



March 22, 2018
KRCA File No. 16093

APPENDIX C
to
REPORT PLAN 2018-035
FILE NO. DOB-2018-015

Ryan Smith
Parks and Open Spaces Supervisor
City of Kawartha Lakes
89 St. David Street,
Lindsay, ON K9V 5K2

**Regarding: Logie Street Park – Lilac Gardens of Lindsay
325 Logie Street, Lindsay
City of Kawartha Lakes
City Project**

Dear Mr. Smith:

In Kawartha Conservation's previous comments, dated February 23, 2018, direction was provided under both Ontario Regulation 182/06 as well as our Memorandum of Understanding with the City in order to work towards a mutually agreeable park design/shoreline treatment that would address the needs of the City of Kawartha Lakes as well as the requirements of the *Conservation Authorities Act*, and direction provided by provincial policy, as it relates to Fish Habitat.

Subsequent to our letter, all interested parties met at Kawartha Conservation's offices on March 13, 2018, conducted a site visit on March 14, 2018, and I've engaged in additional discussion with our geotechnical peer reviewer in an effort to address outstanding technical concerns and to facilitate the continual advancement of this project.

Based on the two meetings and discussions with technical staff, attached is a red-lined revised site plan to assist in documenting the changes discussed on site that must be made to the final drawing set (both planning and permit), to reflect this letter.

Ontario Regulation 182/06

Slope Stability/Erosion Hazard

With regard to the erosion hazard assessment and geotechnical/slope stability analysis, the City had noted that the additional work required as outlined in our February 23, 2018 letter was undesirable given the additional costs and the time it would take to complete. A request was made of our peer reviewer to evaluate whether there was an erosion hazard setback distance that would provide a factor of safety to address the outstanding requirements.

With reference to the findings in the "Slope Stability and Erosion Hazard Limit Report" prepared by Cambium Inc., and the Erosion Hazard Limit in the Technical Guide – River & Stream Systems of Ministry of Natural Resources and Fisheries, Soil Engineers Ltd. were able to confirm that it would be more

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appropriate to use a 20 metre setback in the vicinity of the 40 x 40 ft Open Air Pavillion, considering a Toe Erosion Allowance of 8m, Stable Slope Allowance of 6m, and Erosion Access Allowance of 6m. Therefore, provided the Open Air Pavillion and trail system were shifted back to accommodate the 20m setback, the additional geotechnical work would not be required.

The remainder of the site could continue to use the 17m erosion hazard setback, as previously identified in the Cambium report.

Staff note that Kawartha Conservation continues to support the trail location within the 6 metre Provincial Erosion Access Allowance, but requests the City ensure the trail is shifted, as appropriate, to stay in the 6 metre allowance in the vicinity of where the 20 metre erosion hazard setback is applied.

Identified Area of Erosion

An area of erosion concern was identified between the lookout and the dock area, illustrated as waypoint 341 in our February 23, 2018 letter (circled in red on the attached redline site plan). McElroy and Associates will be preparing a riparian planting plan for this location to assist in mitigating future erosion issues.

Hazard Trees

It was discussed on site that should trees within the regulated area (tableland and shoreline) be determined to be hazardous to human safety, Kawartha Conservation does not object to their maintenance or removal, however the City is strongly encouraged to leave the root mass as well as trunk snags (1-2m in height) to encourage habitat creation and maintain slope stability.

Access Points within Regulated/Riparian Area

It has been decided that there will be two (2) access points to the river along the shoreline that will require removal of vegetation, construction and bank reinforcement; the viewing platform and the accessibility docks.

Viewing Platform

- Location identified on March 14, 2018 site visit (staked in the field), is acceptable;
- Is at grade with park trail;
- Will be constructed on piers driven to refusal enabling woody vegetation in-water to remain, where feasible;
- Clearing of vegetation at top of slope will extend the full width of the viewing platform;
- woody debris removed for construction of the platform is to be relocated up or down stream within the same distance of the shoreline as it was previously, and anchored (for stability) to maintain its function, where feasible

- Permit from Kawartha Conservation is required for shoreline stabilization works and construction of platform

Accessible Dock

- Location identified on March 14, 2018 site visit (staked in the field), is acceptable;
- Permanent access to dock requires a 3m wide removal of existing vegetation;
- A planting plan, approved by Kawartha Conservation is required for the restoration of the construction access for dock installation which exceeds 3m;
- Main dock is a permanent structure suspended above the water on piles driven to refusal;
- Some removal of in-water woody vegetation will be required to accommodate the docking structures;
- Up river portion of dock to be cantilevered from permanent dock (removed in winter);
- Down river portion of dock (accessible component) to be floating, anchored to permanent dock (removed in winter);
- woody debris removed for construction of the dock is to be relocated up or down stream within the same distance of the shoreline as it was previously, and anchored (for stability) to maintain its function, where feasible;
- Permit from Kawartha Conservation is required for shoreline stabilization works and construction of dock access

All development within a regulated area requires a Permit pursuant to Ontario Regulation 182/06 prior to site alteration. Staff note that the detailed design of both structures and their associated erosion and sediment control plans will be approved at the permitting stage.

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Fish Habitat

A significant concern associated with the initial proposal of the Logie Street Park shoreline treatment was that the naturally vegetated slope was being entirely hardened. Through consultation with the City and Parks Canada, it has been determined that the preferred approach to shoreline treatment for Logie Street Park is to allow the existing vegetation to remain along the shoreline and only harden the riverbanks in the immediate location of the viewing platform and the accessible dock.

As noted above under the heading Ontario Regulation 182/06, woody, in-water vegetation is to remain in situ, and where it must be removed for construction purposes, is to be relocated up or downstream where feasible, within the same distance of the shoreline, and anchored, such that it can continue to provide its intended ecological function.

Based on the revised approach to shoreline treatment for Logie Street Park, Kawartha Conservation no longer finds this project to have the potential to cause serious harm to fish that support a recreational fishery.

Future Opportunities

As a result of this park project, the City of Kawartha Lakes and Kawartha Conservation have identified future opportunities to enhance the riparian buffers contributing to fish habitat in the park.

- Invasive species (Buckthorn) removal along the Scugog River shoreline and restoration with a native, non-invasive species mix;
- Riparian enhancement along the regulated watercourse running parallel to Lindsay Street South at the southern boundary of the property

This work could be accomplished through a partnership and/or stewardship opportunity.

Summary

The Environmental Impact Study originally submitted in support of the Logie Street Park failed to address Kawartha Conservation's concerns associated with the regulated area and fish habitat, as detailed in staff's letter dated February 23, 2018. Subsequent to its issuance, the City of Kawartha Lakes, Parks Canada and Kawartha Conservation have worked together to address the identified concerns and achieve a mutually agreeable outcome that satisfies all parties, as identified in this letter and on the attached redlined site plan, dated March 14, 2018.

It is the preference of Kawartha Conservation to have an Environmental Impact Study revised prior to staff's approval, however in the interest of time, and the recognition of good faith between the City and Kawartha Conservation, staff are satisfied that the changes to be made to the plans, as outlined in this letter, will satisfy Kawartha Conservation's requirements of the Environmental Impact Study.

Please note however that all final plans, drawings and permit submission materials must reflect the changes as described herein.

Should you require any additional information, please do not hesitate to contact this office

Yours truly,



Katie Jane Harris, Resources Planner

cc: Rod Porter, City of Kawartha Lakes
Roberta Perdu, City of Kawartha Lakes
Christina Sisson, City of Kawartha Lakes
Jane Tymoshuk, Parks Canada
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Ron Warne, Director of Planning , Development and Engineering, Kawartha Conservation
Stacy Porter, Regulations Department, Kawartha Conservation
Jenna Stephens, Risk Management Official/Source Protection Technician, Kawartha Conservation