultural uses to continue.

**(a) Habitat of Endangered and Threatened Species**

Development and site alteration shall not be permitted in the habitat of endangered species and threatened species except in accordance with provincial and federal requirements.

**(b) Areas of Natural and Scientific Interest (ANSI)**

ANSIs are areas of land and water containing natural landscapes or features which have been identified as having values related to protection, appreciation, scientific study or education. These areas have been identified, mapped, and ranked by the Ministry of Natural Resources and Forestry. The boundaries of some ANSIs have been shown on Schedule “B” to the Official Plan.

Development and site alteration may be permitted within an ANSI subject to the following policies:

- i. Applications for development and/or site alteration within an ANSI or, within 50 metres of an Earth Science ANSI, or within 120 metres of a Life Science ANSI, must be accompanied by an Environmental Impact Study prepared in accordance with Section 2.2 (24) of the Official Plan.
- ii. Changes to the boundaries of an ANSI require the approval of the Ministry of Natural Resources and Forestry.

(c) Significant Wildlife Habitat

Significant Wildlife Habitat (SWH) includes seasonal concentration areas, rare vegetation communities, and specialized habitats for wildlife, movement corridors, and the habitat of species of conservation concern. Significant wildlife habitat may be identified on Schedule “B” – Natural Heritage Features.

Proposed development within or adjacent (within 120 metres) to significant wildlife habitat, if shown on Schedule B, shall be supported by a study that demonstrates that there will not be a negative impact on the habitat. The level of detail of the assessment should correspond with the complexity and scale of the development proposal.

For the purposes of this subsection, development means a plan of subdivision, or lot creation through the consent process if the lot would exceed the third lot severed from the original holding under sections 14.3.4 or 14.3.5 of this Plan, or a commercial/ industrial/ institutional development that would disturb more than 2 Ha of significant wildlife habitat.

(d) Fish Habitat

All rivers, drains, and watercourses have the potential to be fish habitat. Known fish habitat may be identified on Schedule “B” as either Fish Spawning Area or as Fish Habitat. Development and site alteration within fish habitat is not permitted except in accordance with provincial and federal requirements. Development and site alteration shall not be permitted on adjacent lands (within 120 metres) of a water body containing fish habitat unless it is demonstrated that there will not be negative impacts on the habitat. The level of detail of the assessment should correspond with the complexity and scale of the development proposal.

For the purposes of this subsection, development means a plan of subdivision, or lot creation through the consent process if the lot

would exceed the third lot severed from the original holding under sections 14.3.4 or 14.3.5 of this Plan, or a commercial/ industrial/ institutional development that would disturb more than 1 Ha of land adjacent to a water body.

(e) Significant Woodlands

Woodlands means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Significant Woodlands are identified on Schedule “B” to the Official Plan. These are areas that are: ecologically important (species composition, age of trees), functionally important (location, size), or economically important (quality, species composition, past management history). Proposed development under the Planning Act that occurs within or adjacent (within 120 metres) to significant woodlands shall be supported by an evaluation in accordance with Section 2.2(23) – Environmental Impact Study that demonstrates that there will not be a negative impact on the woodlands. The level of detail of the assessment should correspond with the complexity and scale of the development proposal.

For the purposes of this subsection, development means a plan of subdivision, or lot creation through the consent process if the lot would exceed the third lot severed from the original holding under sections 14.3.4 or 14.3.5 of this Plan, or a commercial/ industrial/ institutional development that would disturb more than 2 Ha of significant woodlands.

This policy does not apply to forestry operations.

(f) Significant Valleylands

Valleylands are the natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year. Valleylands are identified on Schedule “B” to the Official Plan. Valleylands identified on Schedule “B” are illustrated as 30 metres from watercourses and may not all be significant. In some cases the Significant Valleylands may extend beyond the 30 metres illustrated on Schedule “B”

Significant Valleylands are areas that are ecologically important in terms of features, functions, and contribute to the quality and biodiversity of the natural heritage system. Significant Valleylands

often provide the important linkages connecting other natural heritage features. In some circumstances, Valleylands may also be associated with some natural hazards such as steep slopes or unstable soils (leda clays).

Depending on the scale and nature of a proposed development, a Planning Act application within or adjacent (within 120 metres) to Significant Valleylands may require an environmental impact study which demonstrates that there will not be a negative impact to the Valleylands.

(g) Natural Heritage System

The Natural Heritage System is comprised of natural heritage features, areas and linkages intended to provide connectivity (at the regional or site level) and supports natural processes which are necessary to maintain biodiversity, natural functions, viable populations of indigenous species and ecosystems. The features identified on Schedule “B” – Natural Heritage Features, will function as a Natural Heritage System for the County and will be used to determine when an Environmental Impact Study is required for proposed development or site alteration. The County shall seek to further strengthen the system through the addition of relevant connections between the features and areas that will assist in enhancing, restoring, maintaining and protecting the overall health of the system, its features and areas.

**(9) Hazards**

(a) General

Development and site alteration shall generally be directed, in accordance with the guidance developed by the Province (as amended from time to time) to areas outside of hazardous lands and away from hazardous sites.

Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is an institutional use or an essential emergency service or associated with the disposal, manufacture, treatment or storage of hazardous substances.

(b) Hazardous Slopes, Unstable Slopes, and Steep Slopes

Many of the river and stream corridors within the County possess sensitive marine clays and easily erodible soils which may become unstable and prone to failure when heavily saturated, particularly in the area between Arnprior and Pembroke where deposits of the Champlain Sea are present in the subsurface. Local Council, will

require that development applications adjacent to these river and stream corridors be accompanied by a geotechnical study prepared by a qualified geotechnical engineer, indicating how development can be accommodated on the site.

Hazardous slopes and unstable slopes will be identified on Schedule “B” to this Plan as information becomes available. Such areas may also be identified in local implementing zoning by-laws. A geotechnical study may also be required where the approval authority has local knowledge or becomes aware of a potential steep or hazardous slope not identified on Schedules to this Plan.

(1) Town of Laurentian Hills

In Lot 15, Range B, in the geographic township of Rolph, investigations have indicated that the slope adjacent to the Ottawa River may have a factor of safety of less than 1.5. This land will be placed in a holding zone under Section 36 of the Planning Act. No development shall be permitted including the installation of sewage disposal systems on steep or unstable slopes unless the hazard can be overcome. The holding provision may be lifted when a specific study undertaken by a qualified geotechnical engineer indicates that the site is suitable for the development using acceptable engineering techniques and where applicable, the standards set out in the Building Code can be met. The applicant may be required to enter into an agreement or make other acceptable arrangements with the Municipality to ensure that the recommendations in the study are implemented. This may include the requirements for financial security.

(c) Karst Topography

Karst topography is an area of limestone plain marked by sinks or karst holes, interspersed with abrupt ridges and irregular protuberant rock, usually underlain by caverns and underground streams. This irregular topography is developed by surface and ground water eroding limestone. Areas shown on the Schedules to this plan as being karst topography are potentially considered to be development constraint areas. It is recognized that the mapping may not be totally accurate, however the mapping does show areas of potential environmental constraint to development that must be addressed prior to development occurring. Development shall generally be directed to areas outside of karst topography unless the effects and risk to public safety are minor so as to be managed or mitigated.

- a. In areas identified as karst on the Schedules to this plan, three on-site test holes are required to determine whether the hazard exists (one hole in the proposed location of the septic system and two holes on either side of the proposed building envelope). The holes are to be inspected by the Chief Building Official or Municipal Sewage Inspector. If there is generally more than 1 metre of in-situ (natural) overburden material between the surface and the bedrock no further work is required;
- b. In areas where there is generally less than 1 metre of in-situ overburden material between the surface and the bedrock as determined by the on-site test hole, a scoped geotechnical investigation by a qualified individual shall be required. The scoped investigation should provide a professional opinion whether a karst hazard exists on-site. If it is determined that a hazard does not exist, no further work is required;
- c. In areas determined to be within a karst hazard, a geotechnical study prepared by a qualified individual shall be required. The study is required to assess the impacts and risks to surface and groundwater contamination and/or construction restrictions due to unstable bedrock conditions, and recommending mitigation measures to prevent any adverse impacts. Site plan control and/or zoning by-law restrictions may be utilized to implement recommended mitigation measures. Council will not support development where adverse impact due to karst cannot be mitigated;
- d. Existing vacant lots within areas identified as karst may be developed (without test holes) in accordance with the local Zoning By-law and the Ontario Building Code;
- e. Section 2.2(9)(b) shall not apply to the severed or retained parcels of a consent application where there is an existing dwelling;
- f. Council may pass a Zoning By-law Amendment with the effect of prohibiting development in potential karst constraint areas as a replacement for the digging of test holes or the preparation of a karst study.

(d) Wildland Fire

The Provincial Policy Statement defines hazardous forest types for Wildland Fire as, forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ministry of Natural Resources and Forestry, as

amended from time to time. Development may be permitted in lands with hazardous forest types where the risk is mitigated in accordance with Wildland Fire assessment and mitigation standards as identified by the Ministry of Natural Resources and Forestry.

Proponents submitting a planning application for lands that contain forested areas may be required to undertake a site review to assess for the risk of high to extreme wildland fire behaviour on the subject lands and adjacent lands (to the extent possible). A general indication of hazardous forest types for Wildland Fire are identified on Schedule B – Map 1 to this Plan. If development is proceeding where high to extreme risk for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.

Wildland fire mitigation measures shall not be permitted in provincially significant wetlands and significant coastal wetlands.

In order to implement any mitigation measures that may be required, site plan control may be used.

(e) Flood Plain

A flood plain is defined as the area adjoining a watercourse, usually low lands, which has been or may be subject to flooding. There are numerous areas within the County that are within a flood plain. The 1:100 year flood means that flood, based on analysis of precipitation, snowmelt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year. County Council supports the policies contained in Natural Hazards of the Provincial Policy Statement relating to the regulation of development within flood plains and has recognized the seriousness of flooding and has actively tried to minimize the threats to public health and safety through the following policies. The purpose of the following policies is to prevent risk to loss of life and to minimize property damage. The flood plain shall be measured from the existing ground contour elevation prior to the importation of any fill. A 15 metre building setback to a flood plain (or 30 metres to a high water mark, whichever is greater) should be implemented in the local zoning by-law.

(1) Existing FDRP Mapping

There are areas of the County along the Ottawa River that have been mapped in the course of a Flood Damage Reduction

Program ('FDRP'). Where FDRP mapping is available and indicates that the two-zone approach is applicable, County Council and Local Councils support the use of the two-zone approach (i.e. identification of the floodway and flood fringe areas).

The floodway is the inner portion of the flood plain where flood depths and velocities are considered to be such that they pose a threat to life or property. Within the floodway, as delineated by FDRP maps, no development and site alteration will be permitted. No development/site alteration is permitted within the floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

The flood fringe is the outer portion of the flood plain, between the floodway and the limit of the regulatory flood line. Generally development and site alteration may occur within the flood fringe as provided in the underlying land use designation subject to the following policies:

- i. The flooding hazards can be safely addressed, and the development and site alteration is carried out in accordance with established standards and procedures;
- ii. New flooding hazards are not created and existing hazards are not aggravated;
- iii. No adverse environmental impacts will result;
- iv. Vehicles and people have a way of safely entering and exiting the area during times of flooding. Development/site alteration is prohibited in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards; and
- v. The development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

The details of flood plain policies shall be set out in the implementing zoning by-law.

## (2) No FDRP Mapping Available

In the absence of FDRP mapping, the one-zone approach will be applied, where development (including development on islands) is prohibited in the flood plain. Development and site alteration are not permitted in areas that would be rendered inaccessible to people and vehicles during times of flooding. Development and site alteration is not permitted within areas of

a floodplain regardless of whether the area of inundation contains high points of land not subject to flooding.

The local municipality, in consultation with the County, Ministry of Natural Resources and Forestry and Ontario Power Generation or other hydro-electric producers, will include (where available) specific elevations in the zoning by-law below which development will not be permitted.

As new information regarding the flood plain becomes available, these elevations may change without the need for an amendment to this Plan. The local zoning by-law should, however, be amended accordingly.

If development is proposed in a flood plain with no FDRP mapping, site specific engineering studies completed at the proponent's expense may need to be conducted to determine the exact location of the one-in-one hundred flooding elevations.

### (3) Town of Laurentian Hills

The Ministry of Natural Resources and Forestry has identified the elevation of 115.2 m Geodetic Survey Canada (GSC) datum as a conservative estimate for the one in one hundred year flood plain downstream from Lot 45 Range B, Township of Rolph.

For the lands along the narrow section of the Ottawa River between Des Joachim Dam and Point Stewart, a one-zone concept flood plain applies because of currents and fast water. No development is permitted in this flood plain.

For the remainder of the lands along the Ottawa River between Point Stewart and the Town of Deep River (Town boundary), downstream of Point Stewart, a two-zone concept flood plain applies as follows:

- i. For those lands within the floodway defined by the elevation 114.2 m, no building alterations or structures are permitted with the exception of:
  1. buildings or structures intended for flood or erosion control or slope stabilization;
  2. The strengthening or bring to a safe condition existing buildings
- ii. For those lands within the flood fringe, between the elevations 114.2 m and 115.2 m GSC datum, development is permitted provided buildings and structures are flood proofed to the design elevation of 115.2 GSC datum with dry

basements. All flood proofing methods shall be consistent with accepted engineering techniques and resource management practices.

(4) Township of McNab/Braeside

FDRP mapping along the Madawaska River in McNab/Braeside is not available and the one-zone approach applies. Based on input from Ontario Power Generation and the Ministry of Natural Resources and Forestry, the following elevations based on flooding potential have been established:

- i. Along the Madawaska River between the Arnprior dam and the Stewartville dam, lands below the 100.58 m geodetic contour may be susceptible to flooding; and
- ii. Along the Madawaska River above the Stewartville dam, lands below the 146.3 metre geodetic contour may be susceptible to flooding.

(f) Human-Made Hazards

Development on, abutting or adjacent to land affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed. Known human-made hazard sites are identified on Schedule “B” to this Plan.

(g) Propane Transfer Facilities

Known locations of propane transfer facilities are identified on Schedule “B” (Map 1 – Hazards) to this plan. Propane transfer facilities include retail facilities open to the public, transfer facilities that are accessory to an industrial use that utilizes propane (including welding and construction companies), and bulk propane storage which is considered an industrial use. The following policies should be applied when considering the development of a new propane transfer facility or development adjacent to an existing facility:

- i. propane facilities will be located in well-ventilated open areas that are adequately protected from potential vehicle collision, and shall be at least 15 metres from any property line abutting a residential land use;
- ii. propane facilities shall be located in a manner that minimizes any impacts on surrounding land uses, including visual

- intrusion, noise, odour and traffic related to such facilities through site plan approval and other agreements; and
- iii. prior to municipal approval for the development of a propane transfer facilities, the applicant of the facility shall demonstrate to the satisfaction of the approval authority, that the facility conforms with Provincial legislation and all regulations.

(h) Septage Spreading

Land application septage is regulated by the Province. Known locations of septage spreading sites are shown on Schedule “B”. Development applications adjacent to licensed spreading areas will be reviewed to ensure land use compatibility. Studies that may be required to ensure land use compatibility include a hydrogeological assessment, environmental impact assessment and odour assessment. Zoning by-laws may implement setback requirements from licensed spreading areas. This section must be read in conjunction with section 2.2(18) when considering a new site for a septage spreading site.

**(10) Wayside Pits, Wayside Quarries, Portable Asphalt Plants and Portable Concrete Plants**

A wayside pit or wayside quarry or portable asphalt plant or portable concrete plant shall mean a temporary operation established by or on behalf of, a public road authority on short term notice to fulfill an immediate road construction need. Wayside pits and quarries and portable asphalt plants or portable concrete plant are permitted throughout the County without amendment to this Official Plan or an implementing local zoning by-law, with the exception of those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities. The appropriate public road authority shall be responsible for rehabilitation of the pit or quarry.

- (a) Prior to the establishment of a wayside pit or quarry, the local municipality will be advised by the appropriate authority (i.e. Ministry of Transportation, County of Renfrew) that the pit or quarry qualifies as a wayside pit or quarry; and
- (b) A rehabilitation plan and the capacity of the wayside pit or quarry must be filed with the local municipality upon opening. Where the wayside pit or quarry is located within the Agriculture designation, rehabilitation shall comply with the Mineral Aggregate policies of this Plan (Section 7.3(3)(c)).

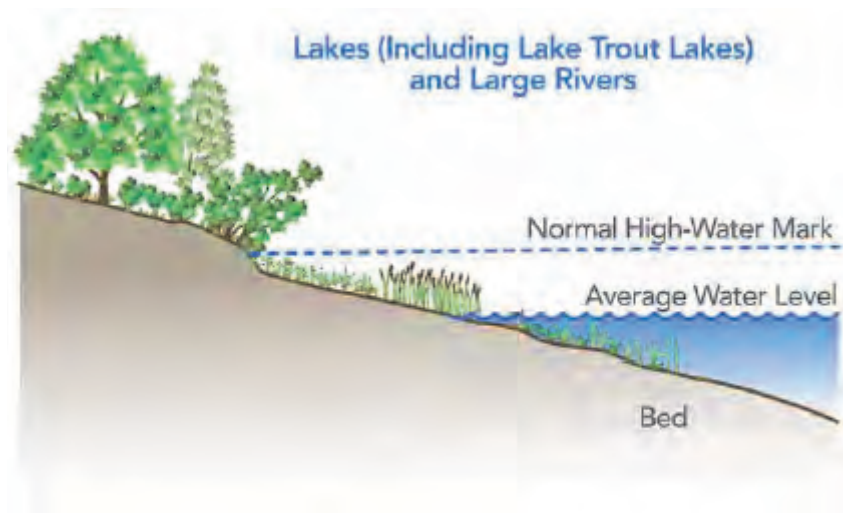
**(11) Water Setback and Protection of Shoreline Integrity**

- (a) As undeveloped waterfront property becomes increasingly scarce, as existing properties become more intensively used, and as pressures mount to permit higher density development, there is a need to ensure the protection of the unique physical, aesthetic, and environmental character of the waterfront areas.

These measures are intended to minimize lake impacts by reducing phosphorus inputs, preventing erosion, and by maintaining a natural appearance of the shoreline. Lakes and water bodies are an important asset to the County and must be protected from development that is incompatible with the goal of preserving the shoreline in its natural state.

Normal water's edge and normal high water mark are two different features as illustrated in the figures below (Source: Natural Heritage Reference Manual – Ministry of Natural Resources and Forestry 2010). Normal water's edge is typically where a water body has standing water and is used by surveyors to determine property boundaries.

The normal high water mark includes the riparian area (i.e., area along the bank of a watercourse) associated with a water feature and is defined as a point where the action of water has been so common and usual that it has created conditions where the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark is different.





In some cases, the normal water's edge and the high water mark will be at the same location. In other instances, common features along a river or lake, such as beaches, wetlands, swamps, and bogs create a high water mark inland from the water's edge. These features may be above the normal water's edge (under private ownership) but are considered to be within the normal high water mark. Buildings and structures are to be setback from this high water mark, as opposed to the water's edge. The local municipality is responsible for determining where the high water mark is located on any individual property. Where there is a dispute in determining the location of the high water mark, the local municipality may consult with experts (i.e., biologists, planners, chief building officials) as it determines appropriate.

- (b) Generally all buildings and structures and associated private waste disposal systems will be set back a minimum horizontal distance of 30 metres (or approximately 100 feet) from the normal high water mark of a water body. This requirement may be increased, or in very limited situations decreased. In the case of existing lots, where the setback cannot be met (parcel is a small size or has physical constraints), the setback shall be as remote from the high water mark as the lot will permit and, if applicable, from lands owned or legally utilized by Ontario Power Generation or other producers of hydro-electric power.

For existing lots of record, where a development is proposed to decrease the minimum 30 metre horizontal setback from the high water mark of a water body, a report, prepared by a professional, may be required that demonstrates the reduction is justified and that the development will not have a negative impact on the quality

of the lake water, natural features, or neighbouring properties. The scope of the report should be such that its intent is not to justify an inappropriate encroachment closer to the high watermark than can otherwise be accommodated by an undersized lot. The study should identify existing constraints (lot size, topographical constraints), identify appropriate envelopes for dwelling and septic tile field as far back from the high water mark as is reasonably possible and suggest appropriateness of dwelling size (envelope) for the undersized subject lot.

New lots created through the consent or plan of subdivision process shall be a sufficient size to ensure that the new lot and retained lands can accommodate the proposed use with no decrease to the 30 metre water setback.

A greater setback would apply in those areas where the flood plain is more than 30 metres from the normal high water mark. The flood plains may change over time, and events may exceed the historical 1/100 year flood (i.e., debris jams, changes in weather patterns) and a greater setback than the 1/100 year floodplain is recommended. A greater setback on a site specific basis from the flood plain should be considered in the local Zoning By-law for new development.

i. Protection of the Natural Shoreline Buffer in the Muskrat, Indian, Westmeath Watershed

Considering the current state of impairment to the water quality of the Muskrat Lake watershed and the extent of impacts from anthropogenic and agricultural activities; the following protective policies will apply to all surface water features including permanently flowing municipal drains of the Muskrat Lake Watershed outside of the municipality of Whitewater Region (see County of Renfrew Official Plan Schedule B – Map 4 Natural Heritage Features) and will work to complement those similar policies in section 16 of this plan.

- (1) Shoreline frontage which is at least 20 metres (66 feet) in depth from the normal high or controlled high water mark should be retained or restored as a natural vegetative buffer, in order to:
  - a. Protect the riparian and littoral zones and associated habitat.
  - b. Prevent erosion, siltation and nutrient migration.
  - c. Maintain shoreline character and appearance.
  - d. Minimize the visual impact of development.
- (2) Within the natural vegetative buffer, meandering pathways or access points to the shoreline that are constructed of permeable

material, pruning of trees for viewing purposes, or the removal of trees for safety reasons may be permitted.

- (c) Large development proposals (i.e. plan of subdivision, resort/condominium development) must submit a site evaluation report with the planning applications. The report is to address water quality protection, taking into consideration the existing water quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.
- (d) The property between the shoreline of the water body and the dwelling or private waste disposal system will be retained where possible in its natural state to serve as a buffer which will assist in minimizing the land-surface transport of nutrients to the lake or water body and maintaining a natural landscape view from the water. The retention of the natural soil mantle and vegetation within 30 metres (or approximately 100 feet) of the shoreline of the water body is encouraged.

As a general guideline, up to 25% of the vegetation along the waterfront property may be disturbed for recreational amenity areas, pathways, and other waterfront uses.

- (e) Local municipalities may consider limited development within “shoreline activity areas”. The purpose of a shoreline activity area is to allow for the placement of specific structures near the shoreline while maintaining the natural viewscape and protecting the environmental integrity of the shoreline. Local municipalities may consider permitting certain structures within the 30 metre water setback in a “shoreline activity area” including:
- Decks;
  - Stairways;
  - Boat Dock;
  - Boat launching;
  - Flood and Erosion Control Devices;
  - Sauna;
  - Pump house;
  - Gazebo;
  - Storage shed (1 per property which does not exceed 10 m<sup>2</sup> in area and 3 metres in height);

Structures within a “shoreline activity area” are also required to meet the following provisions:

- No shoreline structure shall be used for commercial purposes or home based occupation;

- No shoreline structure shall be used for habitation or contain a habitable room;
- No structure will be permitted the provision of water or sewage services (grey or blackwater)
- The construction of shoreline structures shall not destroy fish habitat or permanently alter the shoreline below the high water mark;
- The removal of natural vegetation should be limited to what is required to accommodate the shoreline activities;
- Pools, hot tubs, or similar structures/equipment shall not be permitted.

The local municipality should consider the following in implementing provisions in the zoning by-law for shoreline structures in the comprehensive zoning by-law or on site specific amendments:

- Setbacks to the high water mark;
  - Setbacks to the flood plain;
  - Side yard setbacks;
  - Maximum height of structures;
  - Maximum lot coverage or maximum total area coverage of shoreline structures;
  - Requirement for a site sketch;
  - Maintenance of a naturalized shoreline including a naturalized view from the lake and a naturalized view of the lake.
- (f) The local municipality may permit or prohibit boathouses in the zoning by-law. Boathouses shall not be permitted on “at capacity” or “near capacity” lakes identified in this plan. Where the local municipality decides to permit a boathouse, it shall not be greater than one storey and will not be used for habitation or contain a habitable room (i.e., sleeping, sanitary, cooking). Permits from the Ministry of Natural Resources and Forestry (MNR) and/or the Department of Fisheries and Oceans Canada (DFO) may be required.
- (g) The local municipality may use agreements, site plan control, or other measures to ensure the protection of a natural shoreline.
- (h) Written approval is required from the Ministry of Natural Resources and Forestry prior to straightening, changing, diverting or interfering in any way with the channel of a watercourse. Dredging and/or filling activities involving the littoral zone shall be discouraged in order to avoid the re-suspension of nutrients from the lake sediments and the destruction of fish habitat. Any such dredging or filling shall require the prior approval of the Ministry of Natural

Resources and Forestry and the Federal Department of Fisheries and Oceans.

(i) Temporary Uses and Structures adjacent to Inland Lakes

Temporary uses such as the seasonal use of recreational vehicles on lots adjacent to inland lakes can negatively impact lake water quality and pose a risk to public health and safety. Local municipalities are encouraged to develop measures to address temporary uses and structures (such as recreational vehicles) on lots adjacent to lakes, with the objective of protecting, improving, or restoring the quality of lake water, and protecting human health.

**(12) Servicing Policies**

- (a) In accordance with the Provincial Policy Statement, development should be serviced in consideration of the following preferred hierarchy of services:
- i. full municipal sewage and water services are the preferred form of servicing for urban areas. In areas serviced by full municipal sewage and water services, development will be permitted only if sufficient uncommitted reserve water and sewage plant capacity will be available to accommodate it;
  - ii. private communal services are the preferred means of servicing development in areas where full municipal sewage and water services are not or cannot be provided and where site conditions are suitable over the long term with no negative impacts as defined in subsection (f) below;
  - iii. development may be serviced by individual on-site systems where the use of communal systems is not feasible and where site conditions are suitable over the long term with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development; and
  - iv. partial services shall only be permitted in the following circumstances:
    - a. Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; and
    - b. Within settlement areas, to allow for minor infilling and rounding out of existing development on partial services provided that:
      1. The development is within the reserve sewage system capacity and reserve water system capacity; and
      2. Site conditions are suitable for the long-term provision of such services with no negative impacts.

- (b) Developers are responsible for the cost of installing all services in new developments and will be required to contribute to the costs of trunk mains and of lighting for access roads. Servicing easements shall be provided, as necessary, and developers should provide for these when preparing plans.
- (c) Private Communal Sewage Services means a sewage work within the meaning of Section 1 of the Ontario Water Resources Act that services six or more lots or private residences and is not owned by a municipality.

Private Communal Water Services means a non-municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act that services six or more lots or private residences.

The establishment of communal services may require a Municipal Responsibility Agreement. A Municipal Responsibility Agreement, where required by MECP, is between the local municipality and the service owner. The agreement requires the municipality to take ownership of a system in the event of default.

This policy is an enabling policy to allow the municipality to consider development that may require a Municipal Responsibility Agreement. This policy does not obligate a Municipality to enter into a Municipal Responsibility Agreement with a developer or to approve development that may trigger the need for a Municipal Responsibility Agreement.

The municipality may, at its discretion, require securities, adequate in form and content and to the satisfaction of the municipality before development triggering the need for a Municipal Responsibility Agreement is permitted to proceed.

- (d) In support of a Planning Act application that would permit development on privately owned and operated individual or communal septic systems and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report shall be required to be submitted with the application.
- (e) Ministry of Environment and Climate Change approval is required for large sub-surface sewage systems with a design capacity of greater than 10,000 litres per day. MECP's Guideline B7 – Reasonable Use applies in relation to the assessment of off-site impacts to bordering properties.

- (f) In regards to Section 2.2(12)(a) negative impact means degradation to the quality and quantity of water, sensitive water features and sensitive groundwater features, and their related hydrologic functions, due to single, multiple, or successive development or site alteration activities. A hydrogeological evaluation may be required to be submitted in support of planning applications based on certain criteria. The hydrogeological evaluation shall include confirmation of a suitable potable source of water for both quality (in accordance with the Ontario Drinking Water Quality Standards) and quantity and the evaluation will include confirmation that the site is suitable for the installation of a septic system. The evaluation shall include a nitrate impact calculation.

Criteria when a hydrogeological evaluation should be undertaken:

- i. The proposed severed/retained lot size is less than approximately 1 hectare (2.5 acres); or
- ii. The proposed severed/retained lot is within an area of known poor water quality or quantity; or
- iii. The proposed severed/retained lot is within an area serviced by well and septic where the density of surrounding lots (within 200 metres) is higher than 1 dwelling per hectare; or
- iv. The proposed use of the lot is industrial or commercial.

The submitted hydrogeological evaluation may be subject to peer review at the discretion of the approval authority and at the cost of the applicant/proponent.

- (g) The MOE Ontario Drinking Water Quality Standards (ODWQS) establishes the provincial standards for the quality of drinking water for both health and aesthetic values. In certain situations water treatment may be required in order for the source water to meet the provincial drinking standards. Only whole home treatment systems (as opposed to single-tap) are permitted. Reverse Osmosis (RO) units will not be accepted as a suitable individual private water treatment system. (This policy is not intended to limit the use of reverse osmosis systems in existing homes that may need additional water treatment.)
- (h) Approval of new lots shall include sufficient off-site reserve sewage system capacity for treatment of hauled sewage (septage), which shall include the treatment or disposal (land application) of hauled sewage at MECP approved sites.
- (i) Lot creation will only be permitted if there is confirmation of sufficient reserve sewage system capacity and reserve water

system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include capacity at MECP approved sites for hauled sewage from private communal sewage services and individual on-site sewage services.

- (j) All municipal drinking water systems are required to obtain an approval under the Safe Drinking Water Act. Written consent of a municipality is required for non-municipal systems that will serve six or more private residences or for an existing system that is extended to service a major residential development. A municipality may require financial assurance as a condition of consent.

### **(13) Nutrient Management**

Nutrients are materials such as manure, commercial fertilizers, biosolids generated by municipal sewage treatment, septage, and pulp and paper sludge that are applied to land for the purpose of improving the growing of agricultural crops. The safe and effective management of land-applied materials containing nutrients safeguards the environment and protects surface and ground water sources.

Land application of manure, biosolids and septage is regulated by the Province in accordance with the Nutrient Management Act and the Environmental Protection Act. Land application of manure, bio-solids and septage will follow the requirements of the above noted legislation, and the regulations made under those Acts. See subsection (18) for additional policies regarding hauled septage disposal sites.

### **(14) Public and Institutional Uses**

- (a) Public uses may include educational, institutional, administrative, cultural and recreational uses which are public in nature and are owned and/or operated by a public authority to fulfill its role in providing for the health, education, welfare and convenience of the residents of the County.
- (b) Public uses shall be permitted within all land use designations except the Agriculture and Environmental Protection designations under the Plan subject to certain conditions:
  - i. the site design and the design of the buildings and structures must be in keeping with the character of the surrounding area and the use will not detract from the primary function of the area; and
  - ii. off-street parking shall be adequately provided.

- (c) Public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.

**(15) Noise Attenuation and/or Vibration**

Policies for noise and/or vibration in this Plan are designed to ensure that communities are not subject to an unacceptable level of noise and/or vibration from aircraft, roads, railways, sewage treatment facilities, waste management sites, industries, or aggregate extraction operations. Prior to permitting development that may be affected by noise and/or vibration from stationary or line sources, the proponent may be required to undertake noise and/or vibration studies to assess the impact on existing or proposed residential or sensitive land uses within minimum distances. A noise impact study is required if new sensitive development is located within 250 metres of Highway 17, or 250 metres from an existing secondary railway line. A noise study may be required for development adjacent to a County Road subject to comments from the County of Renfrew Public Works and Engineering Department. Noise and/or vibration attenuation measures will be implemented, as required, to reduce impacts to acceptable levels as prescribed by the Ministry of Environment, Conservation and Parks in the Environmental Noise Guideline: Stationary and Transportation Sources – Approval and Planning (NPC-300) or any succeeding document.

**(16) Home Occupations/Home Industries**

Home occupations and home industries may be permitted accessory to residential uses provided they are small scale and compatible with residential uses. Specific provisions relating to home occupations and home industries shall be included in the local zoning by-laws.

**(17) Group Homes**

To meet the social, health and well-being requirements of current and future residents, including special needs requirements, group homes shall be permitted in all designations that allow residential uses. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons. A group home is a single housekeeping unit in a residential dwelling in which up to nine (9) persons, excluding staff or the receiving family, live as a unit under responsible supervision consistent with the requirements of its residents. A group home may exceed 9 persons where locally appropriate. Group homes are required to meet all applicable building, fire, health, and provincial requirements.

**(18) Hauled Septage Disposal**

- (a) Hauled septage means waste removed from a septic tank. Hauled septage disposal sites may be located in the Rural or Agricultural designations on Schedule 'A' in accordance with the policies below.
- (b) All new hauled septage disposal sites shall require an amendment to the implementing Zoning By-law.
- (c) The local municipality, shall establish minimum distance separation requirements in the implementing zoning by-law for the location of new hauled septage disposal sites from existing or proposed residential, commercial, institutional and recreational uses and associated wells as well as public roads and surface waters. Requirements for the location of new residential uses from existing hauled septage disposal sites shall also be established in the implementing zoning by-law.
- (d) Hauled septage disposal sites shall be located so that pollution of any watercourse or ground water does not occur.
- (e) Hauled septage disposal sites shall be adequately screened, fenced and posted and such screening, fencing and posting shall apply to all open storage areas and disposal site operation.
- (f) The operation, maintenance and closing of a hauled septage disposal site shall be in accordance with the standards and regulations of the Ministry of the Environment and Climate Change.

**(19) Mobile Home Parks**

Mobile home parks shall be permitted if provided for in the local zoning by-law, in accordance with the following policies:

- (a) Servicing for new mobile home parks shall be determined through a servicing options report which evaluates various methods of servicing with consideration for the policies in Section 2.2(12) of this Plan. Mobile home park proposals based on communal water and/or sewage disposal systems will require the approval of the Ministry of the Environment and Climate Change. Any other servicing arrangement will require the approval of the Renfrew County and District Health Unit and/or the applicable approval authority for the water and/or sewage disposal systems.
- (b) Mobile home parks shall be managed as a single unit and, accordingly, all servicing and maintenance responsibilities rest with the management of the park. Accessory uses such as a management office, a convenience store and recreational facilities

for the use of the residents shall also be permitted. In cases where mobile home parks are developed on the basis of communal water and/or sewage disposal systems, the water/sewage disposal systems are to be owned and operated by the municipality. If this is not feasible, then a responsibility agreement between the developer and the municipality which requires assumptions of the communal services by the municipality in the event of default will be required.

- (c) Land used or proposed for a mobile home park shall be placed in a separate category in the implementing zoning by-law. This category should include suitable controls for such matters as the frontage and area of the park and individual sites, the density of the park, parking requirements, and any other relevant provisions.
- (d) All lands used for mobile home parks are considered a proposed site plan control area, in accordance with Section 41 of the Planning Act. Any site plan submitted to the local municipality for consideration should include all proposed works, facilities, and structures and the layout of the mobile home sites and roads. Any buffering and/or landscaping should also be illustrated.

## **(20) Unopened Road Allowances and Shoreline Road Allowances**

Throughout the County there are many unopened road allowances and shoreline road allowances owned by the local Municipalities. Municipalities have no obligations to open or improve road allowances to provide access to private or public property. For various purposes, abutting property owners may approach the local Municipalities regarding the purchase of portions of unopened or shoreline road allowances. A local municipality has the right to develop their own policies and procedures regarding the sale of unopened and shoreline road allowances in accordance with the requirements of the Municipal Act.

In considering the sale of an unopened or shoreline road allowance a local municipality should have regard for public recreational use, waterfront recreational use, potential trail connections, public access, emergency access, public travel and portage or other municipal purposes (i.e., drainage). Any portions of a road allowance that contain, abut or provide access to important fish spawning areas, important wildlife habitat or other environmentally sensitive features or hazards should be reserved. Portions of road allowances where significant historical or cultural features have been identified should also be reserved.

A local Municipality retains the right to reserve any portion of an unopened road allowance or shoreline road allowance where it considers it appropriate. Local municipalities also have the option of utilizing their own policies and procedures which do not require inclusion in an Official Plan.

**(21) Mineral Exploration**

Surveys and preliminary explorations for minerals may be conducted within any designation except the Urban Community, Village Community and Environmental Protection designations. Intensive testing, which would include the erection of buildings and/or structures, will be considered through the application of the temporary use provisions of this Plan, provided only minimal disturbance and few temporary structures are involved.

**(22) TransCanada PipeLines Limited**

- (a) TransCanada PipeLines Limited ("TCPL") operates two high pressure natural gas pipelines within its rights-of-ways which cross through the County and are identified on Schedule B to this Plan. TCPL is considered a public utility which is allowed in all land use designations of the County Official Plan.
- (b) As development within 200 metres of TCPL's facilities may affect the safety and integrity of the pipelines, the approval authority will require early consultation with TransCanada for any development proposals within 200 metres of its facilities.
- (c) Within 750m of a fence line of a TCPL compressor station, consultation with TCPL is required early in development planning when undertaking the technical review of any such development that requires approval under the Planning Act:
  - 1) Development within 750 m of a TCPL compressor station shall not be permitted approved unless it can be demonstrated that the developer can mitigate any adverse impacts that might result from land use incompatibility issues such as noise or vibration can be achieved; and
  - 2) Proponents of a development may be required to carry out noise and vibration studies and mitigation measures identified by those studies shall be included by the County as a condition of development approval.
- (d) TCPL is regulated by the Canada Energy Regulator (CER), which has a number of requirements regulating development in proximity to its pipelines, including approval for activities within 30 metres of the pipeline centreline.
- (e) Subject to consultation with TCPL, TCPL's pipeline rights-of-way may be designated for use as passive open space.

- (f) No permanent building or structure shall be located within 7 metres of the limit of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.
- (g) In addition to the requirements for the above setbacks, the following may need to be setback a minimum of 7 metres from the limit of the pipeline right-of-way:
  - 1) road rights-of-way (paralleling pipeline rights-of-way), paved private driveways, parking spaces and parking areas; and
  - 2) stormwater management facilities.

### **(23) Environmental Impact Study (EIS)**

An Environmental Impact Study (EIS) is intended to provide for an assessment of the potential impacts of a proposed development or site alteration on or adjacent to the natural features and/or ecological functions for which an area has been identified. Identifying these impacts does not necessarily result in rejection of the proposal, provided that the natural heritage features and ecological functions identified will not be negatively impacted by the proposed development. The Natural Heritage Reference Manual provides guidance that may be used to help assess impacts.

The scale and scope of the EIS is dependent on the scale and scope of the proposal, its relationship to adjacent land uses, the type of planning approval required, and will generally be determined by the approval authority. Scoping will be conducted on a case-by-case basis, and will identify the appropriate study requirements to address the proposed development.

Where the policies in this Plan provide for the preparation of an EIS, it is understood that the EIS may be waived dependent on site characteristics of the development proposal, or where the potential impact of development is reduced or is non-existent.

The preparation of an EIS may potentially be waived when it can be demonstrated that:

- (a) For purposes of the proposed development or site alteration, previous studies conducted in the area are deemed sufficient to provide the necessary technical information to assess potential impacts of the proposed development; or
- (b) A proposed development or site alteration is minor in nature and the assessed impacts to features and functions are easily avoidable. (i.e. are short in duration, small in scale and most impacts can readily be mitigated through site layout, site design, timing of work, etc); or

- (c) The approval authority is satisfied the proposed development or site alteration will have no negative impacts on the values and/or ecological functions that have been identified.

The value and/or sensitivity of natural heritage features needs to be well understood and documented in order to determine that there are no potential negative impacts that warrant a more complete review and EIS.

The EIS will assess impacts that are anticipated from a proposed development application on natural heritage features, functions, and adjacent lands, including but not limited to:

- Fish and aquatic habitat
- Significant Wetlands
- Significant Woodlands
- Significant Valleylands
- Significant Wildlife habitat
- Areas of Natural and Scientific Interest (ANSI's)
- Other Environmentally Significant Areas (ESA's)

Sometimes important water features such as sensitive water features, groundwater recharge/discharge areas, well head protection areas and intake zones are also considered through an EIS.

An EIS must be prepared by an individual(s) with appropriate qualifications and experience in the relevant environmental field of study. Qualified means an individual or company with professional accreditation or specialized training in the specific discipline required, and/or quantifiable expertise in the relevant field of study. (For example a forester would evaluate a woodland, a biologist would evaluate significant wildlife habitat).

The following are intended to provide guidelines for the preparation of an EIS:

- (a) a description (including a map) of the study area;
- (b) a description (including a map) of the development proposal;
- (c) methodology;
- (d) existing environmental conditions;
- (e) an identification of the features and functions likely to be effected by the development proposal;
- (f) an assessment of the potential impacts of the proposed development on key features and functions;
- (g) an identification of mitigation requirements and monitoring requirements;
- (h) the quantification of residual impacts (those that cannot be mitigated) if any;

- (i) a summary of all recommendations and conditions to implement mitigative measures; and
- (j) a conclusion statement identifying how the proposal will avoid negative impacts and/or if negative impacts cannot be avoided, what mitigation and/or avoidance measures will be put in place to reduce negative impacts on natural heritage features.

The EIS should include an independent professional opinion as to whether or not the net impacts of the development and/or site alteration after mitigation are negative, and whether the development proposal is consistent with the intent of the Provincial Policy Statement and the policies in this Plan.

For the purposes of this section, the meaning of ‘development’ shall include the creation of a lot, a change in land use, or the construction of buildings or structures requiring approval under the Planning Act; but does not include activities under an environmental process or works subject to the Drainage Act.

For the purposes of this section, the meaning of ‘site alteration’ shall include such activities as filling, grading, and/or excavating that would have the effect of changing the landform, topography, and/or natural vegetative characteristics of a site.

Various planning and other approvals including such techniques as site plan control, site specific zoning, and site alteration by-laws may be used to ensure that the development and/or site alteration occurs in accordance with the recommendations of the EIS. Nothing in this policy is intended to limit the ability of agricultural uses to continue.

#### **(24) Secondary Dwelling Units**

Also known as accessory or basement apartments, secondary suites and in-law flats, a secondary dwelling unit is a self-contained residential unit with kitchen and bathroom facilities. A secondary dwelling unit is permitted within a single detached, semi-detached, or row house dwelling, or within structures accessory to dwellings (such as above garages). Secondary dwelling units are also permitted as separate, detached dwellings. Secondary dwelling units must comply with any applicable laws and standards. This includes the Building Code, the Fire Code and property standards bylaws.

- (1) For properties on full municipal services, the local Zoning By-law may include minimum standards for secondary dwelling units including (but not limited to): dwelling unit area, minimum lot area, parking, and servicing.

- (2) For properties that are serviced by private septic system and well, a secondary dwelling unit shall be permitted on lots greater than 0.8 Ha in area. The secondary dwelling is required to share the same water and septic/sewer services as the primary dwelling unit. Secondary dwelling units on properties that are greater than 2 ha are not required to share the same water and septic systems.
- (3) For lots less than 0.8 Ha in area, but greater than 0.4 Ha, a secondary dwelling unit may be considered on a case-by-case basis through the submission of a minor variance application. The proponent of the application will be required to demonstrate that the site is suitable for the proposed secondary unit including matters such as (but not limited to): dwelling unit area, minimum lot area, surrounding land uses, parking, and servicing. An engineering report prepared by a qualified professional shall be submitted with the minor variance application that demonstrates that the additional effluent output can be satisfactorily managed and that there is a potable source of water (quantity and quality) for the secondary unit. Municipalities may require a site plan prior to approval of a secondary dwelling unit.
- (4) A secondary dwelling unit may not be severed from the lot with the primary dwelling.
- (5) Mobile homes and Recreational Vehicles will not be considered as a secondary dwelling.
- (6) A secondary dwelling shall not be permitted on 'at capacity lakes' or 'lakes near capacity'.
- (7) A secondary dwelling may be permitted on waterfront properties by minor variance provided a study is submitted demonstrating no negative impacts on the water body, the availability of potable drinking water (quantity and quality), and that addresses septic effluent. Municipalities may require a site plan prior to approval of a secondary dwelling unit.
- (8) On lands designated Agriculture, a secondary dwelling may be permitted by the local municipality through the requirements of the local zoning by-law. The secondary dwelling is to be located in close proximity to the primary dwelling. The secondary dwelling location should not sterilize agriculturally productive land or create conflict for adjacent farms.

**(25) Garden Suites**

Garden suites are defined in section 39.1 of the Planning Act as one-unit detached residential structures containing bathroom and kitchen facilities

that are ancillary to existing residential structures and that are designed to be portable. They provide an affordable housing option that supports changing demographics, allow for aging in place, and provide opportunities for some of the most reasonably priced accommodation. The following criteria will be used as the basis for permitting garden suites by passing a Temporary Use By-law for a period up to 20 years:

- i. The use is subordinate in scale and function to the main dwelling on the lot;
- ii. The use can be integrated into its surroundings with negligible visual impact to the streetscape;
- iii. The use is situated on an appropriately-sized housing lot;
- iv. The use is compatible in design and scale with the built form of the main dwelling unit;
- v. The orientation of the use will allow for optimum privacy for both the occupants of a garden suite and the main dwelling on the lot;
- vi. Any other siting requirements related to matters such as servicing, parking and access requirements, and storm water management can be satisfied; and
- vii. Council may require a development agreement and/or security to ensure the future removal of the garden suite.

## **(26) Active Transportation**

Active transportation means human powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power- assisted devices moving at a comparable speed.

Active transportation increases physical activity, community engagement and social connections; contributes to economic development; provides accessible infrastructure to all segments of the population; and connects people to parks, open spaces and the natural environment.

The County of Renfrew has prepared an Active Transportation Strategy that provides a long-term vision for active transportation infrastructure and policies, and identifies the integration of an active transportation strategy across a number of Departments within the County.

It is the intent of this Plan to address active transportation in planning decisions by addressing, where appropriate, such matters as accessibility, density, access to amenities, connectivity/linkages between land uses, provision of sidewalks in new residential plans of subdivision, and safety along walking and cycling routes. The goal is to achieve a land use pattern composed of housing, employment, recreation, parks and open spaces that promote the use of active transportation.

The review of planning applications should also address, where appropriate, “complete street” principles.

**(27) Infrastructure Planning**

Infrastructure, roads, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner while accommodating projected needs.

Development applications that include the construction of new infrastructure should be supported by a study to demonstrate that the proposed development and infrastructure is financially viable over its life cycle. The report can be utilized as part of a municipality’s asset management planning.

**(28) Daycare Facilities**

Day nurseries, daycare facilities and home daycares (in a private residence) shall be encouraged as an integral component of the workplace and shall be permitted in the Urban Community and Village Community designations. Local implementing zoning by-laws may contain provisions for the establishment of day care facilities. Daycare facilities that are a part of an institutional, commercial, or industrial use shall be subject to site plan control. Home daycares are permitted in the Rural and Agriculture designation.

**(29) Parkland Dedication**

- (a) Local municipalities may, by by-law, require development or redevelopment applications for commercial or industrial purposes dedicate up to two per cent of such lands to the municipality for park or other public recreational purposes under the authority of Section 42 of the Planning Act.
- (b) For residential plans of subdivision, condominium, and consent applications, local municipalities may, by by-law, require, as a condition of approval, 5% of the land proposed for development, be conveyed to the Municipality for park or other public recreational purposes, as also set out in Section 51.1(1) of the Planning Act. In other forms of residential development the same dedication may be required.
- (c) Valleylands, lands required for drainage purposes, lands susceptible to flooding or otherwise unsuitable for development will not be accepted as statutory parkland dedication.

- (d) Lands to be dedicated for park purposes shall be conveyed in a condition acceptable to the municipality.
- (e) Where a development or redevelopment proposal includes non-developable land or land includes natural heritage or hazard area, the local municipality may request that such land be dedicated to the municipality in addition to the minimum required dedication.
- (f) Cash-in-Lieu

As an alternative to the conveyance of parkland, the municipality may require the developer to convey cash-in-lieu of such lands. The cash value of such lands will be determined in accordance with Section 42 and Section 51.1(3) of the Planning Act.

### **(30) Stormwater Management**

In order to control flooding, ponding, erosion and sedimentation and to protect water quality and aquatic habitat or other natural habitat which depend on water courses and other water bodies for their existence, stormwater management plans shall be required for any new development consisting of more than three lots or for commercial or industrial developments with large amounts of impervious area. Stormwater management will be undertaken in accordance with MOE Guideline “Stormwater Management Planning and Design Manual, 2003”.

The municipality shall require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The municipality shall promote naturalized stormwater management facilities, constructed with gentle slopes. Where appropriate, the integration of stormwater management facilities with parks and open spaces is encouraged

Planning for stormwater management shall:

- (a) Minimize, or, where possible prevent increases in contaminant loads;
- (b) Minimize changes in water balance and erosion
- (c) Not increase risks to human health and safety and property damage;
- (d) Maximize the extent and function of vegetative and pervious surfaces; and
- (e) Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

**(31) Watershed Planning**

- (a) The County encourages the protection and improvement of water quality based on a watershed planning approach. Schedule 'B' – Natural Heritage identifies 4 sub-watershed boundaries located within the County including the:

- Madawaska River Watershed

Three of the five largest lakes in Renfrew County occur within the Madawaska River watershed (Bark Lake, Kamaniskeg Lake, Centennial/Black Donald Lakes). The entire watershed encompasses an area of approximately 8,500 km<sup>2</sup> of which approximately 30% is within the boundaries of Renfrew County. The headwaters of the Madawaska River flow out of Algonquin Provincial Park on the southwest side of Renfrew County until it meets the confluence of the Ottawa River in the Town of Arnprior. It is approximately 225 kilometres in length.

- Bonnechere River Watershed

The headwaters of the Bonnechere River flow out of Algonquin Provincial Park on the west side of Renfrew County. The entire watershed encompasses an area of approximately 2,400 km<sup>2</sup> of which 80% is within the boundaries of Renfrew County. The Bonnechere flows through Round and Golden lakes, two of the largest lakes in Renfrew County. Lake Clear, a popular outdoor recreation area on the southern edge of the watershed is connected to the main channel of the Bonnechere River through Hurds Creek. Lake Clear is classified as an 'at capacity lake' and Round Lake is classified as a 'near capacity lake'. There are 7 provincially significant wetlands located within the watershed.

- Muskrat, Indian, Westmeath Watershed

This watershed is primarily made up of two river systems – the Indian and Muskrat Rivers. These two rivers join within the boundaries of the City of Pembroke before entering the Ottawa River. The Snake River and Mink Creek join as a tributary of the Muskrat River system, flowing directly into Muskrat Lake. The area of the watershed is approximately 1,840 km<sup>2</sup> of which 95% is within Renfrew County.

Muskrat Lake is the largest coldwater lake in the watershed and is designated as an 'at capacity lake'. Nutrients, including phosphorous, are causing negative impacts on water quality

and dissolved oxygen concentrations. This combined with a low flushing rate and low surface area to volume ratio adds to the declining water quality of Muskrat Lake.

- **Petawawa-Barron Watershed and Upper Renfrew County Watershed**

This watershed is made up of the Barron-Petawawa River sub-watershed, the Chalk River, and several significant creeks flowing directly into the Ottawa River. Most of the upper part of the watershed is crown forest with many small and medium-sized lakes. The watershed encompasses an area of approximately 3,730 km<sup>2</sup> of which approximately 42% lies within the boundary of Renfrew County. The Barron and Petawawa Rivers flow out of the east side of Algonquin Provincial Park. The Barron flows into the Petawawa at Black Bay, about 12 km from the Ottawa River.

- (b) This Plan encourages the protection of water resource systems consisting of ground water features, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed.
- (c) This Plan encourages the regeneration of natural areas near watercourses, wetlands, and the protection of headwater areas for maintaining natural hydrological processes within a watershed.
- (d) Lake associations may conduct lake stewardship planning. Any recommendations of a lake plan affecting development applications may require an amendment to this Plan.

### **(32) Urban Agriculture**

Urban Agriculture refers to food production outside of the traditional agricultural designated areas, whether it is for personal consumption, commercial sale, education or therapy. It can take a variety of forms, including gardening (container gardening, balconies, rooftops and community gardening) and raising livestock in backyards (chickens, bees, goats, etc.). Local municipalities may use a variety of methods (or combinations thereof) such as the zoning by-law, site plan control, and/or licensing/permitting under the Municipal Act to regulate urban agriculture uses.

### **(33) Horse Drawn Vehicle Communities**

Within the County (primarily in the Township's of Admaston/Bromley, Whitewater Region, and North Algona Wilberforce) the horse drawn

vehicle community has grown in size. This subsection applies to lands designated Agricultural and Rural.

Notwithstanding policies to the contrary, new schools, churches, and cemeteries are permitted within the Agriculture designation where such schools, churches, cemeteries service the immediate community which relies on horse drawn vehicles as their primary means of transportation, subject to the following criteria:

- (a) Reasonable justification in support of the selected site must be provided. Such justification must give consideration to alternative sites on non-prime farmland areas and hamlet areas in the vicinity;
- (b) Permitted land areas for these uses shall be as follows:
  - i. Not more than 5 Hectares for a freestanding school;
  - ii. Not more than 9 Hectares for a church cemetery; and
  - iii. Not more than 13 Hectares for a combined school, church and cemetery;
- (c) The schools, churches, and cemeteries are required to satisfy the minimum distance separation provisions of MDS I. To assist in meeting the provisions of MDS I, a school and/or church may be located on a farm property as a part of a farm building cluster and served by the principal farm access driveway. Due to the passive nature of the use, a freestanding cemetery on a separate lot shall be interpreted as similar to a passive recreational use and will be considered a “Type A” land use for the purpose of MDS I;
- (d) In the case of schools, the use of long-term leases shall be encouraged;
- (e) Acceptable arrangements must be made for the perpetual care of proposed cemeteries;
- (f) New schools, churches and cemeteries must meet the requirements of the local zoning by-law;
- (g) New schools, churches, and cemeteries are subject to site plan control.

#### **(34) Cannabis Production Facility**

A Cannabis production facility means a building or land used for the cultivation, processing, testing, destruction, packaging and/or shipping of Cannabis in accordance with Provincial and Federal requirements. Cannabis production facilities may be permitted by a local municipality in the Rural, Agricultural, Urban Community or Village Community

designations. The local municipality may permit a Cannabis production facility as-of-right or consider them on a case-by-case basis through a zoning by-law amendment process. Separation distances and setbacks from sensitive land uses should be considered. Generally a 150 metre separation distance is recommended from a sensitive land use. Cannabis production facilities are subject to site plan control and in addition to the matters under Section 17.5, the site plan should address security fencing as required by federal legislation and requirements for buffer/landscaping.

### **(35) Temporary Special Events**

Temporary special events may be considered in the Rural, Agriculture, Urban Community, and Village Community designation by the local municipality on a case-by-case basis. A temporary special event may include (but are not limited to):

- Agricultural fair
- Antique show
- Flea market
- Craft/hobby show
- Country festival
- Highland games
- Vehicle/boat show
- Auction
- Wedding
- Concert/music festival
- Off-road race (motorized or non-motorized)
- Overnight camping in conjunction with and accessory to a permitted special event.

The local municipality may implement zoning provisions and/or use a combination of other methods under the Municipal Act (i.e., licensing, agreements, or permits) to regulate special events. When considering a request for a temporary special event, the local municipality can consider factors such as:

- Nature of the event
- Host organization
- Insurance
- Securities
- The need for building permits or other municipal permissions
- Sale of Alcohol
- Discharge of fireworks
- Traffic
- Noise
- Public Safety (Fire, Policies, Paramedic)

- Appropriate water and waste water services
- Environmental Impact
- Hours of operation
- Length of time for the temporary special event
- Any other impacts to the surrounding community

**(36) Short-Term Rental Accommodation**

Short-term rental accommodation means any lodging made available for rent in a private residence for a period less than 28 days. Short-term rental accommodation may include a variety of forms including: bed and breakfasts, cottage rentals, apartment rentals, single room, or a whole home. The intent of this policy is to ensure that short-term rental accommodations are appropriately located, licensed and controlled to mitigate potential conflicts and maintain the character and stability of existing communities. The local municipality may use zoning provisions, site plan control, and/or licensing/permitting to regulate short-term rental accommodations.

The local municipality should have consideration for the following when deciding the appropriate locations for short-term accommodation:

- i. appropriate access;
- ii. parking;
- iii. servicing;
  - a. the operation must be on full municipal services where services are available; or
  - b. where municipal services are not available, proposals must also provide adequate on-site private services including potable water, private waste disposal and proper surface drainage without impact on neighbouring uses to the satisfaction of the local municipality, and the Renfrew County District Health Unit;
- iv. landscaping and buffering;
- v. amenity areas;
- vi. signage;
- vii. no other commercial operation, such as a restaurant, is permitted and only light meals are provided to guests;
- viii. number of rooms available for rent;
- ix. any other issues or impacts on neighbouring properties as determined by the local municipality.

**(37) Wellhead Protection Areas (WHPA)**

The Wellhead Protection Areas (WHPA) shown on Schedule B-Hazards Map apply to the wellhead protection areas identified in the “Wellhead Protection Area Studies, Village of Beachburg and Haley Townsite, Ontario” and the “Wellhead Protection Area Study, Killaloe, Ontario” completed in

January 2003 by Intera Engineering Ltd. in accordance with the then-Ministry of the Environment's Technical Terms of Reference under Ontario's Operation Clean Water initiative.

The Wellhead Protection Area studies involved two main components: wellhead protection area mapping, and contaminant source assessment. Wellhead protection area mapping is the delineation of surface and subsurface areas contributing water to a well. Contaminant source assessment is the inventory of locations and relative threats to well water quality from existing and historical potential contaminate sources, and the assessment of potential contaminant pathways within identified wellhead protection areas.

The wellhead protection areas are divided into capture zones which are the areas that provide water to a well over a specified period of time. Ministry of the Environment and Climate Change protocols have established these time periods as 50 days, 2 years, 10 years and 25 years. These time periods corresponded to the time it takes a particle of water to move from these zones to the well. This is referred to as the time-of-travel (TOT).

The four capture zones make up the wellhead protection area within which specific land use controls are necessary to protect the water supply for these communities. The capture area for the shortest time-of-travel has the highest degree of sensitivity or vulnerability to land use activities that might affect water quality, with each subsequent travel time representing a lesser degree of sensitivity.

The local Zoning By-laws for the Townships of Whitewater Region, and Killaloe, Hagarty & Richards shall delineate the capture zones and restrict land uses with these zones in accordance with the above-noted Wellhead Protection Area Studies.

### **(38) Energy Conservation, Air Quality, and Climate Change**

It is acknowledged that policies throughout this Plan encourage energy conservation, a reduction of greenhouse emissions and address the effects of a changing climate, through promoting compact built form, site design and policies directing development away from hazards. The County shall prepare for the impacts of climate change by evaluating and preparing for the impacts to water resources at the watershed level, the effective management of stormwater and in decisions regarding infrastructure and public service facilities.

## **5.0 RURAL**

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### **5.1 Introduction**

The Rural designation comprises lands which are not considered resource lands (i.e. not constituting agricultural land, mineral aggregate resource lands, wetlands, etc.). Traditionally, these lands have been utilized as an alternative location for those persons preferring a rural residential lifestyle.

These non-resource lands have also provided a location for commercial and industrial uses requiring a location in the rural area (e.g. sawmills and certain manufacturing uses) because of land use requirements and/or proximity to natural resources.

The Rural designation also includes areas containing viable agricultural operations that need to be protected, through the application of the MDS I and II formulas.

Low density residential development as well as rural-related commercial, industrial, recreational and institutional development is desirable, provided it is appropriately located. The Rural designation is intended to guide rural type development while at the same time protecting the rural character, heritage and natural resources of the County. In addition, the designation is intended to manage growth in an environmentally and fiscally responsible manner.

### **5.2 Objectives**

- (1) To preserve the open space, rural character, topography and landscape of the Rural area.
- (2) To promote rural living in a manner sensitive to the ecological balance, sensitive to the farming and forestry communities and sensitive to the protection of groundwater and surface water quantity and quality.
- (3) To maintain economic and social stability in the County by considering factors such as municipal servicing limitations, environmental factors, compatibility of land uses, and land capability when reviewing development proposals.
- (4) To promote the tourism economy of the County by ensuring suitable lands are available to satisfy demands for tourism and tourism-related development.

### **5.3 Policies**

- (1) The Rural designation on the Land Use Schedule(s) shall mean that the permitted uses shall include agricultural, forestry, limited low density

- residential, commercial, industrial, recreational, institutional, resource-based recreational uses (including recreational dwellings), and conservation uses subject to the location and development criteria specified in Section 2.0 of the Plan and the following sections.
- (2) Residential development permitted in the Rural designation shall be in accordance with the following policies:
- (a) where a plan of subdivision is not considered necessary in accordance with section 14.2 (1) of this Plan, a consent for a new lot which satisfies the Land Division Policies of this Plan may be considered;
  - (b) residential development should not be located on lands which would involve major public expense in opening up and/or maintaining access routes, providing drainage or providing other public services and facilities, unless such major public services, access, or facilities are provided at the developer's expense;
  - (c) lots should be relatively large being not less than 4000 square metres (approximately 1.0 acre) and adequate for the installation of private services; and
  - (d) mobile homes may be regulated in local implementing zoning by-laws.
  - (e) the policies of Section 2.2(12) and 14.3(11) shall apply with regards to development on private services.
- (3) In determining the size, location and suitability of any proposed residential plan of subdivision or vacant lot plan of condominium, the following conditions are to be met:
- (a) The number of lots in the subdivision or condominium should be consistent with historical trends and projected population growth in the municipality, and be appropriate to the level of infrastructure.
  - (b) Subdivisions and/or condominiums associated with resource based recreational uses (ski hill, golf course, race track, water frontage) are permitted but are not subject to subsection 5.3(3)(a) above.
  - (c) the design of the subdivision should provide for a range of lot sizes directly related to the site's topography, vegetation and soil and drainage characteristics;
  - (d) the maximum average density of lot sizes should be determined by a hydrogeological and nitrate impact assessment study and a terrain analysis;

- (e) the development must have direct access to a public road that is maintained year-round and is improved to acceptable municipal standards. Lots created through a vacant lot plan of condominium may be accessed by a common elements private road. For small plans of subdivision (less than 10 lots), an alternative form of access may be considered provided that the local municipality is satisfied that:
    - a. legal access is provided, connecting all lots to an open, year round public road. Where possible, the access should be maintained in a single ownership in a method to the satisfaction of the local municipality (i.e., a corporation or joint/common tenant agreement);
    - b. the road standards, the responsibility of the lot owner for maintenance, and other pertinent matters should be set out to a local municipalities satisfaction in a development agreement between the local municipality and the landowner(s);
    - c. the physical conditions and characteristics of the road allows the access of emergency vehicles;
    - d. the limited services available to the lot is identified in an implementing Zoning By-law;
  - (f) in order to maintain the rural character of the landscape, the development should be located in areas having natural amenities such as varied topography, mature tree cover or scenic views and should blend in with the natural landscape so that the rural environment is left relatively undisturbed;
  - (g) generally a plan of subdivision or condominium in a rural area should not be closer than 1 kilometre to a settlement area serviced with municipal infrastructure (water and/or sewer);
  - (h) the retention of mature tree cover is encouraged; and
  - (i) the servicing policies of this Plan under Section 2.2 (12) apply.
- (4) New residential waterfront development generally within 300 metres (or approximately 1000 feet) of any waterbody should be subject to the following additional policies:
- (a) In these residential developments, wherever possible, a portion of the waterfront shall be reserved for public recreational open space or water access to be used by nearby dwelling owners particularly when development is proceeding by way of a registered plan of subdivision.

- (b) Where existing residential development contains no public access to water, development should not be permitted in a second tier, unless nearby public access is deemed adequate.
- (c) A developer should generally provide 6 metres (or approximately 20 feet) of water frontage for each new back lot being created without water frontage. All such areas must be of a type which will accommodate intensive outdoor recreation use. Local Council may require a larger access to water if the characteristics of the site warrant it.
- (d) The standard waterfront residential lot should be not less than 4000 square metres (or approximately 1 acre) in area and have 45 metres (or approximately 150 feet) of water frontage and 45 metres (or approximately 150 feet) of road frontage.
- (e) Development shall not negatively impact upon significant natural heritage features as identified in Section 2.2(8) of this plan, through activities such as dredging or filling, the removal of shoreline vegetation or the construction of buildings and structures. The policies of Section 2.2 (11) of this Plan pertaining to water setback and riparian setbacks and buffers shall be applied. Municipalities may use implementation tools such as site plan control, site specific zoning, development agreements, restrictive covenants or any combination thereof.
- (f) In reviewing development proposals on waterbodies with substantial existing development, Council may require the proponent to undertake a study to determine the development capacity of the lake having regard to both environmental and recreational factors.
- (g) Development shall satisfy the requirements of any relevant federal and provincial legislation, and regulations and policies made thereunder, e.g., the Canada Fisheries Act, the Federal Fish Habitat Policy, the Endangered Species Act, Public Lands Act, etc.
- (h) For development to occur on existing water access only lots, adequate mainland parking and boat launching facilities must be available or provided as a condition of development to the satisfaction of the approval authority.
- (i) For development for islands in the Ottawa River, the developer must demonstrate that the flood plain policies of this plan can be adhered to. An elevations survey as well as hydrologic and hydraulic engineering studies prepared by a qualified engineer shall be required to be submitted with all development applications.

- (5) Recreational or open space uses (such as golf courses, ski trails, whitewater rafting) or tourism-related development such as theme parks are permitted and may be expanded, provided the following criteria are met:
- (a) the impact on other recreational uses along a water body are considered;
  - (b) the reasonably anticipated effects of development on rural and recreational characteristics and on natural features and functions are assessed in accordance with the terms of subsection 2.2(8) and 2.2(23) of this Plan, where appropriate, and are acceptable;
  - (c) the aesthetic appearance of the proposed development is assessed and acceptable;
  - (d) the long-term suitability of the site for communal services or individual on-site systems to accommodate proposed uses is demonstrated through appropriate site servicing studies;
  - (e) the long-term public costs of infrastructure, public services and public service facilities are assessed and are acceptable;
  - (f) the land is rezoned to a separate classification in the local zoning by-law;
  - (g) the rezoning application should be accompanied by a site plan depicting all buildings, structures, works and facilities, landscaping and buffering proposed for the subject lands, as well as all natural features, including all watercourses, slopes, etc.;
  - (h) the relevant policies of the General Policies for Development Section of this Plan are adhered to;
  - (i) development shall not negatively impact upon significant natural heritage features, such as significant wildlife habitat, and fish and fish habitat, through activities such as dredging or filling, the removal of shoreline vegetation or the construction of buildings and structures;
  - (j) development shall satisfy the requirements of any relevant federal and provincial legislation, and regulations and policies made thereunder, e.g., the Canada Fisheries Act, the Federal Fish Habitat Policy, the Endangered Species Act, Public Lands Act, etc.;
  - (k) the approval of a significant freehold residential development that is proposed in association with or as a part of a recreation and/or

open space use and that requires full or communal services will require an amendment to this Plan; and

- (l) residential uses associated with a recreational use are permitted provided that the development is consistent with the policies under subsection 5.3(3).
- (6) Institutional, commercial (including highway-commercial) and industrial uses shall be permitted in the Rural designation. The following policies shall apply when considering the suitability of a site for commercial or industrial uses:
- (a) new institutional, commercial and industrial uses or major expansions of existing ones shall occur by zoning by-law amendment, if required by the local zoning by-law and the requirements of subsection 2.2(4) shall be considered;
  - (b) institutional, commercial and industrial uses in the Rural designation are designated as Site Plan Control areas; and
  - (c) rural institutional, commercial or industrial uses shall be governed by the relevant General Development Policies of this Plan.
- (7) Development proposals on or adjacent to natural heritage features must demonstrate in accordance with the terms of subsection 2.2(8) and 2.2(23) of this Plan that there will be no negative impacts on these features or on the ecological functions for which the area is known.
- (8) Development proposals along the Ottawa, Bonnechere, Madawaska and Petawawa Rivers are subject to the flood plain policies of this plan. Other lands not on these rivers may also be subject to flooding, and therefore subject to the Environmental Protection designation Section 8.0.
- (9) The Rural designation includes small communities consisting of single-detached residences and small-scale commercial and institutional uses. Examples of such areas include Burnstown, Combermere and Douglas. It is intended that these areas, which are labeled on the schedules to this plan, will provide for limited low density residential, light industrial, commercial and institutional development.

While these rural communities have been labeled on the Land Use Schedules, the permitted uses and standards may be more detailed within the local implementing zoning by-laws.

Development in rural communities shall be in accordance with the following policies:

- (a) New residential development shall occur in the form of single-detached lots created by the severance process as infilling or minor extensions. Severances shall conform to the policies of this Section, the relevant policies of Section 2, and the Land Division policies.
- (b) Existing commercial, industrial and institutional uses such as schools, churches and cemeteries as well as recreation and open space uses are permitted. Expansions to such established uses are subject to the requirements of the local zoning by-law.
- (c) New small scale commercial, industrial and institutional uses may be permitted through a site specific zoning by-law amendment, if required by the local zoning by-law, and the policies of Section 2.2(4) shall be considered.
- (d) Development proposals within a rural community should encourage a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

(e) **Pine Grove – McNab/Braeside**

Development in the area of Pine Grove will be principally residential in nature. Adjacent to the Pine Grove community is an area zoned for a Business Park. Adequate physical and visual buffering between the sensitive residential land uses and the commercial/industrial land uses of the Business Park area should be an integral part of the site plan agreements, subdivision agreements, condition of consent and/or removal of part lot control.

(f) **Burnstown – McNab/Braeside**

Burnstown is a unique built heritage community. Council considers it important to recognize, preserve and protect the cultural value and commercial importance of this community to the Township of McNab/Braeside and the County of Renfrew. Expansion of the existing heritage commercial area in the community is encouraged and desired. New commercial development and renovations to the exterior of existing commercial buildings should be sympathetic and supportive of the goal to preserve the 19th Century appearance of Burnstown.

1. All new commercial construction and exterior renovation to existing commercial buildings, shall be sympathetic and complementary to the heritage appearance theme.

2. Implementation of the heritage standards shall be through conditions attached to building permits, site plan agreements and notice on title.
- (10) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be protected and promoted in accordance with provincial standards.
- (11) Land application of manure, biosolids and septage is regulated by the Province in accordance with the Nutrient Management Act and the Environmental Protection Act. Land application of manure, bio-solids and septage will follow the requirements of the above noted legislation, and the regulations made under those Acts.

#### **5.4 Special Policy Exceptions**

##### **(A) The Township of Greater Madawaska (Recreation Community Development)**

- (1) The Township of Greater Madawaska intends to promote and accommodate recreation community development (recreational and residential) areas within the municipality while at the same time having regard for the natural environment and the financial and servicing needs of the municipality. The policies outlined in this section will apply in addition to the other applicable policies of this Plan, including the General Development policies and the Rural policies.

In considering an amendment to the implementing zoning by-law to permit a new recreation community or the expansion of an existing recreation community, in addition to the criteria outlined in subsection 5.3 (5) the local Council shall consider:

- (a) the impact on the environment;
- (b) direct and indirect impacts on the services provided by the municipality;
- (c) the aesthetic appearance of the proposed development;
- (d) the impact on the unique natural environment of the applicable waterways;
- (e) the impact on recreational uses along waterways;
- (f) the impact on surrounding land uses;
- (g) compliance with the requirements of the Ministry of Natural Resources and Forestry, Ministry of Northern Development and

landowner is applying for the creation of two new lots and a retained, two applications are required.

- (24) A consent application to reestablish two parcels of land that have inadvertently merged either prior to or after the passing of this Plan, may be considered provided that it generally meets the intent and policies of the Plan. The consent will not be considered toward determining the number of consents permitted from a holding.

#### **14.4 Plans of Subdivision/Condominiums**

The County of Renfrew processes and approves plans of subdivision and plans of condominium. The local municipality must, however, approve of each plan of subdivision through recommendations to the County, passage of any necessary local Zoning By-law amendment, and by entering into a subdivision agreement. Where it has been deemed that a plan of subdivision or a plan of condominium is required for the orderly development of lands, the following policies shall be considered:

- (1) A proposed plan of subdivision or a plan of condominium shall conform to the designations shown on the Land Use Schedule(s) and the policies of the Plan, the policies of the local Official Plan (where one exists), and the provisions of the implementing local zoning by-law.
- (2) Any predesignated area of national, provincial, or local cultural heritage value shall be protected from any possible negative impacts resulting from subdivision development.
- (3) A proposed plan of subdivision or a plan of condominium should be designed to ensure that, where appropriate, it is supportive of active transportation strategies such as the provision of convenient and direct access to adjacent uses through integrated pedestrian sidewalks, walkways, trails and cycling paths.
- (4) A plan of subdivision or a plan of condominium shall not be recommended for approval unless all lands intended to be used as building sites can be used safely for building purposes without danger from flood or other inundation or other adverse conditions so as to be a danger to the health and safety of the present and future ratepayers of the local municipality or County.
- (5) In determining which areas are suitable for development, several reports, either singly or together, may be required by Council or a reviewing agency during the review of the plan of subdivision or plan of condominium and prior to draft approval or approval of any required Official Plan amendment. The reports may include a hydrogeological (including a nitrate impact assessment) and terrain analysis report, a

servicing options report, environmental impact study, preliminary stormwater management report, geotechnical study, lake capacity study, archaeology study, traffic impact report, planning justification report, heritage impact assessment, and any other study required by the applicable policies of this plan or requested by the approval authority. The approval authority reviews and may consult with other agencies on the proposed plans of subdivision or condominium to ensure that they have due regard for the Provincial Policy Statement.

Where the proposal is for on-site services, Council shall require a hydrogeological and nitrate impact assessment report and shall be satisfied that there is a sufficient supply of potable water, and that the site is suitable for on-site sewage disposal. The study is to be completed in accordance with MECP D-5-4 and D-5-5 guidelines and is subject to peer review.

The MECP Ontario Drinking Water Standards (ODWS) establishes the provincial standards for the quality of drinking water for both health and aesthetic values. In certain situations water treatment is required in order for the source water to meet the provincial drinking standards. Only whole home treatment systems (as opposed to single-tap) are permitted. Reverse Osmosis (RO) units will not be accepted as a suitable individual private water treatment system.

- (6) Roads within a proposed plan of subdivision will be assumed by the municipality and shall directly access a public road which is maintained year round so as to ensure ready accessibility for school buses, ambulances, fire trucks and other essential service vehicles. A minimum of two access points is considered desirable to a publicly maintained open road allowance.

Plans of condominium may be approved utilizing common access for the condominium owners, other than a public road.

Where a draft plan of subdivision is proposed abutting or in the vicinity of a provincial highway, the layout of the subdivision should be designed such that the lots back onto the provincial highway and front onto a local internal road. Any new proposed street/road entrances onto a provincial highway will be subject to the access policies of the MTO and the MTO requirements for access to a highway.

An alternative form of access in the Rural designation may be considered in accordance with Section 5.3(3)(e).

- (7) A plan of subdivision or plan of condominium shall be provided with direct access to a road developed to the standards of the relevant road authority.

- (8) Any proposed lot may not landlock any parcel of land and must be designed to allow for the integration with future development.
- (9) Upon draft approval of a plan of subdivision or plan of condominium by the County of Renfrew, the developer shall be required to enter into an agreement with the local Municipality covering (but not limited to) the following items:
  - (a) road requirements;
  - (b) sidewalk requirements;
  - (c) drainage requirements;
  - (d) access requirements;
  - (e) financial requirements;
  - (f) servicing requirements;
  - (g) parkland requirements; and
  - (h) phasing requirements.
- (10) Where land being developed by a plan of subdivision or plan of condominium abuts a Provincial Highway or County Road the layout of the subdivision should be designed in order that lots back on to the Provincial Highway or County Road and front on to the interior street. In such a case, no direct access from the lots to the Provincial Highway or County Road will be permitted.
- (11) The Ministry has plans to expand highway 17 and will be protecting the designated lands as a fully controlled-access four lane freeway. No active use or construction will be permitted within the designation. Proposed plans of subdivision in the vicinity of a provincial highway/designation require MTO review, approval, and permits.
- (12) Plans of subdivision within designated growth areas of a settlement area shall be appropriately phased to ensure that the intensification targets of this Plan are achieved prior to or concurrent with new development.
- (13) Council will encourage the inclusion of a variety of dwelling types in all subdivisions and more specifically multiple residential dwelling units in areas of the County where full servicing is available.
- (14) The location and land use pattern of any plan of subdivision or condominium shall be designed to minimize land consumption and servicing costs.
- (15) A plan of subdivision or condominium should not be located in areas that would prevent the efficient expansion of settlement areas or in those areas which are adjacent or close to settlement areas.



## Appendix 3: Zoning By-Law Schedule Excerpt and Provisions



Excerpt Schedule A- Map 1 – West Half  
Township of McNab/Braeside Zoning By-Law





**SECTION 6.0 - REQUIREMENTS FOR RURAL RESIDENTIAL (RR) ZONE****6.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any RR Zone except for:

**(a) Residential Uses**

- single detached dwelling
- semi-detached dwelling
- duplex dwelling
- group home

**6.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any RR Zone except in accordance with the following provisions:

**(a) Lot Area (minimum):**

- |  |                 |
|--|-----------------|
| - single detached dwelling, group home,<br>duplex dwelling, semi-detached dwelling | 4047 sq. metres |
| - semi-detached dwelling (each unit on<br>a separate lot)                          | 2024 sq. metres |

**(b) Lot Frontage (minimum)**

- |   |           |
|---|-----------|
| - single detached dwelling, group home                    | 45 metres |
| - duplex dwelling, semi-detached dwelling                 | 23 metres |
| - semi-detached dwelling<br>(each unit on a separate lot) | 23 metres |

**(c) Water Frontage (minimum) 45 metres****(d) Front Yard Depth (minimum) 7.5 metres****(e) Exterior Side Yard Width (minimum) 7.5 metres****(f) Interior Side Yard Width (minimum)**

- |   |   |
|---|---|
| - single detached dwelling/group home                     | 3 metres  |
| - duplex dwelling   | 3 metres  |
| - semi-detached dwelling                                  | 3 metres  |
| - semi-detached dwelling<br>(each unit on a separate lot) | Requires Interior or Exterior<br>Side Yard on One Side Only |

**(g) Rear Yard Depth (minimum) 7.5 metres**

- |     |  |               |
|-----|--|---------------|
| (h) | Dwelling Unit Area (minimum)   |               |
| -   | single detached dwelling/group home  | 75 sq. metres |
| -   | duplex dwelling (per unit)   | 65 sq. metres |
| -   | semi-detached dwelling unit  | 65 sq. metres |
| (i) | Lot Coverage (maximum)   | 35%           |
| (j) | Building Height (maximum)  | 10.5 metres   |
| (k) | Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.   |               |
| (l) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.   |               |
| (m) | Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.   |               |
| (n) | Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.   |               |
| (o) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law. |               |

### 6.3 EXCEPTION ZONES

#### (Mountainview Rd)

##### (a) Rural Residential - Exception One (RR-E1) Zone

Notwithstanding any provisions of the Rural Residential (RR) zone to the contrary, for those lands described as part of Lot 2, Concession 8, in the geographic Township of McNab and delineated as Rural Residential - Exception One (RR-E1) on Schedule "A" (Map 2) to this By-law the following provisions shall apply:

- |       |                          |  |
|-------|--------------------------|--|
| (i)   | Lot Area (minimum) -     | as shown on a registered plan of subdivision |
| (ii)  | Lot Frontage (minimum) - | as shown on a registered plan of subdivision |
| (iii) | Dwelling Unit Area -     | 100 square metres                            |

##### (b) Rural Residential – Exception Two (RR-E2) Zone



## Appendix 4: MDS



Jp2g No. 17-7017F

February 5, 2024

County of Renfrew,  
Development and Property Department,  
9 International Drive,  
Pembroke, ON, K8A 6W5  
Tel: (613) 735-3204

Attn Bruce Howarth, Manager of Planning Services  
[BHowarth@countyofrenfrew.on.ca](mailto:BHowarth@countyofrenfrew.on.ca)

**Re Minimum Distance Separation I – Braeburn Estates Phase 3  
Shady Maple Road, Township of McNab/Braeside.**

Dear Mr. Howarth,

Please accept this letter as fulfillment of the Minimum Distance Separation I (MDS I) requirements for the Braeburn Estates Phase 3 Application for Draft Plan of Subdivision. The following documents are enclosed:

- One (1) copy of a MDS 1500m Search Map
- One (1) copy of an MDS I Search Map, provided by the County of Renfrew for Phases 1 & 2 of the Braeburn Estates Subdivision
- One (1) copy of each of the following maps:
  - “120° Intervening Area: 112 Mervine Lane”
  - “120° Intervening Area: 1385 Burnstown Road”
  - “120° Intervening Area: 1276 Burnstown Road”
  - “120° Intervening Area: 801 Jessie Road”
  - “120° Intervening Area: 851 Jessie Road”

### Background

This letter has been prepared in support of the third phase of the Braeburn Estates Subdivision. Phase 1 and Phase 2 consisted of 15 waterfront lots and 10 waterfront lots respectively and both phases have received final approval. Phase 3 is proposed to include 15 backlots which will have access to the Madawaska River through the swimming area included in Phase 1. MDS I was also completed for Phase 1 and 2.

### MDS Search Area

The proposed subdivision is considered to be a Type B land use and therefore requires an investigative distance of 1500 metres surrounding the subject lands. To identify the properties that potentially contained livestock facilities, the MDS investigative distance map provided by the County for the previous phases as well as current aerial imagery were relied on. Based on this information, five properties were identified which potentially contained livestock facilities and needed to be assessed for MDS I. It should be noted that 1276 Burnstown Road was not identified as potentially containing livestock facilities in the previous MDS calculations, however the 2020 aerial imagery shows fenced areas around the barn and a potential livestock pen that was not on the 2014 aerial imagery and therefore was considered for this MDS calculation.



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**Minimum Distance Separation – Implementation Guideline #12**

Implementation Guideline #12 of the OMAFRA MDS Document provides a framework where a reduced MDS setback may be permitted provided there are four or more intervening (within 120°) sensitive land uses of the same or greater land use sensitivity. In accordance with this guideline, sensitive land use is considered as residential uses, dwellings and/or non-agricultural uses. For the purpose of this review, non-agricultural uses were considered as lots that were vacant, zoned Rural (RU) and under 2 hectares in area (the minimum area for a farm use in the RU Zone in the by-law is 2 hectares).

When the five properties identified to potentially contain livestock facilities were examined, it was determined that each of the properties had four or more Type B land uses between the proposed subdivision and the barns and therefore the farm operators or property owners were not contacted for MDS purposes. The maps illustrating the 120° intervening area and the existing sensitive land uses are included with this letter.

Trusting this is satisfactory. Should you have any questions or require clarification, please do not hesitate to contact our office.

Yours truly,

**Jp2g Consultants Inc.**

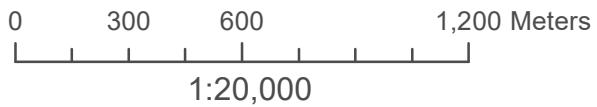
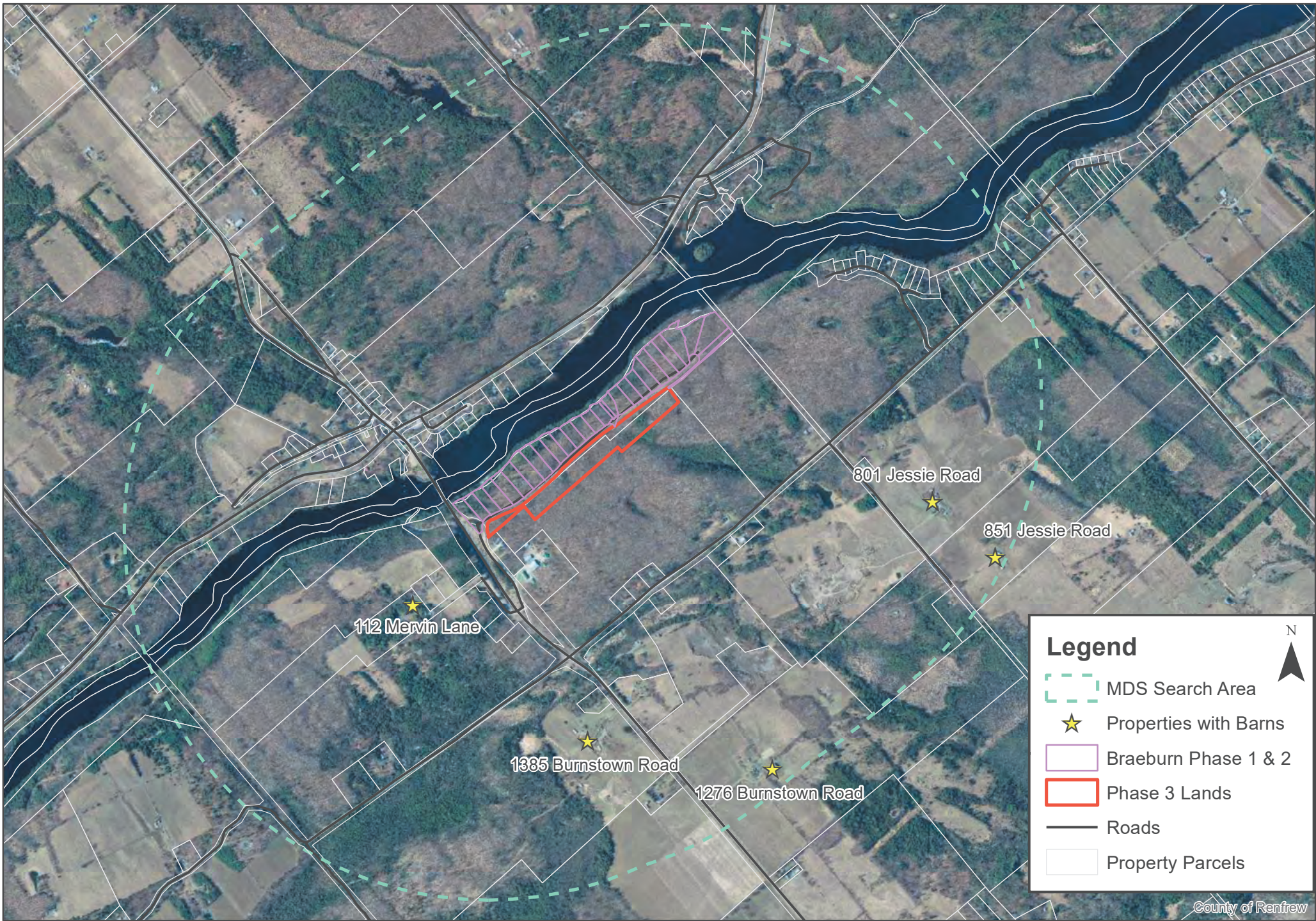
Prepared by:

Kathryn Curry, BES  
Junior Planner

Reviewed by:







Kevin Mooder, MCIP, RPP  
Manager – Environmental Services | Senior Planner

cc KDSA Development Corp., Client



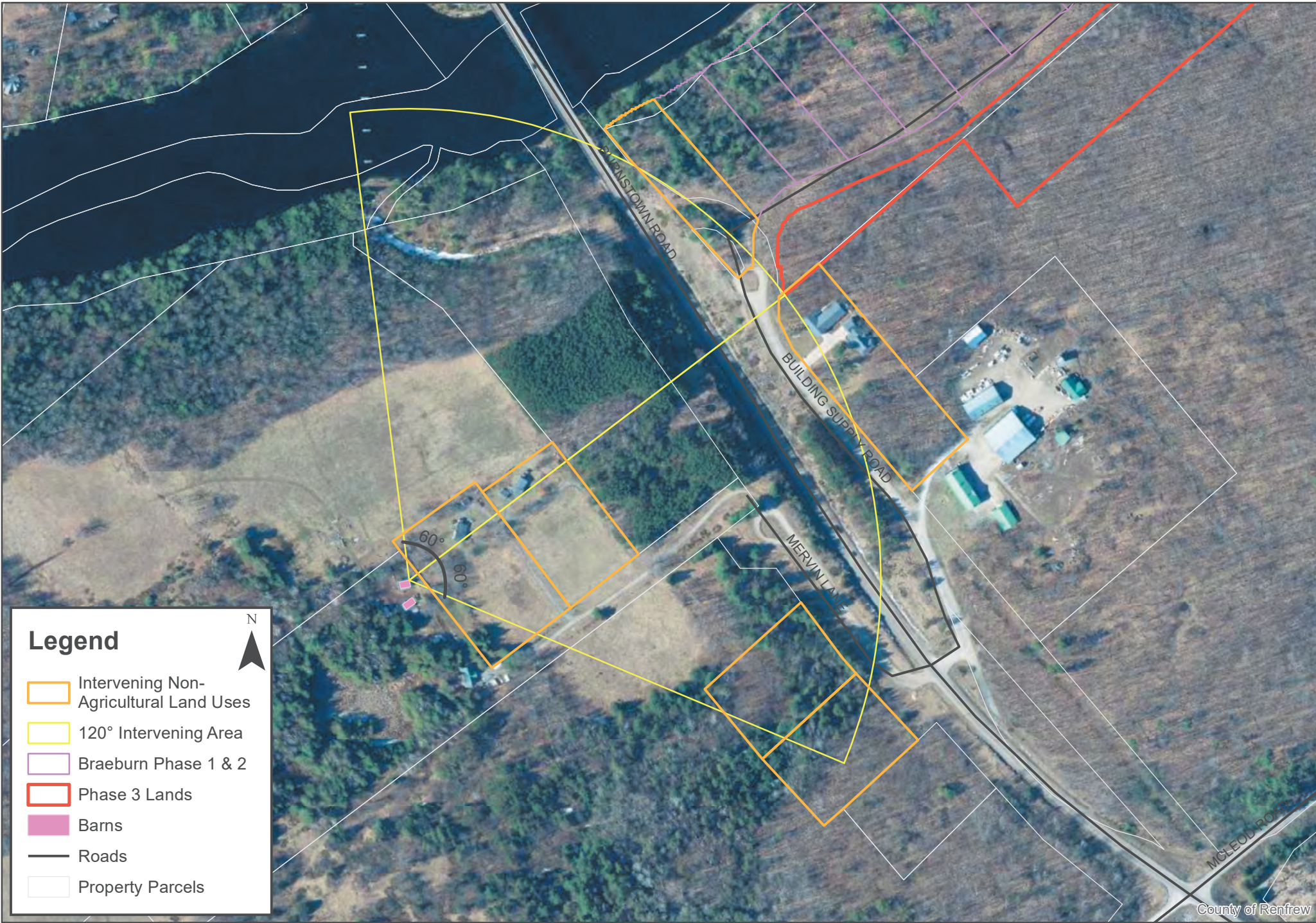
MDS 1500m Search Map

**Legend**








-  MDS Search Area
-  Properties with Barns
-  Braeburn Phase 1 & 2
-  Phase 3 Lands
-  Roads
-  Property Parcels

Project No. 17-7017F  
 Prepared by: KC | Reviewed by: KM  
 Date: February 2024

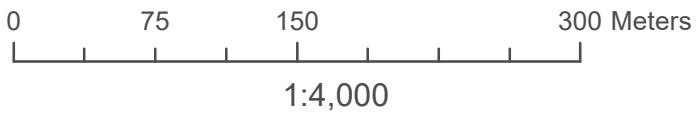




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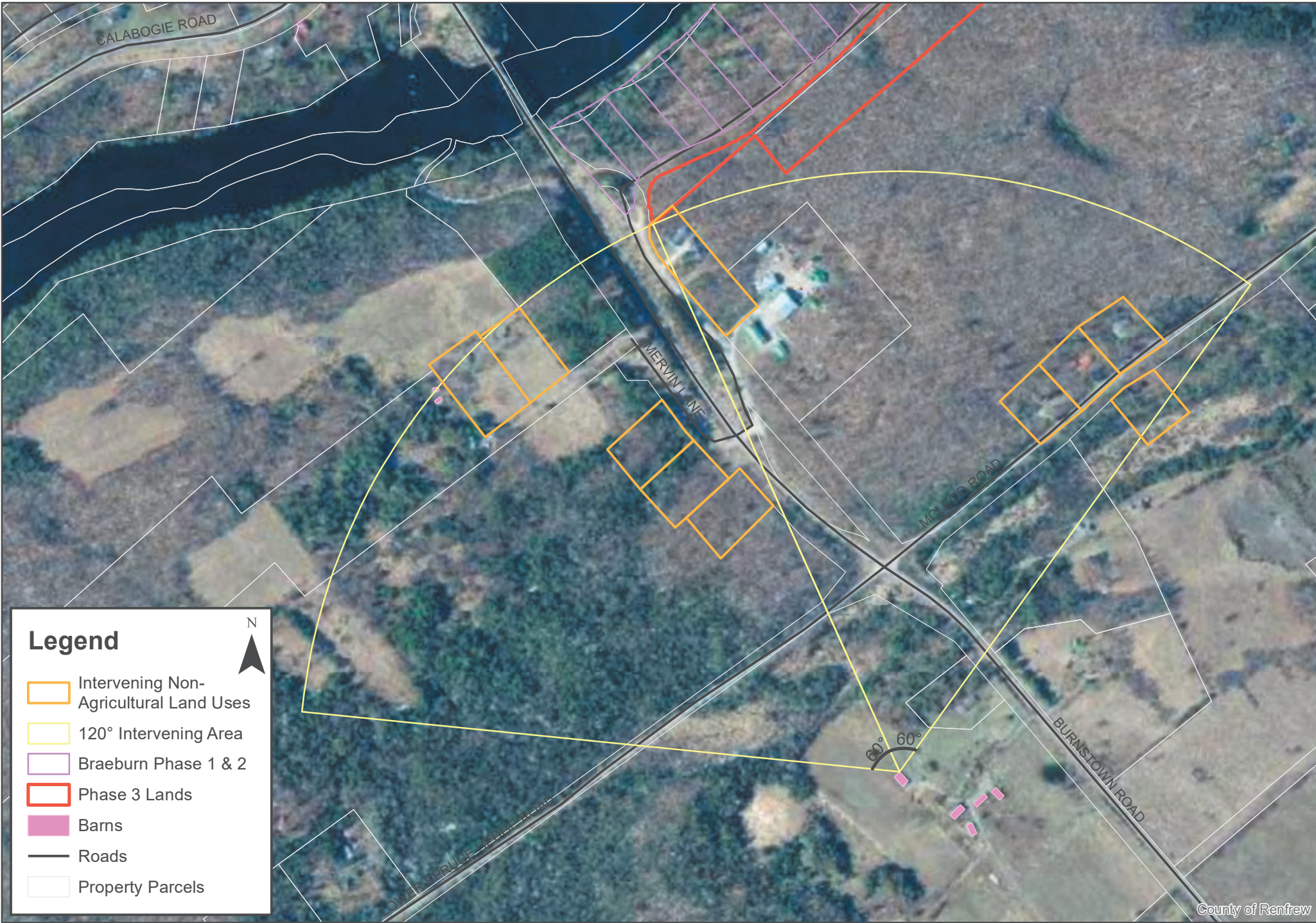
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-  120° Intervening Area
-  Braeburn Phase 1 & 2
-  Phase 3 Lands
-  Barns
-  Roads
-  Property Parcels

N  
▲










120° Intervening Area  
112 Mervin Lane

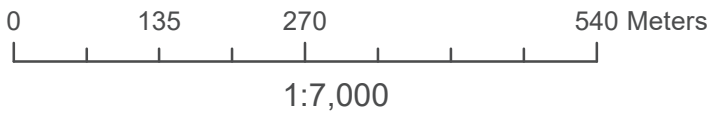
Project No. 17-7017F  
Prepared by: KC | Reviewed by: KM  
Date: February 2024



**Legend**

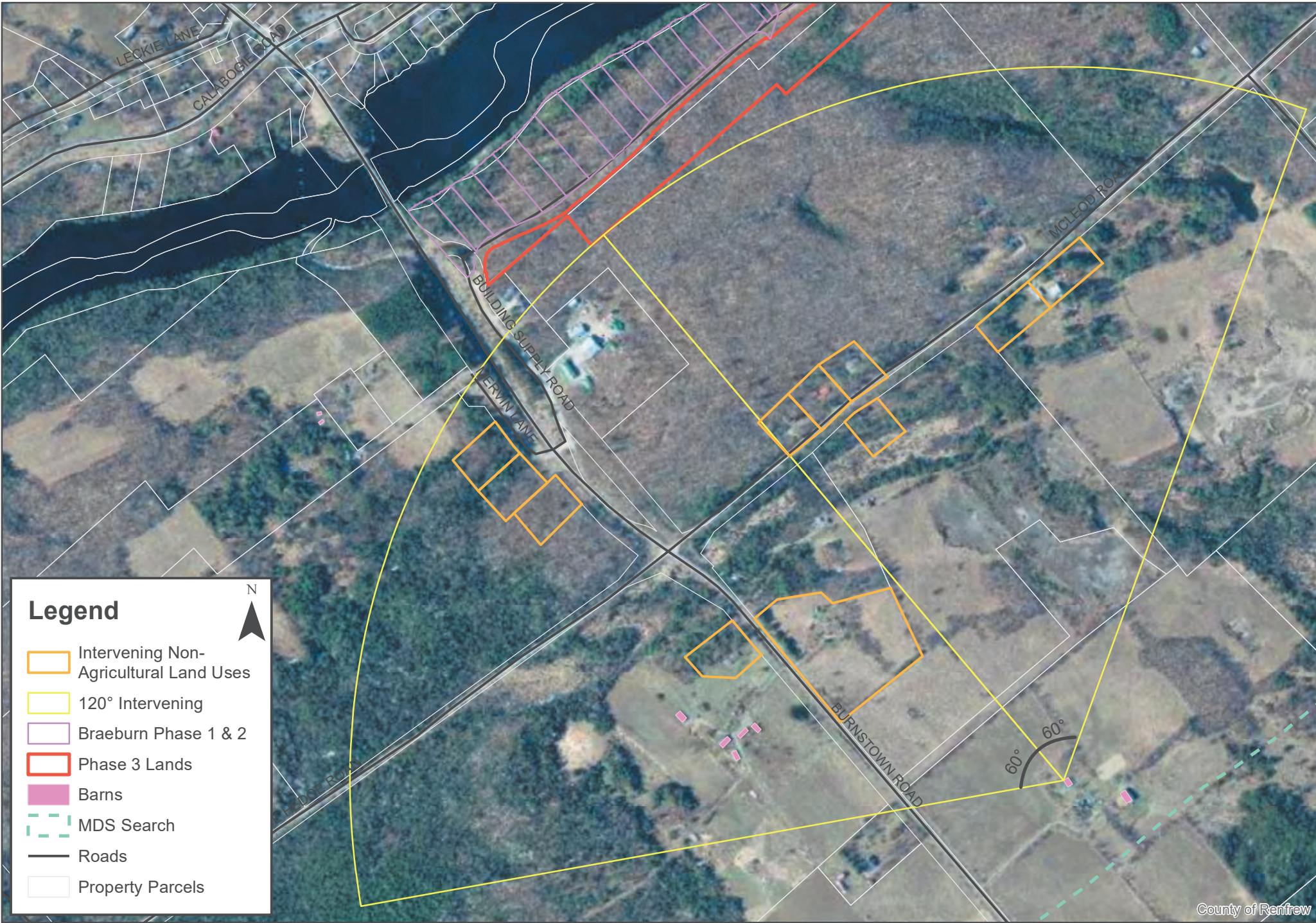
-  Intervening Non-Agricultural Land Uses
-  120° Intervening Area
-  Braeburn Phase 1 & 2
-  Phase 3 Lands
-  Barns
-  Roads
-  Property Parcels

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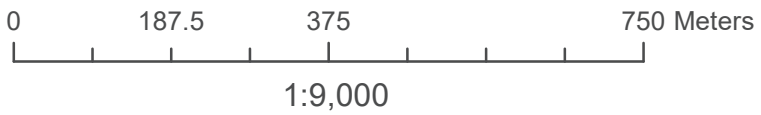


120° Intervening Area  
1385 Burnstown Road

Project No. 17-7017F  
Prepared by: KC | Reviewed by: KM  
Date: February 2024

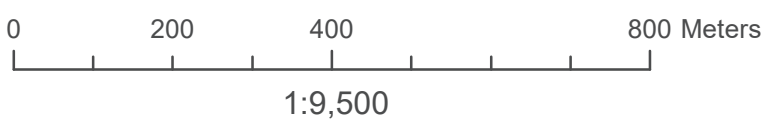
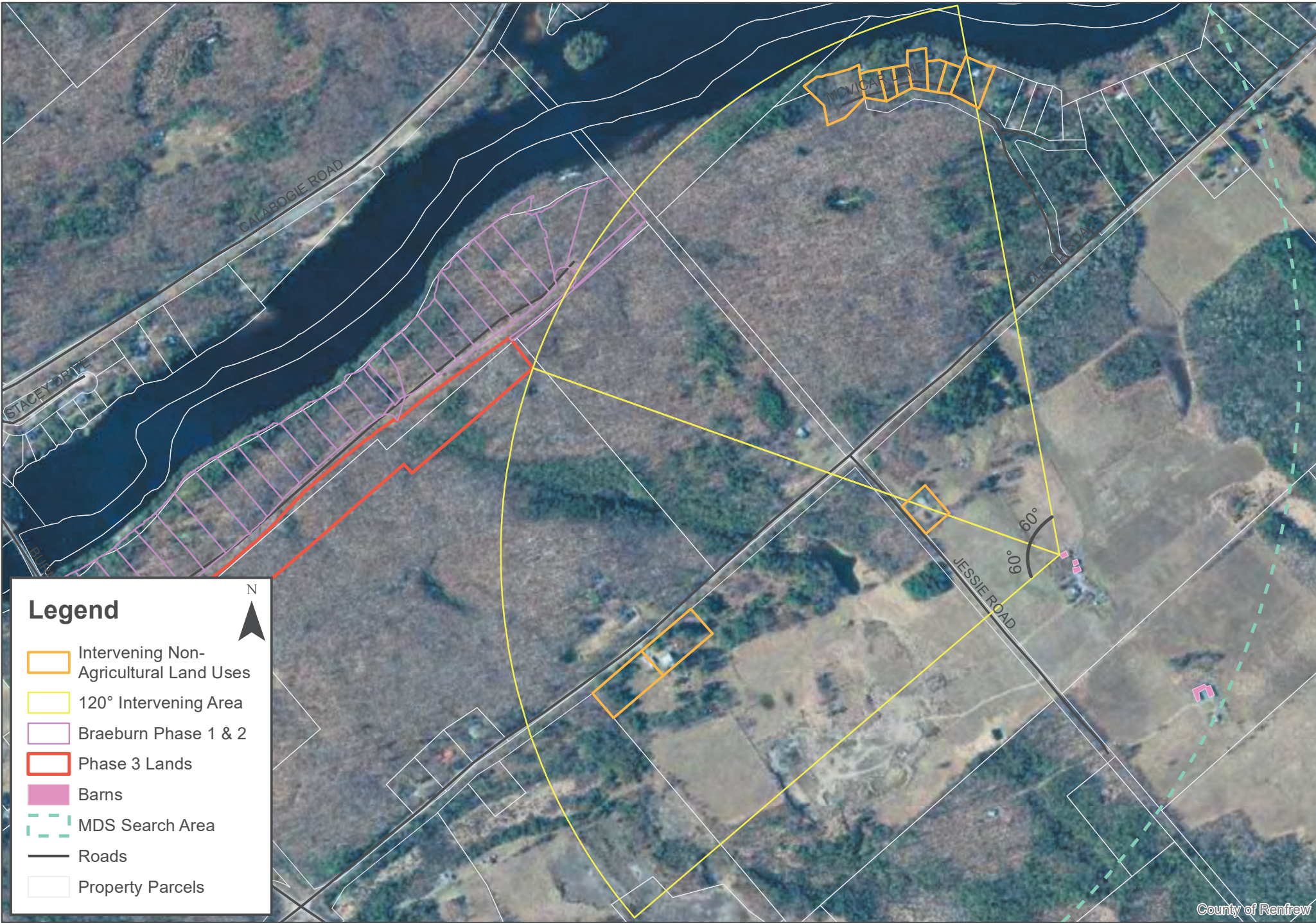


County of Renfrew



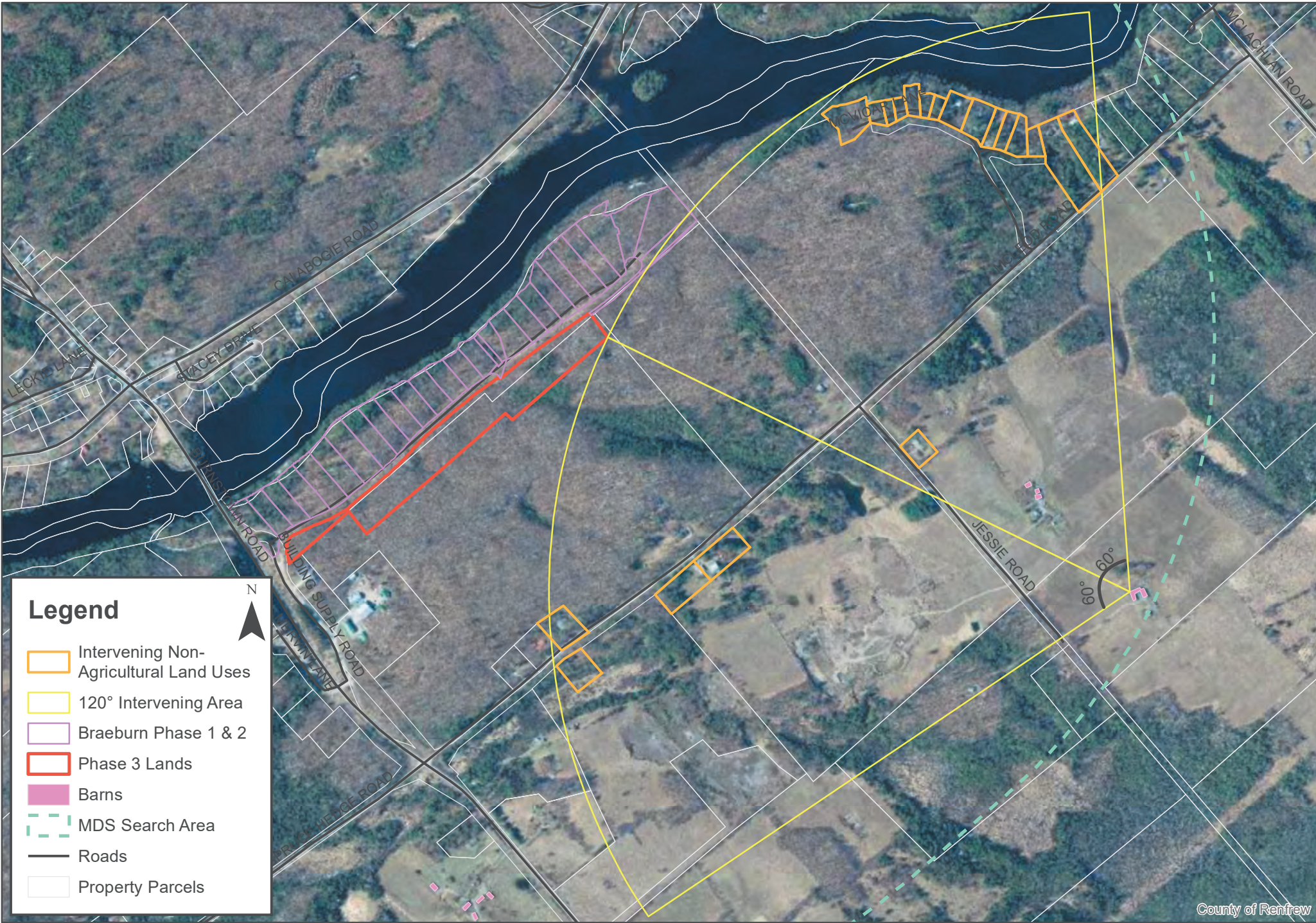
## 120° Intervening Area 1276 Burnstown Road

Project No. 17-7017F  
 Prepared by: KC | Reviewed by: KM  
 Date: February 2024











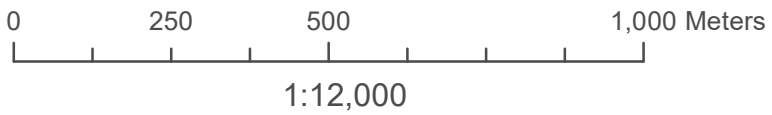
120° Intervening Area  
801 Jessie Road

Project No. 17-7017F  
Prepared by: KC | Reviewed by: KM  
Date: February 2024



**Legend**

-  Intervening Non-Agricultural Land Uses
-  120° Intervening Area
-  Braeburn Phase 1 & 2
-  Phase 3 Lands
-  Barns
-  MDS Search Area
-  Roads
-  Property Parcels



120° Intervening Area  
851 Jessie Road

Project No. 17-7017F  
Prepared by: KC | Reviewed by: KM  
Date: February 2024

County of Renfrew





## Appendix 5: Butternut Health Assessment Correspondence





**Legend**

- Roads
- Subject Lands
- Butternut Trees (Category 1)
- Property Parcel
- Mapped Unevaluated Wetland

County of Renfrew

Notes:  
1. Map Layers Obtained from LIO



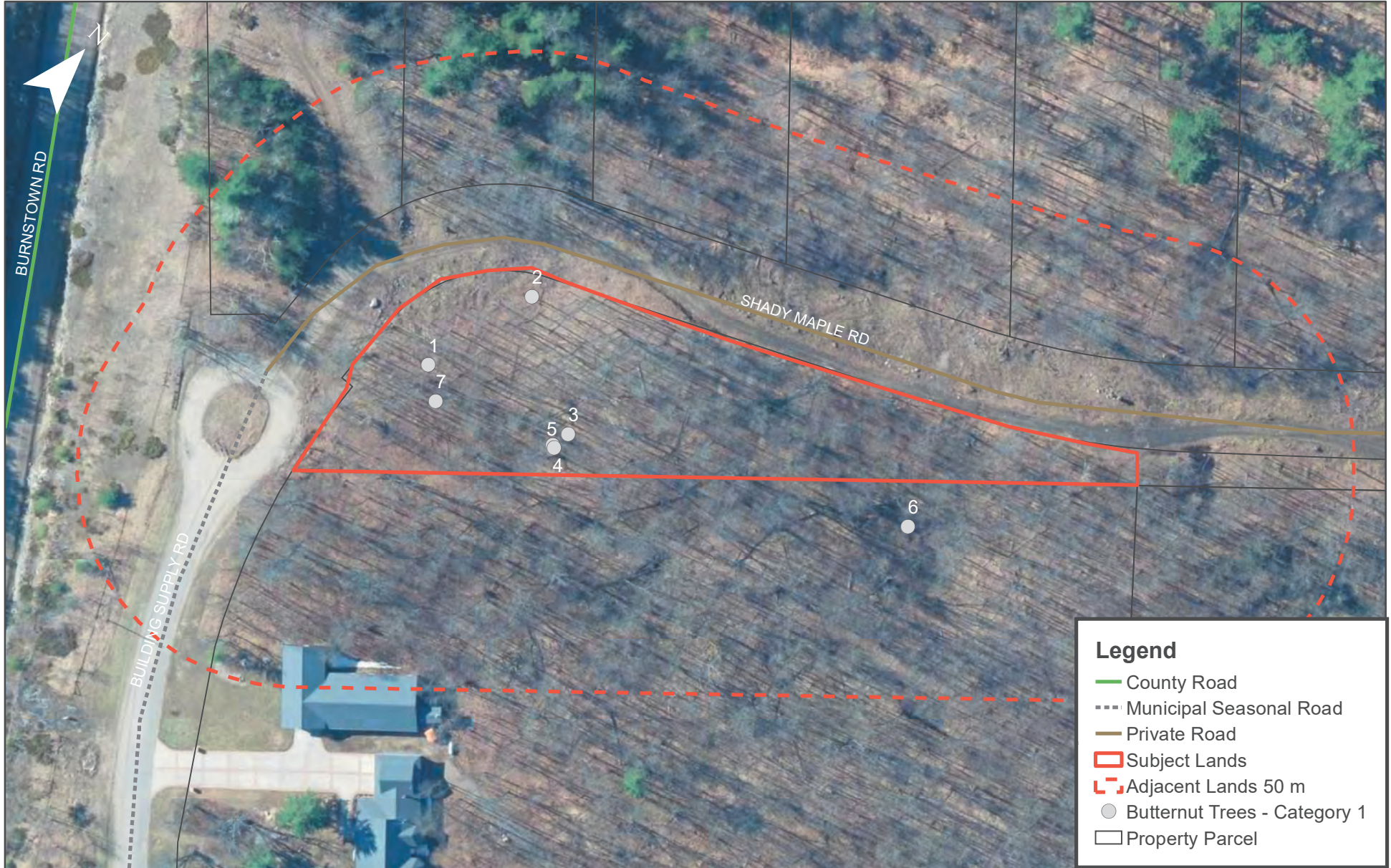
1:3,500

**Map 4  
Butternut Locations**



Date: October 2022

Project No. 22-7072A



Notes:  
1. Map Layers Obtained from LIO



1:1,250

## Map 1 Butternut Locations



Date: July 2023

Project No. 22-7072B



Susan Anglin <susananglin16@gmail.com>

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## BHA Report - Braeburn Subdivision (Phase 3)

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**Bryana Kenny** <bryanak@jp2g.com>  
To: Susan Anglin <susananglin16@gmail.com>

Tue, Nov 22, 2022 at 8:59 AM

Hi Susan,

Please see the message below from MECP. It is a standard response they send out and the O.Reg referenced doesn't apply in your case as all the trees are Category 1 trees. Following the 30 day review period by the Ministry, the

Category 1 butternuts can be removed.

Any questions, please let me know.  
Bryana

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**From:** Species at Risk (MECP) <SAROntario@ontario.ca>  
**Sent:** Tuesday, November 22, 2022 8:30 AM  
**To:** Bryana Kenny <bryanak@jp2g.com>  
**Subject:** RE: BHA Report - Braeburn Subdivision (Phase 3)

**\*\*EXTERNAL EMAIL\*\*** Please use caution.

Good Morning Bryana,

Thank you for submitting your Butternut Health Assessment (BHA) to the Species at Risk Branch (SARB).

Please use this email as receipt of your submission, dated November 21, 2022.

If you are proposing rely on Part 5 of the Ontario Regulation 830/21 for the tree identified in the BHA, then you are eligible to do so 30-days following the date that the BHA was submitted to the SARB.

Thank you,

SAR Ontario

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**From:** Bryana Kenny <[bryanak@jp2g.com](mailto:bryanak@jp2g.com)>  
**Sent:** November 21, 2022 2:38 PM  
**To:** Species at Risk (MECP) <[SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)>  
**Cc:** Susan Anglin <[susananglin16@gmail.com](mailto:susananglin16@gmail.com)>  
**Subject:** BHA Report - Braeburn Subdivision (Phase 3)

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

[Quoted text hidden]

**Instructions to Butternut Health Experts (BHEs):**

Please enter the 6-character BHE Report number: KEN2302

BHE Report numbering format:

BHE Report numbers are to be assigned by the BHE using the first 3 letters of BHE's last name, followed by BHE's own 3-digit report numbering system. If the BHE's last name has fewer than 3 letters, use the full last name and numbers for the remaining characters.

BHE Report Number: KEN2302

**Cover letter to client:**

**Insert your cover letter to your client here and include the below list of enclosures.**

---

**Enclosures:**

1. Information from the Ministry of the Environment, Conservation and Parks about Butternut and the *Endangered Species Act, 2007*
2. Butternut Health Expert's Report, including the completed Butternut Data Collection Form

BHE Report Number: KEN2302

Species at Risk Branch  
40 St. Clair Avenue West  
14th Floor  
Toronto ON M4V 1M2

Direction des espèces en péril  
40, avenue St. Clair Ouest  
14<sup>e</sup> étage  
Toronto ON M4V 1M2

**Information for the Property Owner (or person(s) who requested the enclosed Butternut Health Expert's Report):**

The enclosed Butternut Health Expert's Report (BHE Report) documents the results of the Butternut health assessment that was conducted by the Butternut Health Expert (BHE) identified in the top section of the report. If there are other Butternut trees (of any size or age) at the site that may be impacted by a proposed activity that are not identified in the enclosed BHE Report, they too must be assessed by a BHE before commencing any actions that may impact those Butternut trees or their habitat.

Butternut (*Juglans cinerea*) is listed as an endangered species in Schedule 2 of Ontario Regulation (O. Reg.) 230/08 "the Species at Risk in Ontario List". As an endangered species, the *Endangered Species Act, 2007* (ESA) prohibits adversely impacting Butternut and its habitat. A permit or agreement under the ESA is required before engaging in an activity that is otherwise prohibited under the ESA. The activity may be eligible for the Butternut conditional exemption in Part V of O. Reg. 830/21, provided the requirements of the regulation are met.

If the proposed activity is eligible for the conditional exemption in Part V of O. Reg. 830/21, the next step is to submit the BHE Report and the Butternut Data Collection Form enclosed in this package to the Ministry of the Environment, Conservation and Parks (MECP).

If the enclosed BHE Report does not identify which Butternut tree(s) are proposed to be killed, harmed or taken and the reasons for doing so (e.g., if "unknown" is indicated in Table 1) or if the information in the last two columns of Table 1 has changed since the date this BHE Report was produced, **do not edit the BHE Report to update this information.** Instead, the report must be submitted together with a cover letter that identifies which Butternut tree(s) are proposed to be killed, harmed or taken (by referencing the tree identification numbers) when you submit the BHE Report to MECP.

The BHE Report must be submitted to MECP at least 30 days before registering an activity in respect of the Butternut conditional exemption. MECP may need to examine the Butternut trees subject to the report during this 30-day period. **Adversely impacting Butternut trees during this 30-day period or before registration is completed is prohibited by the ESA.** Further, the conditional exemption for Butternut does not apply unless the requirements of Part V of O. Reg. 830/21 are being followed.

If the proposed activity is eligible for the Butternut conditional exemption, you may register the proposed activity using the “**Notice of Butternut Impact**” form after the 30-day period has elapsed.

If the proposed activity is not eligible for a regulatory exemption, please contact MECP to determine whether the proposed activity would require a permit or agreement under the ESA in order to proceed.

Please retain this information and a copy of the BHE Report for your records, along with any other documentation you may receive from MECP should an examination of the trees occur.

This information should not be relied upon to determine legal obligations. To determine your legal obligations, consult the *Endangered Species Act, 2007* and the relevant regulations made thereunder. These may be found at [www.ontario.ca/laws](http://www.ontario.ca/laws). If legal advice is required, consult a legal professional. In the event of an error on this template or a conflict between this template and any applicable law, the law prevails.

If you have any questions, please contact MECP at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca).

**Butternut Health Expert's Report (BHE Report)**BHE Report Number: KEN2302**Butternut Health Expert Contact Information****Name of Butternut Health Expert**

Last Name Kenny	First Name Bryana
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**Mailing Address**

Unit Number	Street Number 12	Street Name International Drive	PO Box
City/Town Pembroke	Province Ontario	Postal Code K8A 6W5	
Telephone Number 613-735-2507	Email Address bryanak@jp2g.com		

**Summary of qualifications as a Butternut Health Expert**

a) expertise in relation to butternut

9 years experience as a biologist including completing surveys for butternut trees

b) expertise, education, training and experience necessary to assess the health of butternut trees

I have reviewed the Butternut Health Assessment Guidelines along with other resources in order to assess the health of butternut trees.

**Property Owner Contact Information****Name of Property Owner (or representative)**

Last Name Anglin	First Name Susan
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**Mailing Address**

Unit Number	Street Number 228	Street Name Bradford Street	PO Box
Lot Number	Concession	Township	Rural Route
City/Town Ottawa	Province Ontario	Postal Code K2B 5Z6	
Telephone Number 613-795-2227	Email Address susananglin16@gmail.com		

**Site Location**

Unit Number	Street Number	Street Name Shady Maple Road	PO Box
Lot Number 16	Concession 2	Township McNab	Rural Route
City/Town Burnstown	Province Ontario	Postal Code	

**Additional Site Location Information**

Located on southeast side near the intersection of Shady Maple Road and Building Supply Road.

**Date(s) of Butternut health assessment**

Start Date (yyyy/mm/dd) 2023/06/29

End Date (yyyy/mm/dd) 2023/06/29

Date BHE Report prepared (yyyy/mm/dd) 2023/07/10

Map datum used:  NAD83  WGS84

Total number of trees assessed in this BHE Report 7

The assessed trees were numbered on site using **White flagging tape**. Tree 6 on adjacent property was not flagged.

The numbers at the site correspond to the tree identification numbers referenced in this report.

This BHE Report includes the following tables:

- Table 1: Butternut trees assessed by the BHE
- Table 2: Trees determined by the BHE to be Butternut hybrids
- Table 3: Summary of Butternut health assessment results

**Table 1: Butternut trees assessed by the BHE**

Tree ID #	UTM coordinates	Accuracy (+/-)	Category <sup>1</sup> (1, 2 or 3)	Tree stem diameter <sup>2</sup> (cm)	Is tree stem shorter than 1.37 m? (Yes/No)	Cultivated? (Yes/No)	Proposed to be: (killed, harmed, taken, or unknown <sup>3</sup> )	If tree is proposed to be killed, harmed or taken, indicate reason tree is to be killed, harmed or taken, if known
1	18T 376781E 5026847N	5 m	1	27	No	No	killed	
2	18 T 376788E 5026874N	5 m	1	32	No	No	killed	
3	18 T 376816E 5026856N	5 m	1	24	No	No	killed	
4	18 T 376815E 5026852N	5 m	1	37	No	No	killed	
5	18 T 376816E 5026852N	5 m	1	39	No	No	killed	
6	18 T 376888E 5026893N	5 m	1	87	No	No	harmed	
7	18 T 376788E 5026842N	5 m	1	46	No	No	killed	
		m						

Tree ID #	UTM coordinates	Accuracy (+/-)	Category <sup>1</sup> (1, 2 or 3)	Tree stem diameter <sup>2</sup> (cm)	Is tree stem shorter than 1.37 m? (Yes/No)	Cultivated? (Yes/No)	Proposed to be: (killed, harmed, taken, or unknown <sup>3</sup> )	If tree is proposed to be killed, harmed or taken, indicate reason tree is to be killed, harmed or taken, if known
		m						
		m						

<sup>1</sup> Details regarding the extent to which the tree is affected by Butternut Canker is presented in the Butternut Data Collection Form that accompanies this BHE Report.

<sup>2</sup> Diameter of the tree stem rounded to nearest cm, measured in accordance with the Butternut Assessment Guidelines: Assessment of Butternut Tree Health for the Purposes of the *Endangered Species Act, 2007*

<sup>3</sup> In this column, "unknown" indicates that at the time of assessment and reporting, there are no proposals to kill, harm or take this tree that are known to the BHE.

**Table 2: Trees determined by the BHE to be Butternut hybrids**

Tree ID #	UTM coordinates	Method used (genetic testing or field identification)	Additional Comments on Method Used

**Table 3: Summary of Butternut health assessment results**

Result	Total number of trees in this category	Information for persons planning activities that may impact Butternut
Category 1	7	<ul style="list-style-type: none"> <li>Category 1 Butternut tree — the Butternut tree is affected by Butternut Canker to such an advanced degree that retaining the tree would not support the protection or recovery of Butternut trees in the area in which the tree is located.</li> <li>If the proposed activity will kill, harm or take one or more Butternut trees of any category (including Category 1), the BHE Report must be submitted to MECP at <a href="mailto:SARontario@ontario.ca">SARontario@ontario.ca</a>.</li> </ul>

Result	Total number of trees in this category	Information for persons planning activities that may impact Butternut
Category 2	0	<ul style="list-style-type: none"> <li data-bbox="841 237 1528 449">• Category 2 Butternut tree — the Butternut tree is not affected by Butternut Canker or the Butternut tree is affected by Butternut Canker but the degree to which it is affected is not as advanced as a Category 1 Butternut tree and retaining the tree could support the protection or recovery of Butternut trees in the area in which the tree is located.</li> <li data-bbox="841 485 1528 638">• Activities that may kill, harm or take up to a <b>maximum of fifteen (15)</b> Category 2 trees may be eligible for the conditional exemption in Part V of Ontario Regulation 830/21. Refer to the regulation for eligibility conditions and requirements that must be fulfilled.</li> <li data-bbox="841 674 1528 764">• If the proposed activity will kill, harm or take more than fifteen (15) Category 2 trees, <b>contact MECP</b> for information on how to seek an ESA authorization (e.g., a permit).</li> </ul>
Category 3	0	<ul style="list-style-type: none"> <li data-bbox="841 804 1490 894">• Category 3 Butternut tree — the Butternut tree may be useful in determining sources of resistance to Butternut Canker.</li> <li data-bbox="841 930 1528 1083">• Activities that may kill, harm or take up to a <b>maximum of five (5)</b> Category 3 trees may be eligible for the conditional exemption in Part V of Ontario Regulation 830/21. Refer to the regulation for eligibility conditions and requirements that must be fulfilled.</li> <li data-bbox="841 1119 1528 1209">• If the proposed activity will kill, harm or take more than five (5) Category 3 trees, <b>contact MECP</b> for information on how to seek an ESA authorization (e.g., a permit).</li> </ul>
Cultivated	0	<ul style="list-style-type: none"> <li data-bbox="841 1239 1549 1425">• An activity that will kill, harm or take a cultivated Butternut tree that was required to be planted to fulfil a condition of an ESA permit or agreement, or a conditional exemption, is <b>not eligible</b> for the exemption for cultivated trees that is provided by subsection 25 (5) of O. Reg. 830/21. Refer to the regulation for eligibility conditions.</li> </ul>
Hybrid	0	<ul style="list-style-type: none"> <li data-bbox="841 1463 1528 1545">• Hybrid Butternut trees are not protected under the ESA but impacts to these trees may be subject to local municipal by-laws and other legislation.</li> </ul>

Additional Information on Cultivated Tree Determination

**Please note:**

- A BHE Report that is submitted to MECP must include the completed Butternut Data Collection Form. As appropriate, please also ensure additional relevant documentation to support the assessment (e.g., completed Data Sheets for Field Identification of Butternut Hybrids, evidence that the Butternut was cultivated) and all relevant maps and photographs are provided.
- During the 30-day period that follows the submission of this BHE Report to MECP, no Butternut trees (of any category) may be killed, harmed or taken. MECP may need to examine the Butternut trees subject to the report during this 30-day period.

**Butternut Health Expert's Comments**

*Note to BHEs: use this space to provide general comments.*

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Butternut (*Juglans cinerea*) is listed as an endangered species in Schedule 2 of Ontario Regulation 230/08 “the Species at Risk in Ontario List”. As an endangered species, the *Endangered Species Act, 2007* (ESA) prohibits adversely impacting Butternut and its habitat. A permit or agreement under the ESA is required before engaging in an activity that is otherwise prohibited under the ESA. The activity may be eligible for the Butternut conditional exemption in Part V of Ontario Regulation 830/21, provided the requirements of the regulation are met. For more information please refer to the following links:

[Endangered Species Act, 2007](#)

[Ontario Regulation 830/21 \(Exemptions – Barn Swallow, Bobolink, Eastern Meadowlark and Butternut\)](#)

[Ontario Regulation 230/08 \(Species at Risk in Ontario List\)](#)

[Ontario Regulation 242/08 \(General Regulation\)](#)

[Information about ESA permits and authorizations](#)

[Butternut Assessment Guidelines: Assessment of Butternut Tree Health for the Purposes of the Endangered Species Act, 2007](#)

A Butternut Health Expert’s Report (BHE Report) completed by a “Butternut Health Expert” (BHE) as defined in section 21 of Ontario Regulation 830/21 is typically required as part of an application to the Ministry of the Environment, Conservation and Parks (MECP) for a permit or agreement under the ESA and is required in respect of the conditions of the Butternut conditional exemption in Part V of O. Reg. 830/21. **This Butternut Data Collection Form must be completed by the BHE and included in their BHE Report.**

This form should not be relied upon to determine your legal obligations. To determine your legal obligations, consult the *Endangered Species Act, 2007* and the relevant regulations made thereunder. These may be found at [www.ontario.ca/laws](http://www.ontario.ca/laws). If legal advice is required, consult a legal professional. In the event of an error on this form or a conflict between this form and any applicable law, the law prevails.

**Notice of Collection and Use**

Personal information on this form is collected under the authority of Section 53 of the ESA and section 38 of the *Freedom of Information and Protection of Privacy Act*. Forms that have been submitted to MECP may be used by MECP staff to contact the property owner (or person acting on their behalf) to request permission to access the assessed trees for the purpose of examining the trees or to contact the BHE who prepared the BHE Report. Questions about the use of your personal information should be directed to the Administrative Assistant in the Species at Risk Branch, Ministry of the Environment, Conservation and Parks, 300 Water Street, Peterborough Ontario, K9J 3C7 at [SARregistry@ontario.ca](mailto:SARregistry@ontario.ca) or 705-313-0942.

Fields marked with an asterisk (\*) are mandatory.

Butternut Health Expert’s Report Number* KEN2302	Start Date of Butternut Health Assessment (yyyy/mm/dd)* 2023/06/29	End Date of Butternut Health Assessment (yyyy/mm/dd)* 2023/06/29
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**Butternut Health Expert (BHE) Contact Information**

Last Name* Kenny	First Name* Bryana
Telephone Number* 613-735-2507	Alternate Telephone Number
	Email Address* bryanak@jp2g.com

**Summary of Qualifications as a Butternut Health Expert\***

9 years working as a biologist for Jp2g Consultants Inc. and completing surveys for butternut trees.

**Property Owner Contact Information**

Last Name Anglin	First Name Susan
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Company Name KDSA Development Corp
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**Mailing Address\***

Unit Number	Street Number 228	Street Name Bradford Street	PO Box
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Lot Number	Concession	Township	Rural Route
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City/Town Ottawa	Province Ontario	Postal Code K2B 5Z6
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Telephone Number 613-795-2227	Alternate Telephone Number	Email Address susananglin16@gmail.com
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**Butternut Tree(s) Location Information**

<b>Address*</b>	<input type="checkbox"/> Select if location of Butternut is the same as the property owner's mailing address		
Unit Number	Street Number	Street Name Shady Maple Road	PO Box

Lot Number 17	Concession 2	Township McNab	Rural Route
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City/Town Burnstown	Province Ontario	Postal Code
------------------------	---------------------	-------------

General description of area containing Butternut (select one)

 Natural     Rural     Urban - Suburban     Industry / Resource Extraction Area

Soil drainage (select one)

 Well Drained     Moderately Drained     Poorly Drained     Unknown

Have any of the Butternut at this site produced seeds?

 Yes     No     Unknown

General Comments

**Butternut Tree Data 1**Tree Identification Number\* 1 Date of Assessment (yyyy/mm/dd)\* 2023/06/29UTM Zone\* 18TNorthing\* 502684Easting\* 37678Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 60Tree Stem Diameter (cm)\* 27Number of sooty cankers\* At or below 2m (the lower stem) 7 Above 2m 1 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 1 Above 2m 1 At the root (root flares) 3Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 1106

UTM 18T 376781E 5026847N

**Butternut Tree Data 2**Tree Identification Number\* 2 Date of Assessment (yyyy/mm/dd)\* 2023/06/29  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502687 Easting\* 376788Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 5 Tree Stem Diameter (cm)\* 32Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None foundCrown Class  Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crownSigns of Stress  Twig dieback  Branch dieback  Defoliation  DiscolourationSeed Signs  Mature stamens or pollen  Receptive pistils  Seed set  None  UnknownBelow Crown Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_  
Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridgesTree Origin  Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  RiparianVegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 1107

UTM 18 T 376788E 5026874N

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 3**

Tree Identification Number\* 3 Date of Assessment (yyyy/mm/dd)\* 2023/06/29  Select if Date is same as tree above  
 UTM Zone\* 18T Northing\* 502685 Easting\* 376816

Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative Hybrid

Is the stem of this tree shorter than 1.37 m? \*  Yes  No

Is this a single or multi-stemmed tree? \*  Single Stem  Multiple Stems

Live Crown %\* 0 Tree Stem Diameter (cm)\* 24  
 Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0  
 Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0  
 Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class  Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress  Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs  Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_  
 Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_  
 Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin  Naturally-occurring  Planted (cultivated)  Unknown

Is this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

Deciduous  Coniferous  Mixed

Climax  Regenerating

Does this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

Road  Trail  Utility corridor

Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 1108

UTM 18 T 376816E 5026856N

No cankers were recorded as live crown <50% - top of tree snapped off

**Butternut Tree Data 4**Tree Identification Number\* 4 Date of Assessment (yyyy/mm/dd)\* 2023/06/29  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502685 Easting\* 376815Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 0 Tree Stem Diameter (cm)\* 37Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None foundCrown Class  Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crownSigns of Stress  Twig dieback  Branch dieback  Defoliation  DiscolourationSeed Signs  Mature stamens or pollen  Receptive pistils  Seed set  None  UnknownBelow Crown Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_  
Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_  
Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridgesTree Origin  Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  RiparianVegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 1109

UTM 18 T 376815E 5026852N

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 5**Tree Identification Number\* 5 Date of Assessment (yyyy/mm/dd)\* 2023/06/29  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502685 Easting\* 376816Is this tree a Butternut tree or a putative hybrid?\*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m?\*  Yes  NoIs this a single or multi-stemmed tree?\*  Single Stem  Multiple StemsLive Crown %\* 0 Tree Stem Diameter (cm)\* 39Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None foundCrown Class  Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crownSigns of Stress  Twig dieback  Branch dieback  Defoliation  DiscolourationSeed Signs  Mature stamens or pollen  Receptive pistils  Seed set  None  UnknownBelow Crown Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_  
Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_  
Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridgesTree Origin  Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  RiparianVegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 1110

UTM 18 T 376816E 5026852N

No cankers were recorded as live crown &lt;50% - dead tree on ground

**Butternut Tree Data 6**

Tree Identification Number\* 6 Date of Assessment (yyyy/mm/dd)\* 2023/06/29  Select if Date is same as tree above

UTM Zone\* 18T Northing\* 502689 Easting\* 376888

Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative Hybrid

Is the stem of this tree shorter than 1.37 m? \*  Yes  No

Is this a single or multi-stemmed tree? \*  Single Stem  Multiple Stems

Live Crown %\* 0 Tree Stem Diameter (cm)\* 87

Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0

Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0

Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class  Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress  Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs  Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_  
Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_  
Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin  Naturally-occurring  Planted (cultivated)  Unknown

Is this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

Deciduous  Coniferous  Mixed

Climax  Regenerating

Does this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

Road  Trail  Utility corridor

Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 1111

UTM 18 T 376888E 502689N

No cankers were recorded as live crown <50% - top of tree snapped off

**Butternut Tree Data 7**

Tree Identification Number\* 7 Date of Assessment (yyyy/mm/dd)\* 2023/06/29  Select if Date is same as tree above  
 UTM Zone\* 18T Northing\* 502684 Easting\* 376788

Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative Hybrid

Is the stem of this tree shorter than 1.37 m? \*  Yes  No

Is this a single or multi-stemmed tree? \*  Single Stem  Multiple Stems

Live Crown %\* 0 Tree Stem Diameter (cm)\* 46  
 Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0  
 Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0  
 Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class  Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress  Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs  Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_  
 Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_  
 Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin  Naturally-occurring  Planted (cultivated)  Unknown

Is this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

Deciduous  Coniferous  Mixed

Climax  Regenerating

Does this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

Road  Trail  Utility corridor

Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 1112

UTM 18 T 376788E 5026842N

No cankers were recorded as live crown <50% - dead tree on ground

BHE Report Number KEN2302		Start Date of Butternut Health Assessment (yyyy/mm/dd) 2023/06/29		End Date of Butternut Health Assessment (yyyy/mm/dd) 2023/06/29																	
Total Number Butternut Trees in BHE Report 7		Butternut Health Expert's Name Kenny, Bryana		Property Address 17 2 Shady Maple Road Burnstown Ontario																	
Property Owner/Client Name Anglin, Susan		Property Address 17 2 Shady Maple Road Burnstown Ontario																			
Tree #	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
				Sooty (S) (will be assigned 2.5 cm per canker) Open (O) (will be assigned 5 cm per canker)	S > 2m	S <= 2m	O <= 2m	O > 2m	S	O	Y	30.0	15.0	35.39	17.69	26.54	1	1	1	1	1
1	60	27	7	1	1	1	0	0	3	0	84.78	30.0	15.0	35.39	17.69	26.54	1	1	1	1	1
2	5	32	0	0	0	0	0	0	0	Y	100.48	0.0	0.0	0	0	0	1	1	1	1	1
3	0	24	0	0	0	0	0	0	0	Y	75.36	0.0	0.0	0	0	0	1	1	1	1	1
4	0	37	0	0	0	0	0	0	0	Y	116.18	0.0	0.0	0	0	0	1	1	1	1	1
5	0	39	0	0	0	0	0	0	0	Y	122.46	0.0	0.0	0	0	0	1	1	1	1	1
6	0	87	0	0	0	0	0	0	0	Y	273.18	0.0	0.0	0	0	0	1	1	1	1	1
7	0	46	0	0	0	0	0	0	0	Y	144.44	0.0	0.0	0	0	0	1	1	1	1	1

Butternut (*Juglans cinerea*) is listed as an endangered species in Schedule 2 of Ontario Regulation 230/08 “the Species at Risk in Ontario List”. As an endangered species, the *Endangered Species Act, 2007* (ESA) prohibits adversely impacting Butternut and its habitat. A permit or agreement under the ESA is required before engaging in an activity that is otherwise prohibited under the ESA. The activity may be eligible for the Butternut conditional exemption in Part V of Ontario Regulation 830/21, provided the requirements of the regulation are met. For more information please refer to the following links:

[Endangered Species Act, 2007](#)

[Ontario Regulation 830/21 \(Exemptions – Barn Swallow, Bobolink, Eastern Meadowlark and Butternut\)](#)

[Ontario Regulation 230/08 \(Species at Risk in Ontario List\)](#)

[Ontario Regulation 242/08 \(General Regulation\)](#)

[Information about ESA permits and authorizations](#)

[Butternut Assessment Guidelines: Assessment of Butternut Tree Health for the Purposes of the Endangered Species Act, 2007](#)

A Butternut Health Expert’s Report (BHE Report) completed by a “Butternut Health Expert” (BHE) as defined in section 21 of Ontario Regulation 830/21 is typically required as part of an application to the Ministry of the Environment, Conservation and Parks (MECP) for a permit or agreement under the ESA and is required in respect of the conditions of the Butternut conditional exemption in Part V of O. Reg. 830/21. **This Butternut Data Collection Form must be completed by the BHE and included in their BHE Report.**

This form should not be relied upon to determine your legal obligations. To determine your legal obligations, consult the *Endangered Species Act, 2007* and the relevant regulations made thereunder. These may be found at [www.ontario.ca/laws](http://www.ontario.ca/laws). If legal advice is required, consult a legal professional. In the event of an error on this form or a conflict between this form and any applicable law, the law prevails.

### Notice of Collection and Use

Personal information on this form is collected under the authority of Section 53 of the ESA and section 38 of the *Freedom of Information and Protection of Privacy Act*. Forms that have been submitted to MECP may be used by MECP staff to contact the property owner (or person acting on their behalf) to request permission to access the assessed trees for the purpose of examining the trees or to contact the BHE who prepared the BHE Report. Questions about the use of your personal information should be directed to the Administrative Assistant in the Species at Risk Branch, Ministry of the Environment, Conservation and Parks, 300 Water Street, Peterborough Ontario, K9J 3C7 at [SARregistry@ontario.ca](mailto:SARregistry@ontario.ca) or 705-313-0942.

Fields marked with an asterisk (\*) are mandatory.

Butternut Health Expert’s Report Number* KEN2201	Start Date of Butternut Health Assessment (yyyy/mm/dd)* 2022/06/22	End Date of Butternut Health Assessment (yyyy/mm/dd)* 2022/06/22
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### Butternut Health Expert (BHE) Contact Information

Last Name* Kenny	First Name* Bryana
Telephone Number* 613-735-2507	Alternate Telephone Number
	Email Address* bryanak@jp2g.com

### Summary of Qualifications as a Butternut Health Expert\*

8 years working as a biologist for Jp2g Consultants Inc. and completing surveys for butternut trees.

**Property Owner Contact Information**

Last Name\* Anglin First Name\* Susan

Company Name  
KDSA Development Corp

**Mailing Address\***

Unit Number Street Number Street Name PO Box  
228 Bradford Street

Lot Number Concession Township Rural Route

City/Town Province Postal Code  
Ottawa Ontario K2B 5Z6

Telephone Number\* Alternate Telephone Number Email Address  
613-795-2227 susananglin16@gmail.com

**Butternut Tree(s) Location Information**

Address\*  Select if location of Butternut is the same as the property owner's mailing address

Unit Number Street Number Street Name PO Box  
Shady Maple Road

Lot Number Concession Township Rural Route  
16 2 McNab

City/Town Province Postal Code  
Burnstown Ontario

General description of area containing Butternut (select one)

Natural  Rural  Urban - Suburban  Industry / Resource Extraction Area

Soil drainage (select one)

Well Drained  Moderately Drained  Poorly Drained  Unknown

Have any of the Butternut at this site produced seeds?

Yes  No  Unknown

General Comments

**Butternut Tree Data 1**Tree Identification Number\* 1 Date of Assessment (yyyy/mm/dd)\* 2022/06/22UTM Zone\* 18TNorthing\* 502710Easting\* 377107Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 10Tree Stem Diameter (cm)\* 35Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun Co-dominant, two sides in the sun Intermediate, sun only from above Suppressed, shaded crown

Signs of Stress

 Twig dieback Branch dieback Defoliation Discolouration

Seed Signs

 Mature stamens or pollen Receptive pistils Seed set None Unknown

Below Crown

Number of stems \_\_\_\_\_

Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_

Number of epic-dead \_\_\_\_\_

Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring Planted (cultivated) Unknown

Is this tree located in an area that is upland, wetland, or riparian?

 Upland Wetland Riparian

Vegetation Community

 Open Shrub thicket Savannah - Woodland Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous Coniferous Mixed Climax Regenerating

Does this tree occupy edge habitat?

 Yes No

If "Yes", select which edge habitat:

 Road Trail Utility corridor Fencerow Forest/woodlot edge Watercourse/waterbody

Competing Species

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Comments about this tree

WP 59

UTM 18T 377107 5027106

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 2**Tree Identification Number\* 2 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18TNorthing\* 502704Easting\* 377075Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 60Tree Stem Diameter (cm)\* 36Number of sooty cankers\* At or below 2m (the lower stem) 6 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 2 Above 2m 2 At the root (root flares) 4Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  Unknown

Is this tree located in an area that is upland, wetland, or riparian?

 Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  Regenerating

Does this tree occupy edge habitat?

 Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 74

UTM 18 T 377075 5027040

**Butternut Tree Data 3**Tree Identification Number\* 3 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18TNorthing\* 502702Easting\* 377067Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 80Tree Stem Diameter (cm)\* 46Number of sooty cankers\* At or below 2m (the lower stem) 3 Above 2m 2 At the root (root flares) 1Number of open cankers\* At or below 2m (the lower stem) 4 Above 2m 4 At the root (root flares) 5Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  Unknown

Is this tree located in an area that is upland, wetland, or riparian?

 Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  Regenerating

Does this tree occupy edge habitat?

 Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 75

UTM 18 T 377067 5027025

**Butternut Tree Data 4**Tree Identification Number\* 4 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502699 Easting\* 376978Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 40Tree Stem Diameter (cm)\* 55Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  RiparianVegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 76

UTM 18 T 376978 5026990

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 5**Tree Identification Number\* 5 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18TNorthing\* 502700Easting\* 376986Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 0Tree Stem Diameter (cm)\* 46Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun Co-dominant, two sides in the sun Intermediate, sun only from above Suppressed, shaded crown

Signs of Stress

 Twig dieback Branch dieback Defoliation Discolouration

Seed Signs

 Mature stamens or pollen Receptive pistils Seed set None Unknown

Below Crown

Number of stems \_\_\_\_\_

Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_

Number of epic-dead \_\_\_\_\_

Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring Planted (cultivated) Unknown

Is this tree located in an area that is upland, wetland, or riparian?

 Upland Wetland Riparian

Vegetation Community

 Open Shrub thicket Savannah - Woodland Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  Regenerating

Does this tree occupy edge habitat?

 Yes  No

If "Yes", select which edge habitat:

 Road Trail Utility corridor Fencerow Forest/woodlot edge Watercourse/waterbody

Competing Species

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Comments about this tree

WP 77

UTM 18 T 376986 5027005

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 6**Tree Identification Number\* 6 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502702 Easting\* 377174Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 60Tree Stem Diameter (cm)\* 49Number of sooty cankers\* At or below 2m (the lower stem) 2 Above 2m 0 At the root (root flares) 2Number of open cankers\* At or below 2m (the lower stem) 3 Above 2m 1 At the root (root flares) 3Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  Unknown

Is this tree located in an area that is upland, wetland, or riparian?

 Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  Regenerating

Does this tree occupy edge habitat?

 Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 84

UTM 18 T 377174 5027023

**Butternut Tree Data 7**Tree Identification Number\* 7 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502702 Easting\* 377174Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 0 Tree Stem Diameter (cm)\* 39Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None foundCrown Class  Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crownSigns of Stress  Twig dieback  Branch dieback  Defoliation  DiscolourationSeed Signs  Mature stamens or pollen  Receptive pistils  Seed set  None  UnknownBelow Crown Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_  
Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridgesTree Origin  Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  RiparianVegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 84

UTM 18 T 377174 5027023

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 8**Tree Identification Number\* 8 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18TNorthing\* 502706Easting\* 377121Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 0Tree Stem Diameter (cm)\* 32Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 85

UTM 18 T 377121 5027061

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 9**Tree Identification Number\* 9 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18TNorthing\* 502707Easting\* 377119Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 0Tree Stem Diameter (cm)\* 34Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 86

UTM 18 T 377119 5027076

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 10**Tree Identification Number\* 10 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502704 Easting\* 377038Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 10Tree Stem Diameter (cm)\* 36Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 88

UTM 18 T 377038 5027042

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 11**Tree Identification Number\* 11 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502710 Easting\* 377136Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 10Tree Stem Diameter (cm)\* 27Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  Unknown

Is this tree located in an area that is upland, wetland, or riparian?

 Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  Regenerating

Does this tree occupy edge habitat?

 Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 89

UTM 18 T 377136 5027106

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 12**Tree Identification Number\* 12 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502709 Easting\* 377197Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 10Tree Stem Diameter (cm)\* 33Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  RiparianVegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 90

18 T 377197 5027098

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 13**Tree Identification Number\* 13 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18TNorthing\* 502718Easting\* 377227Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 0Tree Stem Diameter (cm)\* 46Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 97

18 T 377227 5027188

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 14**Tree Identification Number\* 14 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502717 Easting\* 377271Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 20Tree Stem Diameter (cm)\* 40Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  RiparianVegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 98

18 T 377271 5027171

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 15**Tree Identification Number\* 15 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18T Northing\* 502716 Easting\* 377274Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 0 Tree Stem Diameter (cm)\* 64Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None foundCrown Class  Dominant, full sun  Co-dominant, two sides in the sun  
 Intermediate, sun only from above  Suppressed, shaded crownSigns of Stress  Twig dieback  Branch dieback  Defoliation  DiscolourationSeed Signs  Mature stamens or pollen  Receptive pistils  Seed set  None  UnknownBelow Crown Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_  
Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridgesTree Origin  Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  RiparianVegetation Community  Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 99

18 T 377274 5027169

No cankers were recorded as live crown &lt;50%

**Butternut Tree Data 16**Tree Identification Number\* 16 Date of Assessment (yyyy/mm/dd)\* 2022/06/22  Select if Date is same as tree aboveUTM Zone\* 18TNorthing\* 502706Easting\* 377252Is this tree a Butternut tree or a putative hybrid? \*  Butternut  Putative HybridIs the stem of this tree shorter than 1.37 m? \*  Yes  NoIs this a single or multi-stemmed tree? \*  Single Stem  Multiple StemsLive Crown %\* 0Tree Stem Diameter (cm)\* 33Number of sooty cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Number of open cankers\* At or below 2m (the lower stem) 0 Above 2m 0 At the root (root flares) 0Metres from badly cankered tree\*  40 metres or less  Greater than 40 metres  None found

Crown Class

 Dominant, full sun  Co-dominant, two sides in the sun Intermediate, sun only from above  Suppressed, shaded crown

Signs of Stress

 Twig dieback  Branch dieback  Defoliation  Discolouration

Seed Signs

 Mature stamens or pollen  Receptive pistils  Seed set  None  Unknown

Below Crown

Number of stems \_\_\_\_\_ Main stem length (m) below crown \_\_\_\_\_

Number of epic-live \_\_\_\_\_ Number of epic-dead \_\_\_\_\_ Number of callused wounds \_\_\_\_\_

Bark type:  Deep furrows/Narrow ridges  Shallow furrows/Wide ridges

Tree Origin

 Naturally-occurring  Planted (cultivated)  UnknownIs this tree located in an area that is upland, wetland, or riparian?  Upland  Wetland  Riparian

Vegetation Community

 Open  Shrub thicket  Savannah - Woodland  Forest

If Savannah-Woodland or Forest selected, select one option from both groups:

 Deciduous  Coniferous  Mixed Climax  RegeneratingDoes this tree occupy edge habitat?  Yes  No

If "Yes", select which edge habitat:

 Road  Trail  Utility corridor Fencerow  Forest/woodlot edge  Watercourse/waterbody

Competing Species

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Comments about this tree

WP 107

18 T 377252 5027069

No cankers were recorded as live crown &lt;50%

BHE Report Number KEN2201		Start Date of Butternut Health Assessment (yyyy/mm/dd) 2022/06/22		End Date of Butternut Health Assessment (yyyy/mm/dd) 2022/06/22																
Total Number Butternut Trees in BHE Report 16		Butternut Health Expert's Name Kenny, Bryana		Property Address 16 2 Shady Maple Road Burnstown Ontario																
Property Owner/Client Name Anglin, Susan																				
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
# Tree	Live Crown %	Tree stem diameter (cm)	# bole cankers (BC)		# root flare cankers (RF)		Sooty (S) (will be assigned 2.5 cm per canker) Open (O) (will be assigned 5 cm per canker)	40 m or less from cankered tree? (Y or N)	Circ. (cm) = Pi * tree stem diameter	Total BC Width (cm) = (D * 2.5) + (E * 2.5) + (F * 5) + (G * 5)	Total RF Width (cm) = (H * 2.5) + (I * 5)	Total BC Width % of Circ. = L / K * 100	Total RF Width % of Circ. = M / K * 100	Total BC + RF Width % of 2 * Circ. = (N + O) / 2	Tree Categories: 1, 2, or 3			Preliminary tree call = Cat 2 if Q= Cat 2 or R= Cat 2 or S= Cat 2 else = Cat 1	Final tree call = Cat 3 if T= Cat 2 and C > 19 and J='Y' else T	
			S <= 2m	S > 2m	O <= 2m	O > 2m									if B > 70 and P < 20 else = Cat 1	if B > 70 and N < 20 else = Cat 1	if B > 70 and N < 20 else = Cat 1			
1	10	35	0	0	0	0	0	Y	109.9	0.0	0.0	0	0	0	0	1	1	1	1	1
2	60	36	6	0	2	0	4	Y	113.04	35.0	20.0	30.96	17.69	24.32	1	1	1	1	1	1
3	80	46	3	2	4	1	5	Y	144.44	52.5	27.5	36.35	19.04	27.7	1	1	1	1	1	1
4	40	55	0	0	0	0	0	Y	172.7	0.0	0.0	0	0	0	1	1	1	1	1	1
5	0	46	0	0	0	0	0	Y	144.44	0.0	0.0	0	0	0	1	1	1	1	1	1
6	60	49	2	0	3	1	2	Y	153.86	25.0	20.0	16.25	13	14.63	1	1	1	1	1	1
7	0	39	0	0	0	0	0	Y	122.46	0.0	0.0	0	0	0	1	1	1	1	1	1
8	0	32	0	0	0	0	0	Y	100.48	0.0	0.0	0	0	0	1	1	1	1	1	1
9	0	34	0	0	0	0	0	Y	106.76	0.0	0.0	0	0	0	1	1	1	1	1	1
10	10	36	0	0	0	0	0	Y	113.04	0.0	0.0	0	0	0	1	1	1	1	1	1
11	10	27	0	0	0	0	0	Y	84.78	0.0	0.0	0	0	0	1	1	1	1	1	1
12	10	33	0	0	0	0	0	N	103.62	0.0	0.0	0	0	0	1	1	1	1	1	1
13	0	46	0	0	0	0	0	N	144.44	0.0	0.0	0	0	0	1	1	1	1	1	1
14	20	40	0	0	0	0	0	Y	125.6	0.0	0.0	0	0	0	1	1	1	1	1	1
15	0	64	0	0	0	0	0	Y	200.96	0.0	0.0	0	0	0	1	1	1	1	1	1
16	0	33	0	0	0	0	0	Y	103.62	0.0	0.0	0	0	0	1	1	1	1	1	1

**Instructions to Butternut Health Experts (BHEs):**

Please enter the 6-character BHE Report number: KEN2201

BHE Report numbering format:

BHE Report numbers are to be assigned by the BHE using the first 3 letters of BHE's last name, followed by BHE's own 3-digit report numbering system. If the BHE's last name has fewer than 3 letters, use the full last name and numbers for the remaining characters.

BHE Report Number: KEN2201

**Cover letter to client:**

**Insert your cover letter to your client here and include the below list of enclosures.**

---

**Enclosures:**

1. Information from the Ministry of the Environment, Conservation and Parks about Butternut and the *Endangered Species Act, 2007*
2. Butternut Health Expert's Report, including the completed Butternut Data Collection Form

BHE Report Number: KEN2201

Species at Risk Branch  
40 St. Clair Avenue West  
14th Floor  
Toronto ON M4V 1M2

Direction des espèces en péril  
40, avenue St. Clair Ouest  
14<sup>e</sup> étage  
Toronto ON M4V 1M2

### Information for the Property Owner (or person(s) who requested the enclosed Butternut Health Expert's Report):

The enclosed Butternut Health Expert's Report (BHE Report) documents the results of the Butternut health assessment that was conducted by the Butternut Health Expert (BHE) identified in the top section of the report. If there are other Butternut trees (of any size or age) at the site that may be impacted by a proposed activity that are not identified in the enclosed BHE Report, they too must be assessed by a BHE before commencing any actions that may impact those Butternut trees or their habitat.

Butternut (*Juglans cinerea*) is listed as an endangered species in Schedule 2 of Ontario Regulation (O. Reg.) 230/08 "the Species at Risk in Ontario List". As an endangered species, the *Endangered Species Act, 2007* (ESA) prohibits adversely impacting Butternut and its habitat. A permit or agreement under the ESA is required before engaging in an activity that is otherwise prohibited under the ESA. The activity may be eligible for the Butternut conditional exemption in Part V of O. Reg. 830/21, provided the requirements of the regulation are met.

If the proposed activity is eligible for the conditional exemption in Part V of O. Reg. 830/21, the next step is to submit the BHE Report and the Butternut Data Collection Form enclosed in this package to the Ministry of the Environment, Conservation and Parks (MECP).

If the enclosed BHE Report does not identify which Butternut tree(s) are proposed to be killed, harmed or taken and the reasons for doing so (e.g., if "unknown" is indicated in Table 1) or if the information in the last two columns of Table 1 has changed since the date this BHE Report was produced, **do not edit the BHE Report to update this information**. Instead, the report must be submitted together with a cover letter that identifies which Butternut tree(s) are proposed to be killed, harmed or taken (by referencing the tree identification numbers) when you submit the BHE Report to MECP.

The BHE Report must be submitted to MECP at least 30 days before registering an activity in respect of the Butternut conditional exemption. MECP may need to examine the Butternut trees subject to the report during this 30-day period. **Adversely impacting Butternut trees during this 30-day period or before registration is completed is prohibited by the ESA**. Further, the conditional exemption for Butternut does not apply unless the requirements of Part V of O. Reg. 830/21 are being followed.

If the proposed activity is eligible for the Butternut conditional exemption, you may register the proposed activity using the “**Notice of Butternut Impact**” form after the 30-day period has elapsed.

If the proposed activity is not eligible for a regulatory exemption, please contact MECP to determine whether the proposed activity would require a permit or agreement under the ESA in order to proceed.

Please retain this information and a copy of the BHE Report for your records, along with any other documentation you may receive from MECP should an examination of the trees occur.

This information should not be relied upon to determine legal obligations. To determine your legal obligations, consult the *Endangered Species Act, 2007* and the relevant regulations made thereunder. These may be found at [www.ontario.ca/laws](http://www.ontario.ca/laws). If legal advice is required, consult a legal professional. In the event of an error on this template or a conflict between this template and any applicable law, the law prevails.

If you have any questions, please contact MECP at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca).

**Butternut Health Expert's Report (BHE Report)**BHE Report Number: KEN2201**Butternut Health Expert Contact Information****Name of Butternut Health Expert**

Last Name

Kenny

First Name

Bryana

**Mailing Address**

Unit Number

Street Number

12

Street Name

International Drive

PO Box

City/Town

Pembroke

Province

Ontario

Postal Code

K8A 6W5

Telephone Number

613-735-2507

Email Address

bryanak@jp2g.com

**Summary of qualifications as a Butternut Health Expert**

a) expertise in relation to butternut

8 years experience as a biologist including completing surveys for butternut trees

b) expertise, education, training and experience necessary to assess the health of butternut trees

I have reviewed the Butternut Health Assessment Guidelines along with other resources in order to assess the health of butternut trees.

**Property Owner Contact Information****Name of Property Owner (or representative)**

Last Name

Anglin

First Name

Susan

**Mailing Address**

Unit Number

Street Number

228

Street Name

Bradford Street

PO Box

Lot Number

Concession

Township

Rural Route

City/Town

Ottawa

Province

Ontario

Postal Code

K2B 5Z6

Telephone Number

613-795-2227

Email Address

susananglin16@gmail.com

**Site Location**

Unit Number

Street Number

Street Name

Shady Maple Road

PO Box

Lot Number

16

Concession

2

Township

McNab

Rural Route

City/Town

Burnstown

Province

Ontario

Postal Code

**Additional Site Location Information**

Located on southeast side of Shady Maple Road.

**Date(s) of Butternut health assessment**

Start Date (yyyy/mm/dd) 2022/06/22

End Date (yyyy/mm/dd) 2022/06/22

Date BHE Report prepared (yyyy/mm/dd) 2022/10/20

Map datum used:  NAD83  WGS84

Total number of trees assessed in this BHE Report 16

The assessed trees were numbered on site using white flagging tape. Trees on adjacent property were not flagged.

The numbers at the site correspond to the tree identification numbers referenced in this report.

This BHE Report includes the following tables:

- Table 1: Butternut trees assessed by the BHE
- Table 2: Trees determined by the BHE to be Butternut hybrids
- Table 3: Summary of Butternut health assessment results

**Table 1: Butternut trees assessed by the BHE**

Tree ID #	UTM coordinates	Accuracy (+/-)	Category <sup>1</sup> (1, 2 or 3)	Tree stem diameter <sup>2</sup> (cm)	Is tree stem shorter than 1.37 m? (Yes/No)	Cultivated? (Yes/No)	Proposed to be: (killed, harmed, taken, or unknown <sup>3</sup> )	If tree is proposed to be killed, harmed or taken, indicate reason tree is to be killed, harmed or taken, if known
1	18T 417193E 5022464N	5 m	1	35	Yes	No	unknown	
2	18 T 377075 5027040	5 m	1	36	No	No	unknown	
3	18 T 377067 5027025	5 m	1	46	No	No	unknown	
4	18 T 376978 5026990	5 m	1	55	No	No	unknown	
5	18 T 376986 5027005	5 m	1	46	No	No	unknown	
6	18 T 377174 5027023	5 m	1	49	No	No	unknown	
		m	1	39	No	No	unknown	
		m	1	32	No	No	unknown	
		m	1	34	No	No	unknown	
7	18 T 377174 5027023	5 m	1	36	No	No	unknown	

Tree ID #	UTM coordinates	Accuracy (+/-)	Category <sup>1</sup> (1, 2 or 3)	Tree stem diameter <sup>2</sup> (cm)	Is tree stem shorter than 1.37 m? (Yes/No)	Cultivated? (Yes/No)	Proposed to be: (killed, harmed, taken, or unknown <sup>3</sup> )	If tree is proposed to be killed, harmed or taken, indicate reason tree is to be killed, harmed or taken, if known
8	18 T 377121 5027061	5 m	1	27	No	No	unknown	
9	18 T 377119 5027076	5 m	1	33	No	No	unknown	
10	18 T 377038 5027042	5 m	1	46	No	No	unknown	
11	18 T 377136 5027106	5 m	1	40	No	No	unknown	
12	18 T 377197 5027098	5 m	1	64	No	No	unknown	
13	18 T 377227 5027188	5 m	1	33	No	No	unknown	
14	18 T 377271 5027171	5 m						
15	18 T 377274 5027169	5 m						
16	18 T 377252 5027069	5 m						

<sup>1</sup> Details regarding the extent to which the tree is affected by Butternut Canker is presented in the Butternut Data Collection Form that accompanies this BHE Report.

<sup>2</sup> Diameter of the tree stem rounded to nearest cm, measured in accordance with the Butternut Assessment Guidelines: Assessment of Butternut Tree Health for the Purposes of the *Endangered Species Act, 2007*

<sup>3</sup> In this column, "unknown" indicates that at the time of assessment and reporting, there are no proposals to kill, harm or take this tree that are known to the BHE.

**Table 2: Trees determined by the BHE to be Butternut hybrids**

Tree ID #	UTM coordinates	Method used (genetic testing or field identification)	Additional Comments on Method Used

**Table 3: Summary of Butternut health assessment results**

Result	Total number of trees in this category	Information for persons planning activities that may impact Butternut

Result	Total number of trees in this category	Information for persons planning activities that may impact Butternut
Category 1	16	<ul style="list-style-type: none"> <li>• Category 1 Butternut tree — the Butternut tree is affected by Butternut Canker to such an advanced degree that retaining the tree would not support the protection or recovery of Butternut trees in the area in which the tree is located.</li> <li>• If the proposed activity will kill, harm or take one or more Butternut trees of any category (including Category 1), the BHE Report must be submitted to MECP at <a href="mailto:SAOntario@ontario.ca">SAOntario@ontario.ca</a>.</li> </ul>
Category 2	0	<ul style="list-style-type: none"> <li>• Category 2 Butternut tree — the Butternut tree is not affected by Butternut Canker or the Butternut tree is affected by Butternut Canker but the degree to which it is affected is not as advanced as a Category 1 Butternut tree and retaining the tree could support the protection or recovery of Butternut trees in the area in which the tree is located.</li> <li>• Activities that may kill, harm or take up to a <b>maximum of fifteen (15)</b> Category 2 trees may be eligible for the conditional exemption in Part V of Ontario Regulation 830/21. Refer to the regulation for eligibility conditions and requirements that must be fulfilled.</li> <li>• If the proposed activity will kill, harm or take more than fifteen (15) Category 2 trees, <b>contact MECP</b> for information on how to seek an ESA authorization (e.g., a permit).</li> </ul>
Category 3	0	<ul style="list-style-type: none"> <li>• Category 3 Butternut tree — the Butternut tree may be useful in determining sources of resistance to Butternut Canker.</li> <li>• Activities that may kill, harm or take up to a <b>maximum of five (5)</b> Category 3 trees may be eligible for the conditional exemption in Part V of Ontario Regulation 830/21. Refer to the regulation for eligibility conditions and requirements that must be fulfilled.</li> <li>• If the proposed activity will kill, harm or take more than five (5) Category 3 trees, <b>contact MECP</b> for information on how to seek an ESA authorization (e.g., a permit).</li> </ul>
Cultivated	0	<ul style="list-style-type: none"> <li>• An activity that will kill, harm or take a cultivated Butternut tree that was required to be planted to fulfil a condition of an ESA permit or agreement, or a conditional exemption, is <b>not</b> eligible for the exemption for cultivated trees that is provided by subsection 25 (5) of O. Reg. 830/21. Refer to the regulation for eligibility conditions.</li> </ul>
Hybrid	0	<ul style="list-style-type: none"> <li>• Hybrid Butternut trees are not protected under the ESA but impacts to these trees may be subject to local municipal by-laws and other legislation.</li> </ul>

Additional Information on Cultivated Tree Determination

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**Please note:**

- A BHE Report that is submitted to MECP must include the completed Butternut Data Collection Form. As appropriate, please also ensure additional relevant documentation to support the assessment (e.g., completed Data Sheets for Field Identification of Butternut Hybrids, evidence that the Butternut was cultivated) and all relevant maps and photographs are provided.
- During the 30-day period that follows the submission of this BHE Report to MECP, no Butternut trees (of any category) may be killed, harmed or taken. MECP may need to examine the Butternut trees subject to the report during this 30-day period.

**Butternut Health Expert's Comments**

*Note to BHEs: use this space to provide general comments.*

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