

# **TOWNSHIP OF McNAB/BRAESIDE COMMITTEE OF ADJUSTMENT AGENDA**

**Monday, March 11, 2024 - 10:30 a.m.**  
**Township Municipal Office**  
**2473 Russett Drive**

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1. Call to open hearing.
2. Minutes of the previous hearing, January 30, 2024.
3. Declaration of a Pecuniary Interest (Money/Financial).
4. **Consideration of Application No. A-1/24**  
106 Lorlei Drive – Gloria Rockwell, Agent-Landscape Ltd.
  - (a) Purpose of the Application
  - (b) Confirmation of Dates
  - (c) Confirmation of Notice
  - (d) Reading of Written Comments
  - (e) Overview of Planning Report
  - (f) Discussion and Public Participation
5. Decision by Committee for Application No. A-1/24, or call for a further hearing if required.
6. Appeal Rights
7. **Consideration of Application No. A-2/24**  
64 Moreau Road – John Boef
  - (a) Purpose of the Application
  - (b) Confirmation of Dates
  - (c) Confirmation of Notice
  - (d) Reading of Written Comments

(e) Overview of Planning Report

(f) Discussion and Public Participation

8. Decision by Committee for Application No. A-2/24, or call for a further hearing if required.
9. Appeal Rights
10. Adjournment

**CORPORATION OF THE TOWNSHIP OF McNAB/BRAESIDE**  
2473 Russett Drive, Arnprior, Ontario K7S 3G8

**Application for Minor Variance**

Note: The "\*" identifies prescribed information outlined in Ontario Regulation 200/96

**PART I**                      **GENERAL INFORMATION**

**1. APPLICANT/OWNER INFORMATION**

- a) \*Applicant's Name(s): John Boef  
\*Address: 64 MOREAU Road Pakenham ONT K0A-2X0  
\*Phone #: Home ( )                      Work ( )                      Cell 613 223-3220  
E-mail: John Boef 23@Icloud.com
- b) \*The applicant is:    the registered owner ☒    an agent authorized by the owner [ ]
- c) If the applicant is an agent authorized by the owner, please complete the following:  
\*Name of Owner: \_\_\_\_\_  
\*Address of Owner: \_\_\_\_\_  
\*Phone #: Home ( )                      Work ( )                      Cell ( )
- d) To whom should correspondence be sent? Owner [ ] Applicant [ ] Both [ ]

**2. \*PROVIDE A DESCRIPTION OF THE SUBJECT LAND:**

Street Address: 64 MOREAU Road Pakenham ONT K0A-2X0  
Concession: 11                      Lot: 1  
Registered Plan No.: \_\_\_\_\_ Block or Lot No(s). in the Plan: \_\_\_\_\_  
Reference Plan No.: \_\_\_\_\_ Part No(s): \_\_\_\_\_

**3. \*CURRENT DESIGNATION OF THE SUBJECT LAND IN THE OFFICIAL PLAN (IF ANY):**

Agriculture and environmental Protection

**4. \*CURRENT ZONING OF THE SUBJECT LAND:**

A and E.P.

**PART II      DETAILS OF THE APPLICATION**

5. \*PLEASE STATE THE NATURE AND EXTENT OF THE RELIEF FROM THE ZONING BY-LAW

No specific Relief  
Require Permission for second dwelling

6. \*WHAT IS THE REASON WHY THE PROPOSED USE CANNOT COMPLY WITH THE PROVISIONS OF THE ZONING BY-LAW?

None - Meet all provisions  
study to address impact on water quality

7. \*DIMENSIONS OF THE SUBJECT LAND:

Frontage: 222.88 m      Depth: 201 m      Area: 28044 sq.m

8. \*PLEASE MARK BELOW THE ACCESS TO THE SUBJECT LAND:

☐ Provincial Highway      ☒ Municipal Road Maintained All Year  
☒ Municipal Road Maintained Seasonally      ☐ Right Of Way      ☐ Water  
☐ Other Public Road: \_\_\_\_\_

9. \*IF THE ONLY ACCESS IS BY WATER, PLEASE STATE BELOW THE PARKING AND DOCKING FACILITIES THAT ARE TO BE USED, AND THE DISTANCE OF THESE FACILITIES FROM THE SUBJECT LAND AND FROM THE NEAREST PUBLIC ROAD:

\_\_\_\_\_  
\_\_\_\_\_

10. \*WHEN WAS THE SUBJECT LAND ACQUIRED BY THE CURRENT OWNER?

June 15<sup>th</sup> 1989

11. \*WHAT ARE THE EXISTING USES OF THE SUBJECT LAND AND HOW LONG HAVE THEY CONTINUED?

#1 Residential      Since: Sept / 2000 / 24 Years

#2 \_\_\_\_\_      Since: \_\_\_\_\_ / \_\_\_\_\_ Years

12. \*ARE THERE ANY BUILDINGS OR STRUCTURES ON THE SUBJECT LAND?

☒ Yes      ☐ No

13. \*WHAT ARE THE "PROPOSED" USES OF THE SUBJECT LAND?

A Primary and a Secondary dwelling



14. \*WILL ANY BUILDINGS OR STRUCTURES BE BUILT ON THE SUBJECT LAND?

☒ Yes ☐ No

15. \*PROVIDE THE FOLLOWING DETAILS FOR ALL EXISTING OR PROPOSED BUILDINGS OR STRUCTURES ON THE SUBJECT LAND: (use a separate page if necessary)

	EXISTING			PROPOSED	
Type of building or structure	<del>House</del>	House		secondary dwelling	→
Setback from the front lot line	<del>384'</del>	384'		<del>284'</del>	284'
Setback from the rear lot line	<del>30'</del>	30'		<del>40'</del>	40'
Setbacks from the side lot lines	<del>230'</del>	230'		<del>239'</del>	239'
Height (in metres)	9.3m			5.5m	
Dimensions or floor area	<del>166m<sup>2</sup></del>	325.16m <sup>2</sup>		85m <sup>2</sup>	
Date constructed	2000				

16. \*INDICATE HOW WATER IS SUPPLIED AND HOW SEWAGE DISPOSAL IS PROVIDED TO THE SUBJECT LAND:

WATER

SEWAGE

publicly owned and operated piped water system ☐

privately owned and operated individual well ☒

privately owned and operated communal well ☐

lake or other water body ☐

other means: \_\_\_\_\_

publicly owned and operated piped sanitary sewage system ☐

publicly owned and operated communal septic system ☐

publicly owned and operated individual septic system ☐

privately owned and operated individual septic system ☒

privy ☐

Other means: \_\_\_\_\_

17. \*HOW IS STORM DRAINAGE PROVIDED?

Sewers ☐ Ditches ☒ Swales ☐ Other Means ☐

18. \*IS THE SUBJECT LAND ALSO THE SUBJECT OF AN APPLICATION FOR APPROVAL OF A PLAN OF SUBDIVISION OR CONSENT? Yes ☐ No ☒ Don't Know ☐

\*IF YES, PLEASE STATE, IF KNOWN, THE FILE NO. AND THE STATUS OF THE APPLICATION:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

19. \*HAS THE SUBJECT LAND EVER BEEN THE SUBJECT OF AN APPLICATION UNDER SECTION 45 OF THE PLANNING ACT? (i.e. previous minor variance application)

Yes ☐ No ☒ Don't Know ☐

## 20. APPLICATION SKETCH

On a separate page(s), please provide a sketch, preferably prepared by a qualified professional, showing the following: ( In some cases, it may be more appropriate to prepare additional sketches at varying scales to better illustrate the proposal.)

- Boundaries and the dimensions of the subject land for which the amendment is being sought.
- The location, size and type of all existing and proposed buildings and structures, indicating the distances from the front yard lot line, rear yard lot line and the side yard lot lines.
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The current uses on land that is adjacent to the subject land.
- The location, width, and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easement affecting the subject land.
- Applicant's Name
- Date of Sketch
- The scale to which the sketch is drafted (e.g. 1 cm = 50 m)
- North Arrow
- The locations and dimensions of off-street parking spaces and off-street loading facilities
- Planting strips and landscaped areas
- Buildings to be demolished or relocated.

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### **PART III      AUTHORIZATION OF OWNER FOR AGENT TO MAKE THE APPLICATION:**

(If affidavit (Part IV) is signed by an Agent on Owner's behalf, the Owner's written authorization below must be completed)

I (we) \_\_\_\_\_

of the \_\_\_\_\_

in the \_\_\_\_\_

do hereby authorize \_\_\_\_\_ to act as my/our agent in this application.

\_\_\_\_\_  
Signature of Owner(s)

\_\_\_\_\_  
Date


## 10. DECLARATION OF FEES INCURRED

The Owner/Agent agrees to reimburse and indemnify the Township of McNab/Braeside of all fees and expenses incurred by the Township of McNab/Braeside to process the application, including any fees and expenses attributed to proceeding before the Local Planning Appeal Tribunal or any court or other administrative tribunal if necessary to defend Council's decision to support the application.

The Owner/Agent also agrees to deposit with the Township of McNab/Braeside such monies as required by the Township of McNab/Braeside's Tariff of Fees By-Law as amended to defend appeals brought before the LPAT by parties other than the Applicant/Agent or Township.

The required fee for the processing of this application shall be in accordance with the Township of McNab/Braeside's current Tariff of Fees By-Law pertaining to planning matters. The Fees prescribed do not include professional fees, (ie. legal or engineering) or extra public meetings. Prior to undertaking any of these matters the applicant agrees to reimburse the Municipality for all charges related to the application. Fees required for the processing of this application are required at the time of submission. The amount of the required fees should be confirmed with the Township prior to the submission of the application.

Feb 22/24  
Date

  
Signature of Owner/Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner/Agent



## PART IV

I (we) John Boer

of the County of Kent

in the Township of McNab/Braeside

solemnly declare that all of the information required under Ontario Regulation 200/96, and the statements contained in this application are true, and I, (we), make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT**.

DECLARED before me at the Township of McNab/Brasidale  
in the County of Inverclyde this 22 day of February, 2024.

Signature of Owner or Authorized Agent

Date \_\_\_\_\_

Signature of Commissioner

Christina Catherine Mulcahey, a Commissioner, etc., Province of  
Ontario, for the Corporation of the Township of McNab/Braeside.  
Expires July 31, 2024.

ab/Braest  
Date

*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 Township to such persons as the Township sees fit, including anyone requesting such information. Accordingly, in providing any such information, you shall be deemed to have consented to its use and disclosure as part of the planning process.*

(To be completed by the Municipality)

"COMPLETE" APPLICATION AND FEE OF \$ 1100 + 3000 RECEIVED BY THE MUNICIPALITY: Deposit

Date Feb 02/24

Grace Humphrey  
Signature of Municipal Employee

---

Roll Number





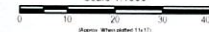
#### LEGEND

- SUBJECT SITE
- EXISTING SEPTIC BED
- EXISTING SUPPLY WELL
- 30 m SETBACK FROM HIGHWATER MARK
- PROPOSED DEVELOPMENT AREA

#### SITE FEATURES

- 1- EXISTING RESIDENCE
- 2- EXISTING DETACHED GARAGE
- 3- EXISTING SHED / CHICKEN COOP
- 4- EXISTING SHED
- 5- EXISTING GRAVEL DRIVEWAY AND PARKING AREA
- 6- EXISTING WELL
- 7- EXISTING SEPTIC BED

Scale 1:1000



**cm3**  
environmental

5710 AKINS ROAD, OTTAWA, ON  
K2S 1B8

JOHN BOEF & STEVEN CHARRON

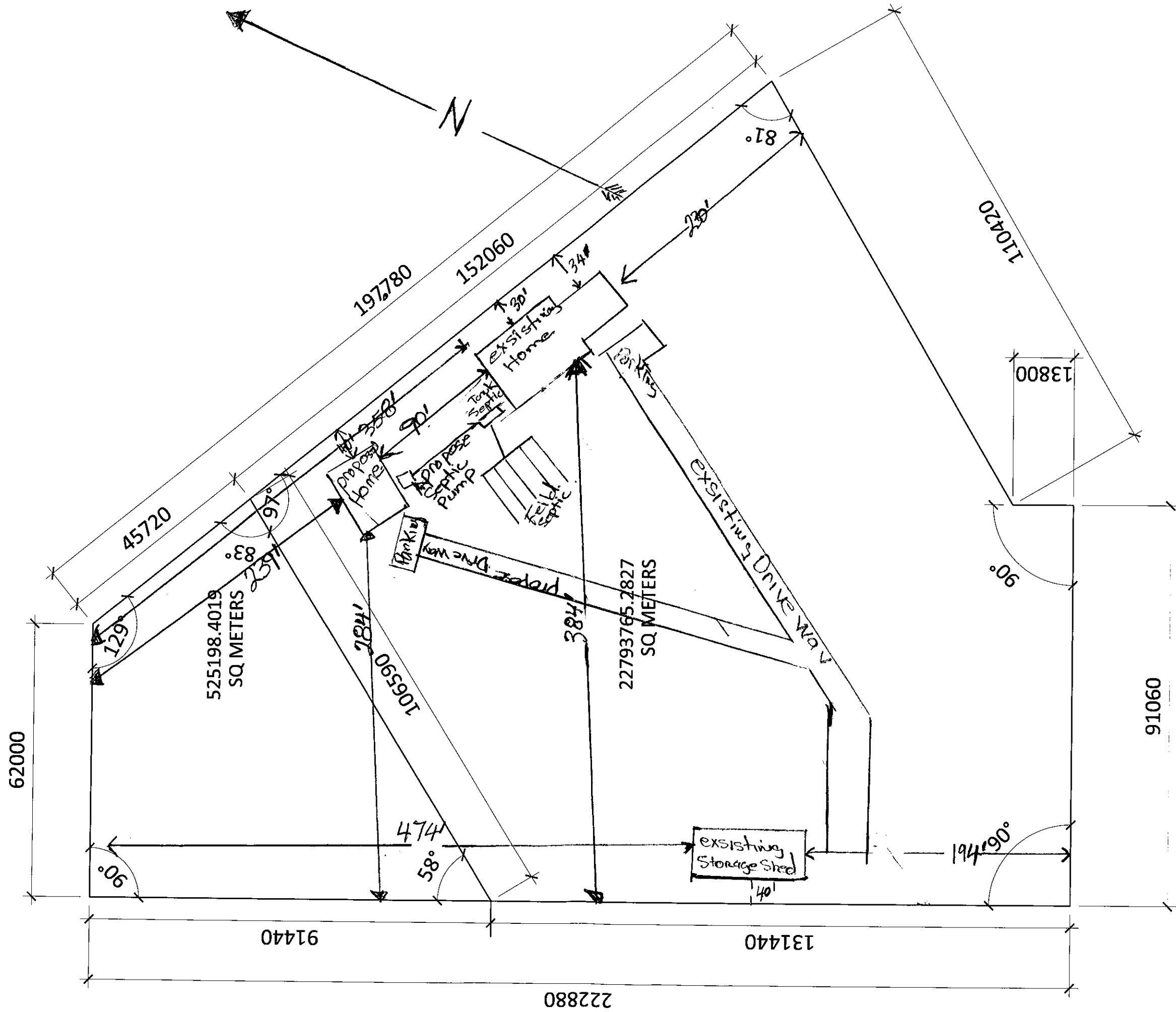
ENVIRONMENTAL IMPACT ASSESSMENT  
64 MOREAU ROAD,  
PAKENHAM, ONTARIO

#### SITE PLAN

Project	ZH1025	Drawn by	KS
Date	DEC 2023	Reviewed by	ZH
Scale	1:1000	Figure	3

THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. NOT ALL STRUCTURES, UTILITIES OR SITE FEATURES ARE SHOWN. THIS DRAWING IS THE PROPERTY OF CM3 ENVIRONMENTAL. LOANED TO THE RECIPIENT WHO AGREES THAT IT SHALL NOT BE GIVEN OUT, COPIED OR DUPLICATED FOR THE USE OF ANY OTHER BUT SHALL BE USED ONLY BY THE RECIPIENT FOR THE PURPOSE, TO WHICH IT RELATES.







**John Boef & Steven Charron**

**Environmental Impact Assessment  
64 Moreau Road,  
Pakenham, Ontario**

**ZH1025**

**December 21, 2023**

**CM3 Environmental Inc.**  
*5710 Akins Road Ottawa, Ontario K2S 1B8*

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### **LIST OF REFERENCED DOCUMENTS**

1. Ministry of Natural Resources and Forestry (OMNRF), Natural Heritage Interactive Mapping Tool (Accessed 2023)
2. County of Renfrew Interactive Mapping Tool (Accessed 2023)
3. Ministry of Natural Resources Natural Heritage Reference Manual – for Natural Heritage Policies of the Provincial Policy Statement (2005)
4. County of Renfrew Official Plan (2023)
5. Township of McNab Braeside Zoning By-Law No. #2010-49. (2010)
6. Ontario Regulation 230/08 – Species at Risk in Ontario (2018)
7. MNRF Ecosites of Ontario (2009)
8. Ontario Invasive Plant Council (Accessed 2023)
9. Southern Ontario Ecological Land Classification Vegetation Type List (OMNR, 2008)
10. Significant Wildlife Habitat Technical Guide (OMNR, 2000)
11. Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E (OMNRF, 2015)
12. Provincial Policy Statement – Ministry of Municipal Affairs and Housing (2020)

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## 1 INTRODUCTION

CM3 Environmental Inc. (CM3) was retained by John Boef and Steven Charron to conduct an Environmental Impact Assessment (EIA) for the property located at 64 Moreau Road in Pakenham, Ontario ("site" or "subject property"). The EIA was completed to support the proposed development of the site and construction of a secondary dwelling, as required by the municipal planning authorities for a minor variance application. The purpose of the EIA was to characterize natural features at the site surrounding area, to evaluate the potential adverse effects of the proposed development to the natural features, and to provide mitigative measures should the proposed development take place.

### 1.1 Proposed Development

The proposed redevelopment involves the construction of a single-storey secondary dwelling on the property. Based on preliminary plans, the footprint of the proposed secondary dwelling will be less than 100 m<sup>2</sup>. The dwelling will be connected to above-ground hydro lines existing on the property originating from Moreau Road. The existing on-site domestic well will supply the residence with water, and the residence will be serviced by the existing septic system. The proposed building will be constructed on the previously disturbed land serving as a manicured lawn. The site location is provided on **Figure 1**. The existing buildings and natural features are shown in **Figure 2**. The proposed development area is shown in **Figure 3**.

### 1.2 Existing Land Use and Study Area

The subject property is located on the north side of Moreau Road on the south shore of Lake Madawaska, southwest of the community of Arnprior, Ontario, within the township of McNab/Braeside and the County of Renfrew. The municipal address of the subject property is 64 Moreau Road, Pakenham, Ontario and the site is currently zoned as Agricultural (A) and Environmental Protection (EP) as per the Township of McNab Braeside Zoning By-Law No. #2010-49. The property has reportedly not been actively farmed or used for agricultural purposes since it was purchased by the current owner in 1983.

The subject property has a two-storey single-family dwelling with a footprint of approximately 60 m<sup>2</sup> with a wood framed deck, two small, detached sheds on the east side of the primary residence, and a detached garage at the south property entrance. The property has one vehicle access point via a gravel driveway from the north end of Moreau Road. The total property area is approximately 700 m<sup>2</sup> and consists primarily of a maintained grass field, with a vegetated woodland buffer surrounding the property to the north, east, and south. Various vegetation is present on the subject property and is described further in the subsequent sections of this report. Surface drainage at the site is suspected to occur by infiltration and by overland flow toward Madawaska Lake.

The study area included all lands adjacent to the subject property and environmentally sensitive areas identified within the immediate vicinity. The site is bound by Madawaska Lake to the north and to the east, a residential dwelling and agricultural land to the southeast, and the former Moreau Road municipal right-of-way and agricultural lands to the south and southwest.

### 1.3 Existing Guidelines and Regulations

The following sections identify the applicable land use planning policies related to the natural environment. Regulatory agencies and legislative authorities have established governing policies relevant to the development of properties to protect ecological features and functions. The guidelines and regulatory documents are provided at the beginning of this report in the List of Referenced Documents.

The proposed project may be subject to additional by-laws and regulations outside of the scope of this report.

#### 1.3.1 Provincial Policy Statement

The Ontario Ministry of Municipal Affairs and Housing (OMMH) Provincial Policy Statement, 2022 (PPS) provides guidelines on development projects and land use planning of provincial interest. Relevant sections of the PPS are provided below:

Section 2.0:

*Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.*

Section 2.1:

*2.1.1 Natural features and areas shall be protected for the long term.*

*2.1.2 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.*

*2.1.5 Site alteration or development are not permitted in:*

- a. significant wetlands in Ecoregions 5E, 6E and 7E;*
- b. significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Mary's River)1;*
- c. significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Mary's River)1;*
- d. significant wildlife habitat;*
- e. significant areas of natural and scientific interest; and*
- f. coastal wetlands in Ecoregions 5E, 6E and 7E.*

*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

The proposed development falls within Ecoregion 6E. The development is therefore subject to the terms referenced above in section 2.1.5 of the PPS.

In terms of natural heritage features, the PPS also states:

Section 2.1.6 and 2.1.7:

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

Section 2.1.8:

*Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas listed above (Section 2.1.5, Items a through f), 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.*

Section 2.2.2:

*Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.*

### **1.3.2 Township of McNab Braeside Zoning By-law**

The subject property is within the Township of McNab Braeside and the County of Renfrew and development must follow applicable Zoning By-laws. Relevant sections include:

Section 3.23 d) Water Setback

*(1) A minimum water setback of 30 metres from the high water mark shall be provided. Accessory boat docking or boat launching facilities shall not be required to meet the water setback.*

Section 3.27 Madawaska River Floodplain

*The lands along the Madawaska River that are subject to flooding are not to be developed. Although there are no Flood Damage Reduction Program (FDRP) maps available for the Madawaska River, based on input from Ontario Power Generation and the Ministry of Natural Resources, the following elevations based on flooding potential have been established:*

*1) 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.*

#### Section 3.34 h) Secondary Dwelling Units

*(1) A Secondary Dwelling Unit shall not be permitted on lands within a floodway or on lands in an Environmental Protection (EP) zone, or within 30 metres of the high water mark of a waterbody.*

### **1.3.3 County of Renfrew Official Plan**

The County of Renfrew Official Plan (OP) (approved June 16, 2003) defines natural heritage features as wetlands, significant woodlands, fish habitat, significant wildlife habitat, significant areas of natural and scientific interest (ANSIs), valley lands, and endangered or threatened species and defines requirements for developments with potential to affect such features. The OP further delineates requirements and limitations for shoreline developments and developments on properties adjacent to watercourses, as well as requirements for the development of a secondary dwelling unit.

Section 1.3 of the OP states relevant main objectives of the plan are to:

- (1) To maintain and enhance the quality of the natural, built and human environments in the County.*
- (5) To ensure that development occurs in a sustainable manner, which considers the natural water systems, environmentally sensitive areas and hazard lands.*

#### Section 2 – General Development Policies

##### *(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)*

*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.*

##### *(c) Significant Wildlife Habitat*

*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.*

*(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.*

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

*(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.*

**(24) – Secondary Dwelling Units**

- (1) 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.*
- (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.*

**Section 16.5 – Water Setbacks**

- (1) The minimum water setback for all structural development (including the redevelopment of existing properties) except refurbishment or modernization of existing dwellings, shall be 30 metres (98 feet). A septic tile field shall be a minimum of 30 metres from the high water mark. This provision does not apply to docks or boathouses or other approved shoreline structures.*



## **1.4 Topographical Description**

Topographic maps and observations made during the site visit indicated that the north portion of the subject property is relatively flat lying at an approximate elevation of 105 m above mean sea level (AMSL), as shown in **Figure 2**. The property has a slight slope toward the north, northeast, and east, toward Madawaska Lake. The property slopes steeply towards the Madawaska Lake shoreline to the north, northeast, and east at an approximate slope of 40 - 60% within the EP zoned woodland surrounding the property.

## **2 METHODOLOGY**

The EIA included the assessment of Natural Heritage Features including woodlands, verification of wetland/shoreline boundaries, and the assessment of the presence of species at risk, in accordance with applicable policies of the township of McNab Braeside and the County of Renfrew. The assessment also included the characterization of existing conditions such as land use, existing structures, vegetation types, water features, and incidental wildlife encounters. The study area included all lands adjacent to the subject property and environmentally sensitive areas identified within the immediate vicinity.

### **2.1 Desktop Review**

CM3 completed a desktop review of published natural heritage data and readily available information for the site and study area. The review included the resources defined in the List of Referenced Documents, aerial photographs, and topographic maps. The desktop review was used to identify physical and biological features in the area of the proposed development and within the study area.

### **2.2 Site Survey**

A site survey and field investigation were conducted by Zach Hynna, B. Sc. of CM3 on November 20, 2023. The weather at the time of the site investigation was -1°C with sun and intermittent clouds. All exterior areas of the subject property were accessible. Adjacent lands were observed from the subject property boundaries.

The study area was investigated on foot to document and delineate existing vegetation communities, watercourses, wetlands, and other natural features. The survey focused on confirming the findings of the desktop review; specifically, the highwater mark, riparian zone, and the potential presence of species at risk throughout the subject property and on adjacent lands. The riparian zone surrounding the subject property was surveyed to evaluate and identify natural heritage features such as wetland characteristics, significant wildlife habitat, and the presence of species at risk. On site drainage ditches were surveyed to identify any potential hydrologic features on site. Incidental observations of wildlife were also recorded.

#### **2.2.1 Watercourses and Wetlands**

Known watercourses and the potential presence of wetlands throughout the subject property and adjacent lands were identified on Google Earth and the MNRF Natural Heritage Mapping Tool,

and were visually assessed on-site. Guidelines from the MNRF Natural Heritage Reference manual and the Ontario Wetland Evaluation System (OWES) were used to evaluate for the presence of and to delineate potential wetlands on the subject property. Terms outlined in the McNab Braeside Zoning By-law and the County of Renfrew OP were used in conjunction with available satellite and topographical imagery and on-site observations to evaluate and confirm the location of the highwater mark and lands on potential flood plains.

### **2.2.2 Woodlands**

The presence of woodlands on the subject property were evaluated using the MNRF Natural Heritage Mapping Tool and were visually assessed on-site. Woodlands on the subject property and adjacent lands are shown in **Figure 2**.

## **2.3 Wildlife**

### **2.3.1 Incidental Wildlife Observations**

Incidental observations of birds, insects, mammals, and amphibians were recorded during the field assessment. Types of observations included visual identification, identification of calls, identification of scat, presence of nests, among other identifying features.

### **2.3.2. Species at Risk**

Potential Species at Risk in the general area of the subject development were identified from online resources such as Ministry of Natural Resources and Forestry databases, Natural Heritage Information Centre (NHIC) records, the Ontario Reptile and Amphibian Atlas, and the Ontario Breeding Bird Atlas.

### **2.3.3 Invasive Plant Species Observations**

Invasive plant species were visually identified throughout the site during the field survey based on the surveyor's knowledge and referring to the Ontario Invasive Plant Council reference material on the physical characteristics and range of invasive plant species known to grow in the area. Due to the time of year, the identification of invasive plant species was limited.

## **3 EXISTING CONDITIONS**

Characterization of the existing conditions of the study area were derived from the desktop review and the site survey.

### **3.1 Land Classification**

Following the site assessment, the study area was classified into two distinct zones. Due to the subject property being historically disturbed and non-natural, the land classification is limited to the woodlands along the sloped shoreline of the property. The two distinct zones within the wooded areas of the subject property were classified as: Coniferous Plantation and Mixed Forest

ecosites using the OMNR Southern Ontario Ecological Land Classification Vegetation Type List (OMNR, 2008) document as a reference guide.

The upland area of the property is not classified into a distinct ecotype as the land has previously been developed for its historical agricultural and current residential uses, and consists of a maintained field, gravel driveway, a primary residential building, two wood-framed sheds, one wood-framed detached garage.

### 3.2 Species at Risk

The desktop review of the subject property included an assessment of the potential presence of species at risk. This preliminary search was conducted to assess the possible presence of Threatened and Endangered species as identified in the study area by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) under O. Reg. 230/08 *Species at Risk in Ontario List* and the *Endangered Species Act*. A Natural Heritage Information Centre (NHIC) report search was conducted on four 1 km<sup>2</sup> NHIC quadrants covering the subject property and adjacent lands (18UR9127, 18UR9128, 18UR9227, 18UR9228). The NHIC data for the relevant quadrants is summarized in **Table 1** below:

Table 1: NHIC Species at Risk Search Results			
Common Name	Scientific Name	COSEWIC Status*	Quadrant ID
Hickorynut	Obovaria olivaria	Endangered (END)	18UR9128
Eastern Meadowlark	Sturnella magna	Threatened (THR)	18UR9128, 18UR9127, 18UR9228
Bobolink	Dolichonyx oryzivorus	Threatened (THR)	18UR9228
Loggerhead Shrike	Lanius ludovicianus	Endangered (END)	18UR9227

The subject property and adjacent lands features extensive grassy fields, low shrubbery, and agricultural crops. These land features present suitable habitat for small bird species such as the above-listed Eastern Meadowlark (END), Loggerhead Shrike (END), and Bobolink (THR). In nature, these species prefer grasslands, low shrubbery, and sparse trees. In developed agricultural areas, these species have adapted to inhabit croplands, hayfields, and roadside shrubbery. The proposed development area on the subject property is within the maintained grassy field on former agricultural cropland. The area is regularly mowed and is therefore not likely to host the aforementioned species at risk. However, if the land were to remain undisturbed, it would present suitable nesting habitat for the species. As such, mitigation measures and monitoring plans (as described in Section 4) must be implemented to ensure the preservation of the potential habitat and its ecological functions.

The freshwater riverine ecosystem supported by the Madawaska River adjacent to the subject property presents suitable habitat for the above-listed Hickorynut freshwater mussel (END). The mussels tend to inhabit deep, wide freshwater river systems with waters of 2-3m depth and

moderate to strong currents. Evidence of freshwater mussels was observed along the shoreline of the subject property, although the species was not identified. As such, mitigation measures and monitoring plans (as described in Section 4) must be implemented to ensure the preservation of the potential habitat and its ecological functions. Given the limited extent of the proposed development, the freshwater system is not likely to be impacted in any way.

### 3.3 Incidental Wildlife Observations

All incidental wildlife observations made during the site survey are presented in **Table 2**, below.

Table 2: Incidental Wildlife Observations				
Common Name	Scientific Name	Phylum	Date - Observation	Significance
North American Beaver	<i>Castor canadensis</i>	Animal (Chordate)	November 20/23 – Tracks, Bite Marks	None
Freshwater Mussel (sp. Unknown)	N/A	Animal (Mollusca)	November 20/23 – Visual	Potential SAR (Hickorynut)

The freshwater mussel observed along the shoreline of the subject property is suspected to be a species at risk (Hickorynut), as discussed in Section 3.2.

### 3.4 Site Hydrology

Water levels were expected to be low to moderate based on the time of year of the assessment (November). The Lake Madawaska shoreline surrounds the property to the north, northeast, and east. Based on the topography of the site and adjacent lands, drainage is by overland flow primarily toward Lake Madawaska on the east side of the property. Water levels in the study area are expected to fluctuate drastically due to Lake Madawaska being dammed and actively regulated by Ontario Power Generation. The proposed, development area, however, is located above 105 m AMSL, and well above Lake Madawaska's highwater mark of 100.58 m AMSL. Mitigation measures (Section 4) are to be implemented to ensure that the proposed project will not alter site hydrology.

### 3.5 Fish Habitat

The Madawaska River and Lake Madawaska adjacent to the subject property are known fish habitats. Further, the presence of fish within the adjacent water body was confirmed by the property owner while on site. As such, mitigation measures (Section 4) are to be implemented to ensure that the proposed project will not alter the adjacent watercourse and associated fish habitat.

### 3.6 Other Significant Features

No other features such as significant valley lands, wetlands, woodlands, or Areas of Natural and Scientific Interest (ANSI's) are located on or adjacent to the site.

#### 4 ASSESSMENT OF POTENTIAL IMPACTS

Impacts to the existing natural features on Site may result from the proposed development. The potential environmental impacts and suggested mitigation measures are provided in **Table 3** below.

Table 3: Potential Impacts and Proposed Mitigation, Monitoring, and Compensation				
Phase	Activity	Potential Impacts	Mitigation Recommendations	Monitoring/Follow up Recommendations
Site Preparation	Removal of grasslands	Impacts to nesting birds protected by the Endangered Species Act and Species at Risk in Ontario (O. Reg. 230/08).	<p>Complete grubbing and groundwork outside of the nesting season (April 1- August 31st).</p> <p>Retain a qualified professional to conduct a bird nesting survey within the proposed development area prior to beginning groundwork.</p> <p>Retain the maximum amount of vegetation practical surrounding the development area.</p> <p>If practical, reduce the total area of actively maintained lawn to allow for the natural succession of grasslands on the subject property to compensate for losses to potential Species at Risk habitat.</p>	If active nests are identified, monitor the nests as needed until they are deemed to be inactive.
Construction	Grading	Increased Erosion, sedimentation and turbidity	<p>Maintain all vegetative buffers between Lake Madawaska and the development area.</p> <p>Develop a sediment and erosion control plan in accordance with Ontario Provincial Standard Specification (OPSS) #805.</p>	Monitor for evidence of changes in site hydrology such as increases or changes in runoff towards Lake Madawaska. Implement sediment controls as required.
		Increased contaminant and nutrient inputs to waterbodies on Site	<p>Follow sediment and erosion control guidelines and best practices.</p> <p>Maintain and enhance the vegetative buffer between the existing septic bed and Lake Madawaska through the planting of native tree and shrub species.</p> <p>Implement engineering controls and sustainable design during the alteration and/or installation of the septic system to prevent subsurface nutrient loading of Lake Madawaska.</p>	Monitor for the successful establishment of vegetative buffer and inspect for evidence of increased contaminant runoff.



<b>Table 3: Potential Impacts and Proposed Mitigation, Monitoring, and Compensation</b>				
<b>Phase</b>	<b>Activity</b>	<b>Potential Impacts</b>	<b>Mitigation Recommendations</b>	<b>Monitoring/Follow up Recommendations</b>
	Excavation, installation of services and utilities.	Surface water and soil Contamination by oils, gasoline, or chemicals associated with construction equipment and building materials	<p>Establish a temporary perimeter to delineate the development area. Limit the use of heavy machinery outside of the proposed development area and prohibit the use of heavy machinery within the 30m highwater mark setback and the EP zone. Setbacks are to be implemented as shown in Figure 3.</p> <p>Control and prevent spills and potentially contaminating activities associated with construction through good housekeeping and best management practices.</p> <p>Report any fuel spills immediately to the designated authority and implement necessary remediation measures.</p>	Ongoing monitoring of surface waters on Site during construction for the presence of potential contamination caused by construction equipment.
	Construction of a secondary dwelling.	Addition of non-permeable surfaces causing increased surface runoff and reduced soil infiltration.	<p>Any alterations to the existing gravel driveway and the addition of a gravel driveway and parking area for the secondary dwelling should be done within the proposed development area.</p> <p>Maintain vegetative buffers and add vegetative buffers as required to mitigate runoff and potential impacts to the watercourses on site. Install eaves trough and draining to manage increased rooftop runoff from the secondary residence to prevent potential increases in erosion and surface water runoff towards Lake Madawaska.</p> <p>Implementation of a post-construction stormwater management plan.</p>	<p>Any addition of driveways and walkways in the development area should be constructed of gravel or other permeable substrates to mitigate surface runoff.</p> <p>Inspect for evidence of increased surface water runoff and erosion resulting from increased non-permeable surfaces.</p>

<b>Table 3: Potential Impacts and Proposed Mitigation, Monitoring, and Compensation</b>				
<b>Phase</b>	<b>Activity</b>	<b>Potential Impacts</b>	<b>Mitigation Recommendations</b>	<b>Monitoring/Follow up Recommendations</b>
Post-Construction	Increased human use of the Site.	Introduction of non-native species (accidental or planted).	<p>Follow MNRF best practices for the management and prevention of invasive plant species.</p> <p>Plant only native species or non-viable non-native species for horticultural purposes.</p> <p>Plant only native species within vegetative buffers. Refer to MNRF best practices and/or consult the local conservation authorities for specific species recommendations.</p>	Monitor for the successful establishment of vegetative buffer and assess for the growth of invasive species.

#### 4.1 Likelihood and Rating of Impacts

The likelihood of all potential impacts associated with the proposed development listed in **Table 3** are low and their impact rating is minor. After the recommended mitigation measures are applied for each potential impact, the likelihood of potential impacts become negligible. The area of proposed development was historically used as agricultural land, and subsequently a developed and maintained residential property. The proposed construction of a secondary dwelling on site is not anticipated to result in the removal or significant disturbance of any existing natural heritage features or the loss of any significant wildlife habitat.

#### 4.2 Soil Erosion on Lands Adjacent to a Waterbody, Fish Habitat, and Species at Risk Habitat

If mitigation measures outlined in **Table 3** are adhered to, there is not expected to be any increase to surface runoff into the adjacent aquatic habitat along the shoreline of Lake Madawaska.

#### 4.3 Surface Runoff from New Construction

It is recommended that all driveways and walkways in the proposed development be constructed using a substrate that is permeable in nature such as gravel to mitigate surface runoff and promote stormwater infiltration into the soil. Appropriate runoff mitigation such as eaves troughing and drainage pipes should be installed as needed to mitigate an increase in surface runoff from the new proposed residence.

#### 4.4 Impacts to Potential Species at Risk Habitat

If mitigation measures outlined in **Table 3** are adhered to, there is not expected to be any negative impacts to species at risk in the general area or potential species at risk habitat on and adjacent to the subject development area.

It is recommended that the existing grasslands, standing trees, shrubs, and other vegetation on the proposed development area are retained as much as practicable to reduce the risk of altering unidentified habitat of species at risk and bird nesting habitat in the area. As a compensatory measure, it is recommended that the total area of manicured lawn be reduced to allow for allocated areas to return to a naturalized grassland. Wherever practical, efforts should be made to prevent the alteration of hydrological flow towards Lake Madawaska, potentially having favourable conditions for species at risk identified in the area.

## **5 CONCLUSIONS**

CM3 Environmental was retained by John Boef and Steven Charron to conduct an Environmental Impact Assessment for the development of a secondary dwelling on the subject property located at 64 Moreau Road in Pakenham, Ontario. The Environmental Impact Assessment was completed in accordance with applicable policies and regulations, as listed in the reference documents.

It is CM3's opinion that by implementing the mitigation measures identified in Section 4 of this report, the proposed development will not result in any long-term negative impacts to natural heritage features on site or lands adjacent to the site. The adjacent watercourse presenting fish habitat and potential species at risk habitat will be protected through the proposed erosion and sediment control plans, vegetative barriers, and engineering controls during construction activities. Species at risk reported within the proposed development area and their associated habitat are not anticipated to be negatively impacted by the proposed development, as mitigation and compensatory measures are to be implemented to minimize and replace any loss of potential habitat. Recommendations for associated mitigation measures are identified in Section 6. Furthermore, the proponent has expressed significant interest in protecting, preserving, and enhancing the natural features present on the property.

We trust that this report adequately summarizes our assessment of the potential impact of the proposed development of a secondary dwelling on the subject property and demonstrates that the development does not pose any significant environmental risk towards natural features identified on the subject property and adjacent lands.

## **6 MITIGATION RECOMMENDATIONS**

Through the implementation of the proposed mitigation measures, no long-term negative impacts are expected to the natural heritage system. The following recommendations are provided to protect the natural heritage features and associated ecological functions on the subject property and on adjacent lands:

1. Prepare and implement an Erosion and Sediment Control Plan (ESC) in accordance with Provincial Standard Specification (OPSS) #805 prior to the commencement of construction activities.
2. Construction equipment is to be limited to the development area to avoid unnecessary impacts to natural heritage features. The use of heavy equipment within the 30 m setback

of the highwater mark, as shown in **Figure 3**, is prohibited. Further, the proposed development area was setback an additional 30m from the edge of the vegetative buffer along Lake Madawaska.

3. Plant native trees and vegetation between the subject development and the adjacent waterbody and potential significant habitat to increase the uptake of surface water runoff and minimize sediment loading and the potential for increased erosion along the shoreline.
4. Choose materials, designs and engineering controls that will minimize impacts to the natural environment during construction.
5. Use low impact development (LID) methods on site where possible.
6. If possible, use physical control methods or best management practices to control invasive plant species on site, and avoid spreading them throughout the site or off site during the construction phase.
7. Where possible, complete any required vegetation clearing outside of the breeding bird nesting period (April 1 – August 31).
8. Conduct bird nesting surveys prior to the removal of grasslands in the subject development area.
9. Visually monitor surface water quality before, during, and after construction and implement contingency measures to ensure that unforeseen impacts are properly mitigated.

## 7 CLOSURE

This report has been prepared and the work referred to in this report has been undertaken by CM3 Environmental Inc. for **John Boef and Steven Charron**. It is intended for the sole and exclusive use of **John Boef and Steven Charron**, their affiliated companies and partners and their respective insurers, agents, employees, and advisors. Any use, reliance on, or decision made by any person other than **John Boef and Steven Charron** based on this report is the sole responsibility of such other person. CM3 Environmental Inc. and **John Boef and Steven Charron** make no representation or warranty to any other person with regard to this report and the work referred to in this report, and they accept no duty of care to any other person or any liability or responsibility whatsoever for any losses, expenses, damages, fines, penalties or other harm that may be suffered or incurred by any other person as a result of the use of, reliance on, any decision made or any action taken based on this report or the work referred to in this report.

The investigation undertaken by CM3 Environmental Inc. with respect to this report and any conclusions or recommendations made in this report reflect CM3 Environmental Inc.'s judgement based on the site conditions observed at the time of the site inspection on the date(s) set out in this report and on information available at the time of preparation of this report. This report has been prepared for specific application to this site and it is based, in part, upon visual observation of the site, and a background desktop review of physical and biological features as described in

this report. Unless otherwise stated, the findings cannot be extended to previous or future site conditions. Features other than those addressed by the investigation described in this report may exist within the site, features addressed by the investigation may exist in areas of the site not investigated.

If site conditions or applicable standards change or if any additional information becomes available at a future date, modifications to the findings, conclusions and recommendations in this report may be necessary.

Other than by **John Boef and Steven Charron**, copying or distribution of this report or use of or reliance on the information contained herein, in whole or in part, is not permitted without the express written permission of CM3 Environmental Inc. Nothing in this report is intended to constitute or provide a legal opinion.

We trust that the above is satisfactory for your purposes at this time. Please feel free to contact the undersigned if you have any questions.

Respectfully submitted,

**CM3 Environmental Inc.**

Prepared By:



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Reviewed By:



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Senior Geoscientist

# **FIGURES**

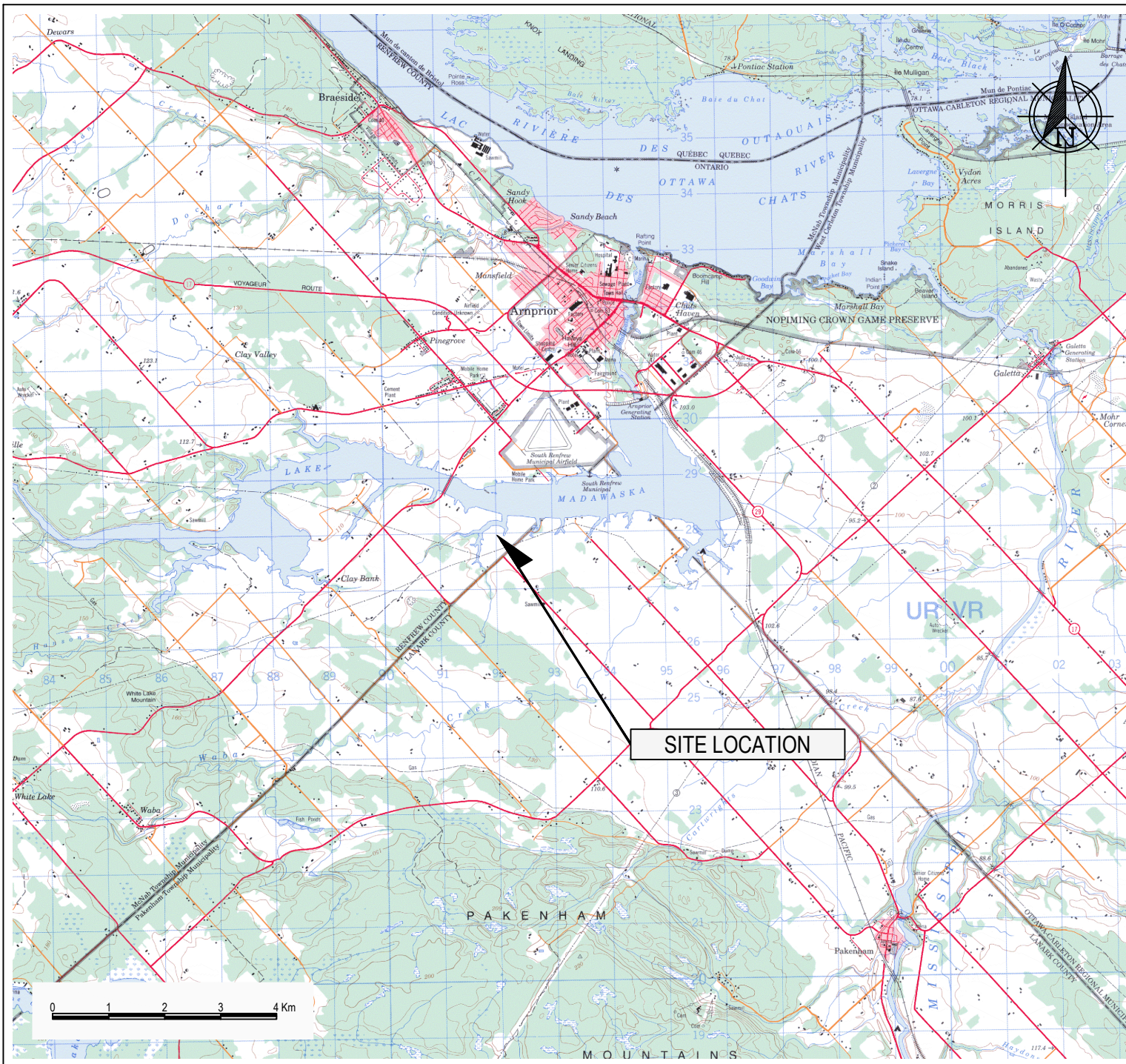
**Environmental Impact Assessment**

**64 Moreau Road**

**Pakenham, Ontario**

**ZH1025**





**cm3**  
environmental

5710 AKINS ROAD, OTTAWA, ON  
K2S 1B8

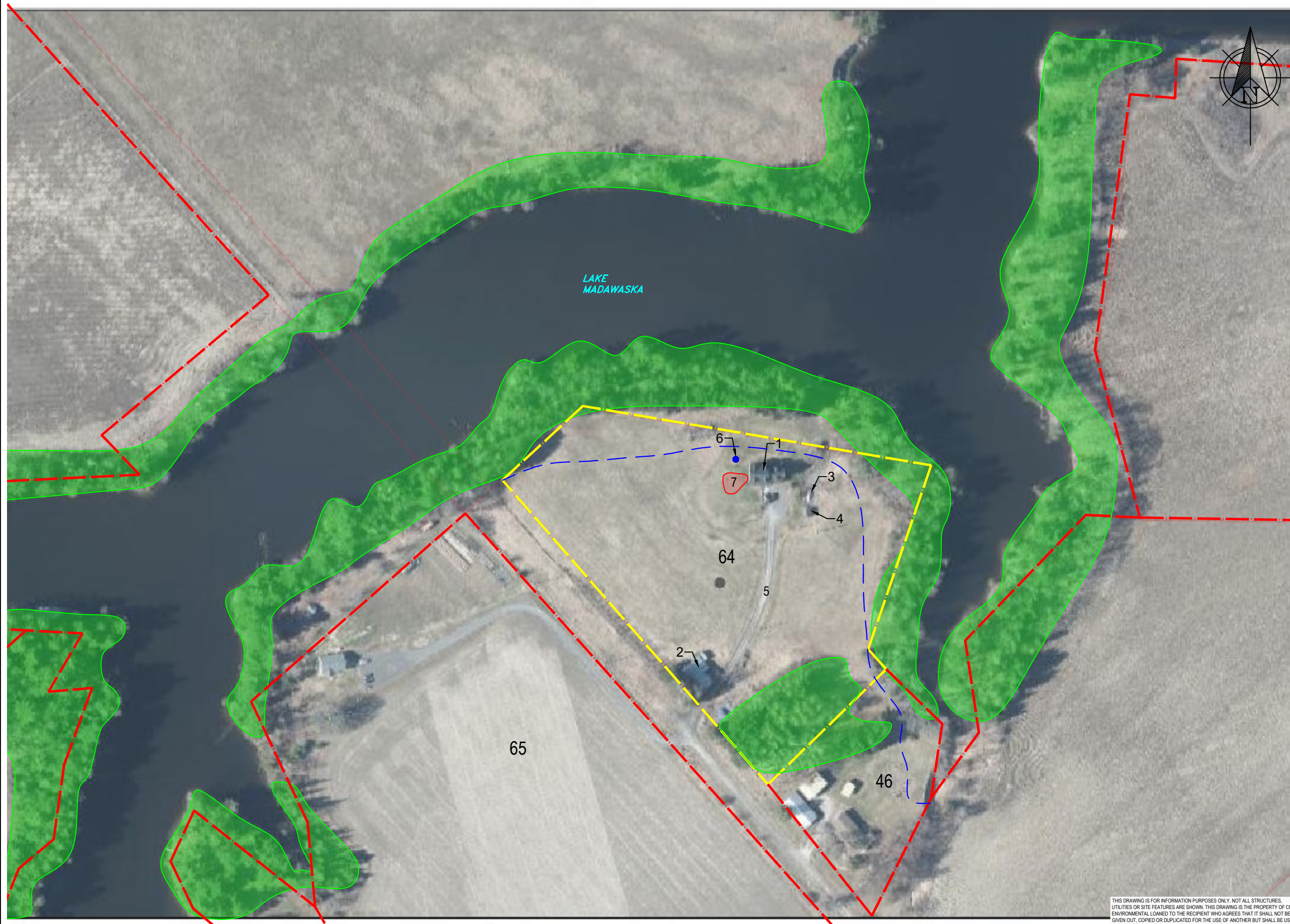
JOHN BOEF & STEVEN CHARRON

ENVIRONMENTAL IMPACT ASSESSMENT  
64 MOREAU ROAD,  
PAKENHAM, ONTARIO

SITE LOCATION

Project:	ZH1025	Drawn By:	KS
Date:	DEC 2023	Reviewed By:	ZH
Scale:	AS SHOWN	Figure:	1





**LEGEND**

- PROPERTY BOUNDARY
- SUBJECT SITE
- WOODLAND
- SEPTIC BED
- 105 m AMSL

**SITE FEATURES**

- 1- EXISTING RESIDENCE
- 2- EXISTING DETACHED GARAGE
- 3- EXISTING SHED / CHICKEN COOP
- 4- EXISTING SHED
- 5- EXISTING GRAVEL DRIVEWAY AND PARKING AREA
- 6- EXISTING WELL
- 7- EXISTING SEPTIC BED

Scale 1:2000

0 20 40 60 80 m  
(Approx. When plotted 11x17)

**cm3**  
environmental

5710 AKINS ROAD, OTTAWA, ON  
K2S 1B8

JOHN BOEF & STEVEN CHARRON

ENVIRONMENTAL IMPACT ASSESSMENT  
64 MOREAU ROAD,  
PAKENHAM, ONTARIO

EXISTING CONDITIONS  
AND  
NATURAL HERITAGE FEATURES

Project:	ZH1025	Drawn By:	KS
Date:	DEC 2023	Reviewed By:	ZH
Scale:	1:2000	Figure:	2

THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. NOT ALL STRUCTURES, UTILITIES OR SITE FEATURES ARE SHOWN. THIS DRAWING IS THE PROPERTY OF CM3 ENVIRONMENTAL LOANED TO THE RECIPIENT WHO AGREES THAT IT SHALL NOT BE GIVEN OUT, COPIED OR DUPLICATED FOR THE USE OF ANOTHER BUT SHALL BE USED ONLY BY THE RECIPIENT FOR THE PURPOSE TO WHICH IT REFERS.

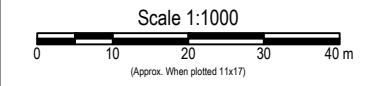




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- LEGEND**
- SUBJECT SITE
  - EXISTING SEPTIC BED
  - EXISTING SUPPLY WELL
  - 30 m SETBACK FROM HIGHWATER MARK
  - PROPOSED DEVELOPMENT AREA

- SITE FEATURES**
- 1- EXISTING RESIDENCE
  - 2- EXISTING DETACHED GARAGE
  - 3- EXISTING SHED / CHICKEN COOP
  - 4- EXISTING SHED
  - 5- EXISTING GRAVEL DRIVEWAY AND PARKING AREA
  - 6- EXISTING WELL
  - 7- EXISTING SEPTIC BED



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5710 AKINS ROAD, OTTAWA, ON  
K2S 1B8

JOHN BOEF & STEVEN CHARRON

ENVIRONMENTAL IMPACT ASSESSMENT  
64 MOREAU ROAD,  
PAKENHAM, ONTARIO

SITE PLAN

Project:	ZH1025	Drawn By:	KS
Date:	DEC 2023	Reviewed By:	ZH
Scale:	1:1000	Figure:	3

# **APPENDIX A**

## **Ecoregions in the Province of Ontario**

**Environmental Impact Assessment**

**64 Moreau Road**

**Pakenham, Ontario**

**ZH1025**



## Eco Regions in the Province of Ontario



# **APPENDIX B**

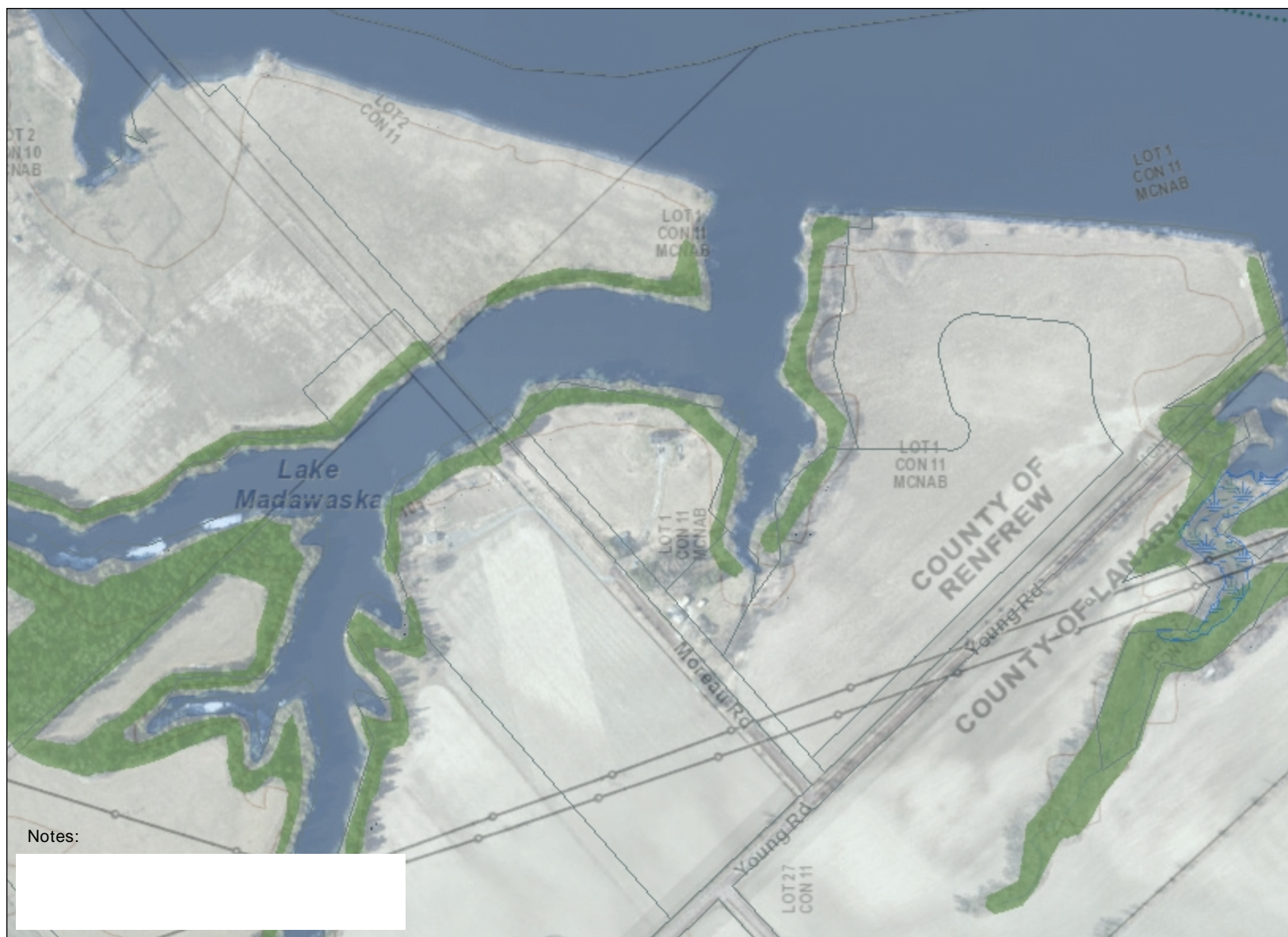
## **MNRF Natural Heritage Interactive Map**

**Environmental Impact Assessment**

**64 Moreau Road**

**Pakenham, Ontario**

**ZH1025**



Notes:

0.3 0 0.16 0.3 Kilometres

Absence of a feature in the map does not mean they do not exist in this area.

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources and Forestry(OMNRF) shall not be liable in any way for the use of, or reliance upon, this map or any information on this map.

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## Legend

- Assessment Parcel
- ANSI
- Earth Science Provincially Significant/sciences de la terre d'importance provinciale
- Earth Science Regionally Significant/sciences de la terre d'importance régionale
- Life Science Provincially Significant/sciences de la vie d'importance provinciale
- Life Science Regionally Significant/sciences de la vie d'importance régionale
- Evaluated Wetland
- Provincially Significant/considérée d'importance provinciale
- Non-Provincially Significant/non considérée d'importance provinciale
- Unevaluated Wetland
- Woodland
- Conservation Reserve
- Provincial Park
- Natural Heritage System



# **APPENDIX C**

## **Photographic Log**

**Environmental Impact Assessment**

**64 Moreau Road**

**Pakenham, Ontario**

**ZH1025**



**APPENDIX C**  
**PHOTOGRAPHIC RECORD**

**Client:** John Boef & Steven Charron

**Job Number:** ZH1025

**Site location:** 64 Moreau Road, Pakenham, ON

**Photographer:** Zach Hynna

**Date:** November 20, 2023



**Photograph 1:** Proposed development area and existing residence.



**Photograph 2:** South property entrance and existing detached garage.



**APPENDIX C**  
**PHOTOGRAPHIC RECORD**

**Client:** John Boef & Steven Charron

**Job Number:** ZH1025

**Site location:** 64 Moreau Road, Pakenham, ON

**Photographer:** Zach Hynna

**Date:** November 20, 2023



**Photograph 3:** Adjacent municipal right-of-way and agricultural lands to the east.



**Photograph 4:** Lake Madawaska towards the north.

**APPENDIX C**  
**PHOTOGRAPHIC RECORD**

**Client:** John Boef & Steven Charron

**Job Number:** ZH1025

**Site location:** 64 Moreau Road, Pakenham, ON

**Photographer:** Zach Hynna

**Date:** November 20, 2023



**Photograph 5:** Coniferous plantation at the south property boundary.



**Photograph 6:** Coniferous plantation bordering the property to the north and northeast.



**APPENDIX C**  
**PHOTOGRAPHIC RECORD**

**Client:** John Boef & Steven Charron

**Job Number:** ZH1025

**Site location:** 64 Moreau Road, Pakenham, ON

**Photographer:** Zach Hynna

**Date:** November 20, 2023



**Photograph 7:** Existing septic field and proposed development area.



**Photograph 8:** Existing domestic wellhead northwest of the existing residence.

**APPENDIX C**  
**PHOTOGRAPHIC RECORD**



**Client:** John Boef & Steven Charron

**Job Number:** ZH1025

**Site location:** 64 Moreau Road, Pakenham, ON

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**Date:** November 20, 2023



**Photograph 9:** Mixed forest ecosite along the sloped shoreline of Lake Madawaska.



**Photograph 10:** Lake Madawaska shoreline and highwater mark.



**APPENDIX C**  
**PHOTOGRAPHIC RECORD**

**Client:** John Boef & Steven Charron

**Job Number:** ZH1025

**Site location:** 64 Moreau Road, Pakenham, ON

**Photographer:** Zach Hynna

**Date:** November 20, 2023



**Photograph 11:** Drainage feature running from the subject property to Lake Madawaska to the east.



**Photograph 12:** Evidence of beaver activity.

**APPENDIX C**  
**PHOTOGRAPHIC RECORD**

**Client:** John Boef & Steven Charron

**Job Number:** ZH1025

**Site location:** 64 Moreau Road, Pakenham, ON

**Photographer:** Zach Hynna

**Date:** November 20, 2023



**Photograph 13:** Unidentified freshwater mussels along the Lake Madawaska shoreline.



# MINOR VARIANCE PLANNING REPORT

## **PART A – BASIC INFORMATION**

1. FILE NO.: A-2/24
2. APPLICANT: John Boef (Owner)
3. MUNICIPALITY: Township of McNab/Braeside  
(geographic Township of McNab)
4. LOT: 1 CONCESSION: 11 STREET: 64 Moreau Road

### **SUBJECT LANDS**

5. COUNTY OF RENFREW  
OFFICIAL PLAN  
Land Use Designation(s): Agriculture  
Environmental Protection
6. TWP OF McNAB/BRAESIDE  
ZONING BY-LAW 2010-49  
Zone Category(s) Agriculture (A)  
Environmental Protection (EP)

### **7. DETAILS OF MINOR VARIANCE REQUEST**

The minor variance application requests a variance in accordance with Section 3.34(1)b. of the Township's Zoning By-law to permit a secondary dwelling on a waterfront lot to subject to a supporting study that demonstrates no negative impacts on the water body.

### **8. SITE PERFORMANCE STANDARDS**

#### **Zoning By-law Standard**

#### **Permitted**

#### **Proposed**

Section 3.34(l)b.

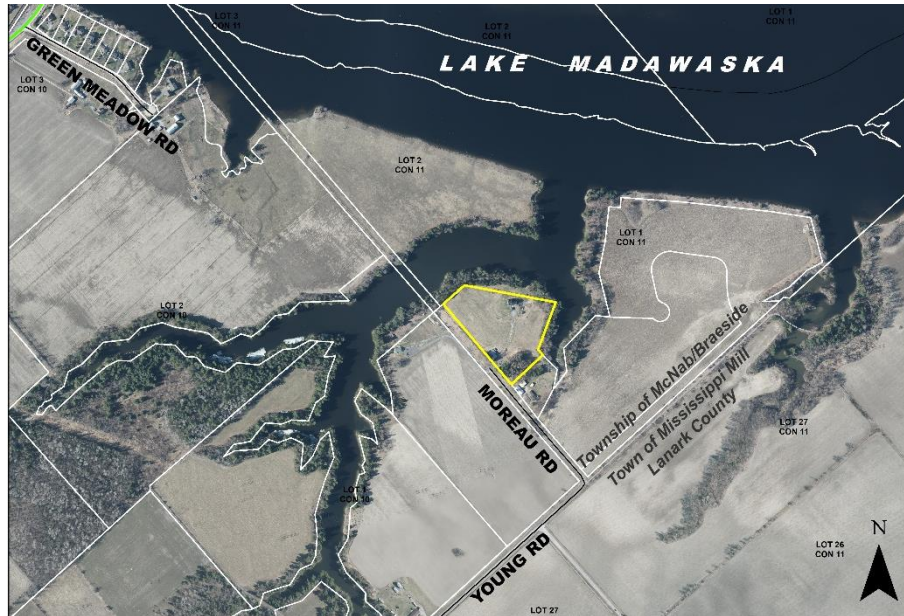
A secondary dwelling on a waterfront lot supported by a study that addresses Official Plan policy 2.2(24)(2)h

85 square metre (915 square foot) single detached secondary dwelling



## 9. **SITE CHARACTERISTICS AND SETTING**

The subject property (outlined in yellow) is close to the southern limit of the Township, with water frontage on the west side of Lake Madawaska. The property is an existing 3.21 Ha (7.93 acre) rural residential lot surrounded by water on the north and east sides, and by farmland on the west and south sides. The lot is relatively isolated as it is located within a predominantly farm area of the Township. Moreau Road extends along the lot frontage, providing frontage and access.



The lot is mostly cleared consisting of a maintained grass field. It contains a single dwelling, detached garage and two sheds, and is serviced by a septic system and well. The waterfront area which is lands owned by Ontario Power Generation is naturalized woodland.





## 10. **OFFICIAL PLAN**

The subject lands are designated as Agriculture and Environmental Protection in the County of Renfrew Official Plan.

Sections 6.3(1) and (2) of the Agriculture designation primarily permit agricultural and agricultural-related uses. Section 6.3(3) recognizes existing small land holdings that contain a variety of uses that are mostly rural residences. Section 6.3(4) permits a second dwelling on the same farm holding for the purposes of accommodating farm help assisting full time in the farm's operation. A severance of the second dwelling will not be permitted.



Section 8.3(1) and 8.3(2) of the Environmental Protection designation limits uses to the conservation of soil and wildlife, non-intensive outdoor recreational uses, forestry, agricultural uses, dams, water control devices, boat anchorages and moorings.

Section 2.0 General Development Policies contains various general policies that may apply to a specific property and/or proposal.

Section 2.2(2) requires new non-farm development to comply with the required Minimum Distance Separation formula for separations of sensitive uses from livestock facilities.

Section 2.2(8)(f) references Schedule B that displays significant valley lands, which are ecologically important in terms of features, functions and contribute to the quality of biodiversity of a natural heritage system. Depending on the scale and nature of a proposed development within 120 metres of a significant valley land, an environmental impact study may be required to demonstrate there will be no negative impact.

Section 2.2(11)(b) of the water setback and protection of shoreline integrity policies requires a minimum 30 metre water setback from the high water mark of a water body for all buildings and structures. Subsection (d) identifies that these lands are to remain in a natural vegetated state to assist in minimizing land-surface transport of nutrients to a water body and maintain a natural landscape view from the water.

Regarding servicing, Section 2.2(12)(a)(iii) and (f) allows for private well and septic services provided the site is suitable over the long term, without negative impact. It further states that for lots less than 1 hectare in area, a hydrogeological evaluation should be undertaken.

Section 2.24(2) provides policies for secondary dwelling units on lands that are serviced by private septic systems and/or private wells. Subsection c. does not require lots greater than 2 hectares to share the well and septic services between the main dwelling and the secondary dwelling. Subsection h. allows for secondary dwelling units on waterfront lots (that are not At Capacity) through a minor variance supported by a

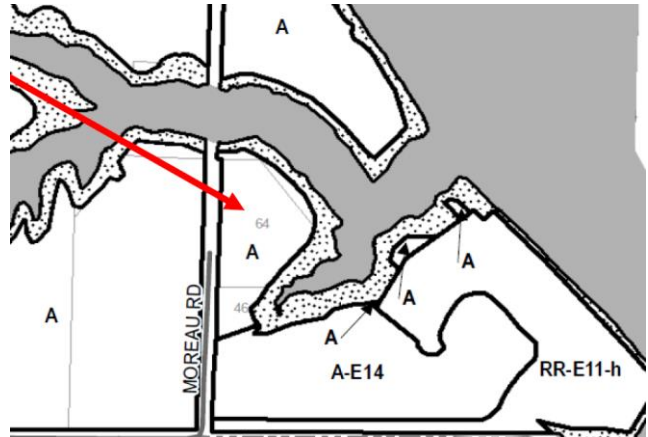
study that demonstrates no negative impacts to the water body, availability of potable drinking water (quantity and quality) and that addresses septic effluent).

Section 13.3(3) is the local municipal road policies and any new development fronting on a municipal road must meet the road authority's requirements.

## 11. **ZONING BY-LAW**

The subject property is zoned Agriculture (A) and Environmental Protection (EP).

Section 18.1 and 18.2 of the Agriculture (A) Zone permits a single detached dwelling on an existing lot, as well as a range of farm uses, and other appropriate uses such as home industry, bed and breakfast, forestry, private airfield, etc. Section 18.2(a) requires a minimum lot area of 20 hectares. Section 18.2(n) allows an existing lot to be used for a single detached dwelling.



Sections 20.1 and 20.2 of the Environmental Protection (EP) Zone permit an existing single detached dwelling, existing farm, limited farm, passive recreation, dam or other water control structures and erosion control structures.

Section 3.22(a)(i) requires a dwelling to meet Minimum Distance Separation MDS1 requirements from livestock facilities.

Section 3.23(c) requires new development to meet the requirements of the local road authority.

Section 3.23(d) requires a minimum 30 metres setback from the high water mark of a water body for all buildings and structures.

Section 3.27 1) identifies the floodplain of the Madawaska River, between the Arnprior dam and the Stewartville dam, as being below the 100.58 metre geodetic contour. An elevation survey prepared by an Ontario Land Surveyor shall be required for all building permit applications, unless the Ontario Power Generation owns the lands up to or above the stated elevation.

Section 3.34 Secondary Dwelling Units sets out requirements for these uses. Subsection (a) only permits these uses where adequate servicing such as water, waste water storm water and electricity is available. Subsection (c) requires the secondary dwelling unit to have less gross floor area than the primary dwelling unit. Subsection (f) require a minimum of one parking space for the secondary unit. Subsection (h) prohibits a secondary dwelling unit within a floodway, in the Environmental Protection (EP) Zone or within 30 metres of the high water mark of a water body. Subsection (l) permits secondary dwelling units on lots fronting a water body (that is not At Capacity) through the submission of a minor variance application supported by a study that

demonstrates no negative impacts to the water body as set out in Official Plan policy 2.24(2)h.

## 12. **STUDIES**

### Environmental Impact Assessment, cm3 environmental, December 21, 2023

Purpose: To characterize the natural features at the site and surrounding area, to evaluate the potential adverse effects of the proposed development on the natural features, and provide mitigative measures.

The proposed secondary dwelling is less than 100 square metres and is to be located on previously disturbed lands, now manicured lawn. It will share the existing well and septic system with the main dwelling, and the existing driveway access. The abutting lands consist of Madawaska Lake, agricultural lands and Moreau Road.

The topography of the site is relatively flat, at about 105 m AMSL. It slopes gently toward the north, northeast and east. Steeper slopes are found within the EP zoned woodland area, at the shoreline.

Desktop review and a site visit on November 20, 2023, inform the findings in the report. Features of the site were documented including vegetation communities, watercourses, wetlands, the high water mark, riparian zone and potential presence of species at risk, and natural heritage features. Incidental observations of wildlife were recorded.

The site has been historically disturbed consisting of a maintained field, graveled driveway, primary residence and accessory buildings, and has no ecotype classification. The wooded areas along the shoreline slopes are classified as Coniferous Plantation and Mixed Forest ecosites.

The surrounding agricultural lands contain vegetation types that present suitable habitat for threatened and endangered small bird species. The maintained/mowed field on the subject lands is not likely to host these species. Recommendations are made to ensure the preservation of this habitat. The riverine ecosystem of the Madawaska River next to the subject lands presents suitable habitat for an endangered freshwater mussel species. The development is not likely to negatively impact this freshwater system.

The site naturally drains overland toward the Madawaska River on the east side of the property. The river water elevations fluctuate drastically based on Lake Madawaska being dammed and regulated by Ontario Power Generation. The building site at 105 m AMSL is higher than the 100.58 m ASML high water mark. Recommendations are provided to ensure the hydrology of the site is not altered.

Fish habitat and fish are present in Lake Madawaska. Recommendations are provided to ensure the project does not alter the waterbody and associated fish habitat.

No other Natural Heritage Features, including significant valleylands are located on or adjacent to the site.

The EIA, lists a number of potential impacts related to the project:

- During site preparation
  - Removal of grasslands impacting protected nesting birds.
- During construction
  - Activities such as grading, excavation, installation of utilities/services and building construction potentially causing increased erosion, sedimentation and turbidity, and increased contaminant/nutrient inputs to waterbodies;
  - Contamination of surface water and potential chemical/gas/oil contamination associated with construction equipment and building materials;
  - Additional non-permeable surfaces that increase run-off and reduce soil infiltration.
- Post construction
  - Increased human use of the site and introduction of non-native plant species.

All of the above potential impacts of the proposed development are likely low. With the implementation of mitigation measures, the impacts would be negligible. The proposed construction of the secondary dwelling is not anticipated to result in the removal or significant disturbance of any existing natural heritage features or loss of any significant wildlife habitat. The EIA recommends the following mitigation measures:

1. Prepare and implement an Erosion and Sediment Control Plan (ESC) in accordance with Provincial Standard Specification (OPSS) #805 prior to the commencement of construction activities.
2. Construction equipment is to be limited to the development area to avoid unnecessary impacts to natural heritage features. The use of heavy equipment within the 30 m setback of the highwater mark, as shown in **Figure 3**, is prohibited. Further, the proposed development area was setback an additional 30m from the edge of the vegetative buffer along Lake Madawaska.
3. Plant native trees and vegetation between the subject development and the adjacent waterbody and potential significant habitat to increase the uptake of surface water runoff and minimize sediment loading and the potential for increased erosion along the shoreline.
4. Choose materials, designs and engineering controls that will minimize impacts to the natural environment during construction.
5. Use low impact development (LID) methods on site where possible.
6. If possible, use physical control methods or best management practices to control invasive plant species on site, and avoid spreading them throughout the site or off site during the construction phase.

7. Where possible, complete any required vegetation clearing outside of the breeding bird nesting period (April 1 – August 31).
8. Conduct bird nesting surveys prior to the removal of grasslands in the subject development area.
9. Visually monitor surface water quality before, during, and after construction and implement contingency measures to ensure that unforeseen impacts are properly mitigated.

13. **PUBLIC/AGENCY COMMENTS**

As required by the Planning Act, all property owners within 60 metres of the subject property have been notified of the application. The applicant has also posted notice on site. Public agencies have been notified, as required.

As of the writing of this report, no comments have been received. Should any public or agency comments be received they will be provided at the Hearing.

14. **GENERAL PLANNING COMMENTS**

Section 45(1) of the Planning Act provides that a Committee of Adjustment may authorise a minor variance from the provisions of the zoning by-law if the request maintains the general intent and purpose of both the Official Plan and the Zoning By-law, if the development is desirable and appropriate for the lands, building or structure and the variance is in fact minor.

As required by the Official Plan, a proposed secondary dwelling on a waterfront lot is permitted through a minor variance provided it is supported by a study that demonstrates no negative impacts to the water body, availability of potable drinking water (quantity and quality) and that addresses septic effluent). The applicant has provided an Environmental Impact Assessment that assesses the proposal, site conditions and features and recommends mitigation measures to protect Lake Madawaska.

There are several factors that must be considered and are discussed below.

**Property and Setting**

The subject property is unique. At 3.21 Ha, it is not an active farm, but functions as a very large rural residential lot with a dwelling and outbuildings, and a large amount of cleared, unused land area. The intervening lands between the lot and the shoreline of Lake Madawaska are owned by Ontario Power Generation. Other than the waterbody, the property is surrounded by larger active farm parcels. There is only one other rural residential lot located immediately to the southeast. The Boef property is located at the dead-end of Moreau Road. In many ways, it is quite isolated from other development.

**Proposed Secondary Dwelling and Servicing**

The proposed secondary dwelling is proposed to be one-storey with a 915 sq. ft. building footprint, smaller than the main dwelling. Although not required, the dwelling is proposed

to tie-in and share the existing septic system and well services for the main dwelling, which will reduce site disturbance.

The Official Plan policy provides that the required study is to demonstrate no negative impacts related to septic effluent, and the availability of quality and quantity of potable water. Our office is satisfied that this evaluation is not required for this proposal, for the following reasons. The lot is 3.21 Ha in area and is mostly isolated from other development. The existing septic system is located approximately 20 metres from the down-gradient lot line and is at least 50 metres from shoreline of Lake Madawaska. Section 12.2(12)(f) of the Official Plan states that for lots 1 Ha or greater a hydrogeological evaluation should not be required, which reflects Ministry of Environment guidelines. The additional effluent load on the existing septic system will be required to satisfy the Township's Building Department.

Also, the well record for the property indicates the geology on site consisting of layers of dense and soft clay underlain by silt and sand, over limestone bedrock. The recommended pump rate well exceeds Ministry of Environment guidelines.

#### Building Site Location

The proposed building site for the secondary dwelling is located on previously disturbed lands that are maintained as mown grassland. The building site is well beyond the 30 metre setback from the high water mark depicted in the Site Plan figure included in the submitted Environmental Impact Assessment. At this location the 30 metre water setback falls entirely within OPG-owned lands, which are mostly natural woodlands down to the shoreline.

The proposed building site is located approximately 105 metres ASML (above mean sea level) as depicted in the Existing Conditions and Natural Heritage Features figure, included in the submitted Environmental Impact Assessment and is well above the 100.58 metre geodetic floodplain contour.

Although the property is within an agricultural area, the proposed building site is 750 metres from the nearest potential livestock facility. Minimum Distance Separation is not an issue.

#### Environmental Impact Assessment (EIA)

In addition to water quality impacts, which was the main purpose of the study for this application, the EIA identified potential impacts on Natural Heritage Features and habitats of endangered and threatened species. The identified habitats included those found off-site, including within the waters of Lake Madawaska for an identified aquatic species, and within croplands, hayfields and roadside shrubbery for protected small-bird species. It was acknowledged that the subject lands being regularly mowed are not likely to host the aforementioned bird species, but if left to naturalize, could provide suitable habitat. The mitigation measures recommended in the EIA, provide protections/enhancements for these habitats.

Regarding impacts from the proposed development to the water quality of Lake Madawaska, the EIA finds the impacts are likely low and minor in nature, but with the



recommended mitigation measures the impacts would likely be negligible. It is the County's opinion that the need for a qualified biologist to sweep the development site for bird nests prior to clearing, a formal sediment and erosion control plan, and post construction stormwater management plan are onerous for the level of development proposed on such a large lot. The owner cannot enhance vegetated buffers on OPG lands. Many of the recommended mitigation measures can be achieved through standard best management practices on-site. The owner has commissioned the report and is encouraged to follow the various recommendations to maintain and improve vegetative buffering on-site with native shrub and tree species to reduce surface run-off to Lake Madawaska.

Considering all of the above, it is staff's opinion that that the proposed secondary dwelling on the subject lands meets the general intent and purpose of the Official Plan and the Zoning By-law, and can be considered desirable and is minor in nature given the context of the property, provided conditions are applied, as set out in the recommendation, below.

## 15. **RECOMMENDATIONS**

That subject to any additional concerns or information raised at the Committee of Adjustment Hearing, the Committee approve the requested variance to Section 3.34(l) of the Zoning By-law to permit a secondary dwelling unit at 64 Moreau Road, subject to the following conditions:

1. It is the owner's responsibility to comply with the Ontario Endangered Species Act, 2007.
2. Prior to site work, effective sediment and erosion control measures are to be installed, and maintained until complete re-vegetation of disturbed areas is achieved to protect impacts on Lake Madawaska. Silt fencing is to be installed along the edges of the work areas, including soil stockpiles. The silt fencing is to be properly dug-in to treat any surface water flow and is maintained as required, including removal of accumulated sediment.
3. The extent of exposed soils is to be kept to a minimum at all times. Re-vegetation of exposed, non-developed areas is to be achieved as soon as possible.
4. Construction equipment is to be limited to the development area to avoid unnecessary impacts to natural heritage features and potential contamination of surface water.
5. The owner visually monitors surface water quality before, during, and after construction and implement contingency measures to ensure that unforeseen impacts are properly mitigated.

6. Post-construction, rooftop run-off is to be managed so it does not cause surface sedimentation run-off to Lake Madawaska. Eavestroughing is to be drained to downspouts discharging to coarse granular gravel/crushed rock receptors, rain barrels or rain gardens.
7. Driveway and parking areas should be located in the development area. Post-construction, walkways and outdoor living areas should incorporate permeable materials to encourage infiltration, and landscaping with native species to control run-off and sediment.

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Date:	March 1, 2024
Prepared by:	Anne McVean, County Planner
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