



City of
Peterborough

To: Members of the Planning Committee

From: Jeffrey Humble, Director, Planning and Development Services

Meeting Date: May 23, 2017

Subject: Report PLPD17-026
Application for Site Plan Approval, 4,851 square metre Casino
and Seven Storey, 100 Suite Hotel at 1400 Crawford Drive
Removal of “H” – Holding Symbol from the Zoning of the
property and pre-commitment of funds for 2018-2019 Budgets
for Infrastructure Improvements

Purpose

A report to recommend the removal of an “H” – Holding symbol from the zoning of the property at 1400 Crawford Drive and the conditional approval of a Site Plan Application for the construction of a 4,851 square metre (52,216 square foot) casino and a seven storey, 100 suite hotel at 1400 Crawford Drive, and pre-commitment of funds for the 2018 and 2019 budgets for infrastructure improvements to Harper Road and Crawford Drive.

Recommendations

That Council approve the recommendations outlined in Report PLPD17-026 dated May 23 2017, of the Director, Planning and Development Services, as follows:

- a) That the Site Plan Application submitted by Ontario Gaming East Partnership and Roshan Holdings Inc. for the construction of a 4,851 square metre (52,216 square foot) casino and a seven storey, 100 suite hotel at 1400 Crawford Drive be approved subject to the following conditions:
 - i) The deposit of site work performance security in the amount of \$1,000,000.00;

- ii) The submission of revised drawings and additional technical information to the satisfaction of the Director of Planning and Development Services and the Director of the Utility Services Departments;
 - iii) The submission of further clarification and technical information regarding storm water management and biological particulars to the satisfaction of the Otonabee Region Conservation Authority;
 - iv) The submission and implementation of a Thermal Effectiveness Monitoring Plan, for the casino and hotel site plan to be entirely funded by the applicant/owner, to the satisfaction of Otonabee Region Conservation Authority, during site construction and for a period of five years post construction, to verify the predicted function of the thermal mitigation measures and storm water impacts from the property at 1400 Crawford Drive on the abutting tributary of Byesville Creek;
 - v) The completion of a scoped methane study due to the site's proximity to a closed landfill;
 - vi) The completion of a Stage 2 Archaeological Assessment;
 - vii) The submission of additional technical information to the satisfaction of the Ministry of Transportation of Ontario; and
 - viii) The deposit of a Parkland Levy in accordance with **The Planning Act**, as amended.
- b) That the property at 1400 Crawford Drive be rezoned from SP.363-"H" – Special Commercial District, to SP.363 Special Commercial District, in accordance with Exhibit 'D' attached to Report PLPD17-026.
- c) That financing of infrastructure improvements for Harper Road and Crawford Drive extensions and realignments be approved with the following conditions:
- i) That a City Capital Budget pre-commitment in the amount of \$4,000,000 in 2018 and \$4,000,000 in 2019 be approved to reimburse the developer for the construction of the roadways;
 - ii) That the Site Plan Agreement include provisions and terms with the developer to finance the infrastructure improvements relating to the Harper Drive and Crawford Drive realignment to permit construction to commence in 2017 prior to approval of the City's 2018 budget;
 - iii) That the developer constructs the Harper Road and Crawford Drive extensions and realignments as outlined in the Class EA Study; and

- iv) That the roads in the vicinity of the casino and hotel property be named in accordance with Exhibit “B” attached to Report PLPD17-026.

Budget and Financial Implications

The casino will generate a development charge in the amount of \$414,517.95 and, if the hotel was to commence construction this year, its development charge would be approximately \$598,150.00.

Report PLPD16-038 to the May 9, 2016 Planning Committee estimated the construction value of the Casino to be \$49 million and the Hotel at \$17 million. Combined, this would generate \$1 million in tax revenue, 185 full-time jobs, and \$26.5 million in annual operational expenditures.

In 2016, the existing Casino operation in Cavan Monaghan generated \$3.2 million of additional revenue to the Township. The proposed casino in Peterborough is projected to have additional slot machines as well as card tables that may result in this number being increased.

Due to the timelines of the overall project which include full site access to the buildings at the time of opening, the infrastructure improvements relating to Harper Drive and Crawford Drive realignments need to be expedited. Due to budget factors, for this to occur the developer has agreed to upfront a portion of payment in 2017 to allow the works to commence. The City will thus be required to budget for these improvements as part of the 2018 and 2019 budgets and reimburse the Developer in the future. Estimated costs of these improvements are \$8 million.

Background

With the resolution of the appeals to the Ontario Municipal Board, the Zoning of the property was enacted to permit a gaming establishment / casino, a hotel and a restaurant. An “H” – Holding Provision was tagged on to the Zoning of the property, which can only be removed subject to the completion, review and approval of an Environmental Impact Study (EIS) by the Otonabee Region Conservation Authority (ORCA) to establish an appropriate setback from the environmentally sensitive wetland area to the west of the site. The EIS was approved by ORCA and a setback boundary established, which can be seen on the Site Plan attached as Exhibit B to this report.

In addition to the site plan approval and removal of the Holding provision, the project requires adjacent roadway improvements to take place. The developer requires this to take place concurrent to the casino and hotel site development to ensure they have full access to their site at time of opening. Given the construction process may take up to a year or more delaying the construction and realignment of Harper Road and Crawford

Drive until 2018-2019 would prevent site access and jeopardize the operations of the casino and hotel. The developer has agreed to upfront a portion of these costs and be reimbursed in the future to address this.

Site Plan Application

The subject Site Plan Application proposes to construct a two storey casino building with a gross floor area of 4,851 square metres (52,216 square feet) and a seven storey 100 suite hotel with approximately 7,000 square metres in gross floor area (75,347 square feet).

By way of the Site Plan Agreement, the developer will be responsible for the construction of the perimeter roads shown as Harper Road and an extension to Crawford Drive on the Site Plan drawings. The naming of these roads is subject to change in accordance with a map attached as Exhibit "B" to this report. For emergency response services, it is proposed to name the road on the west and north perimeter of the site as Fisher Drive and to name the road flanking the site's east side as Harper Road. The road along the site's east side is a logical extension to Harper Road and the road along its west and north side is a logical extension of Fisher Drive.

The existing section of Crawford Drive north of The Parkway to the Fisher Drive extension will be closed and most of the asphalt removed to create a complimentary landscape treatment relative to an existing cold-water creek. A remaining strip of asphalt will be used as an informal trail linking the intersection of Crawford Drive and The Parkway to the Fisher Drive extension.

Originally, the concept Site Plan attached to the report recommending the Zoning By-law Amendment showed the casino and hotel buildings located in the south portion of the site. Later, it was determined that the soils are better for building construction in the north portion. The Site Plan now shows the hotel at the northeast corner and the casino close to the Fisher Drive extension.

The existing Tim Horton's restaurant is to remain without any changes to the layout of its own parking and vehicle movement areas. The two existing driveway entrances off of the future Harper Road extension (now named as Crawford Drive) will remain and will provide access to all the buildings on the site.

A new driveway entrance is proposed off the Fisher Drive extension. It connects directly to the main entrance of the casino and also provides access to the hotel and Tim Horton's restaurant. The initial Site Plan submission showed driveway connections to this main driveway very close to its entrance at Fisher Drive. The City's Transportation Division determined that there could be too many conflicts with turning vehicles. As a result, City Transportation staff requested a revision to the plan to include a concrete

median to prevent left turns immediately into the hotel parking lot and to prevent right turns out of the parking area along the north side of the casino building. Staff discussed the requested revision with the applicant and the applicant has agreed to make the change to the plan.

As part of the Fisher Drive extension, concrete sidewalks will be constructed as well as a trail along the site's east side. As a result, the Site Plan was revised to include walkway connections to the interior of the site.

Other noteworthy features of the Site Plan include a new storm water detention pond at the site's north-east corner (in front of the hotel), a 1.2 metre high wood fence providing a barrier relative to the environmentally sensitive area to the west and a retaining wall, varying in height between 1.1 and 1.5 metres across the entire southerly boundary of the site.

The Landscape Plan shows a variety of trees exceeding minimum size standards at installation. Shrubs, perennials and ornamental grasses are included in the plan as well as native tree and shrub specifications in the wetland buffer area to the west. A request has been made to include more evergreen trees in the wetland buffer area to assist in attenuating noise and to potentially help screen the area from the effects of the casino's parking lot lighting.

Parking

A special parking ratio was established through the Zoning By-law Amendment process for the casino, reflecting a parking demand typically experienced by Ontario Gaming East Partnership. The regulation requires 0.75 spaces per gaming position, where a "gaming position" was defined as a seat or standing location in which a person participates in a casino gaming activity, such as slots and video machines or table games. With 483 slots and 132 seats at gaming tables, the total parking requirement for the casino is 480 spaces.

The Zoning By-law requires 83 spaces for the Tim Horton's restaurant and 100 for the hotel for a total of 655 parking spaces for the entire site. These spaces are shown on the proposed Site Plan with a total of 16 spaces dedicated to accessible parking.

Otonabee Region Conservation Authority (ORCA) Review

As the site is located adjacent to an environmentally sensitive wetland area, ORCA required the completion of an Environmental Impact Study (EIS) to inventory features of the natural environment, to examine the significance of resources, to assess the impacts of development and to recommend mitigation measures. The EIS was peer reviewed by Beacon Environmental and submitted to the City and ORCA for review. The EIS recommended an appropriate setback or buffer area relative to the wetland to

the west of the site. The setback was approved by ORCA, satisfying the condition for the removal of the “H”-Holding Provision from the zoning of the property.

ORCA also reviewed the Storm Water Management Report, Hydrogeological Report and the full set of drawings submitted for Site Plan Approval, with the exception of building plans and building elevation drawings. ORCA is satisfied with the proposed variable width buffer relative to the wetland provided that enhancements are undertaken to re-vegetate this area and the mitigation measures including fencing and construction related activities are implemented. As ORCA has requested the provision of further clarification and technical details in their engineering and biological reviews, satisfying ORCA in this regard has been made a condition of Site Plan Approval.

Consultation with the Casino Watershed Stakeholder Task Force

Following passage of the Zoning By-law Amendment to make way for the development of the subject property, Council resolved to include a group of concerned citizens to review and provide comments with respect to the Site Plan Application. This was done as a result of Council’s motion on May 16, 2016 to “involve stakeholders such as the Harper Park Stewardship Initiative and the Peterborough Field Naturalists”.

Planning Division staff, Utility Services Department staff, Community Services Staff and Beacon Environmental Consultants, participated in three meetings with the “Casino Watershed Stakeholder Task Force”, which took place preceding the May 23, 2017, Planning Committee meeting. During one of these meetings (April 27, 2017) a representative from the casino was also in attendance. On May 5, 2017 the “Task Force” also submitted a series of recommendations.

Below are the series of concerns expressed by the Casino Watershed Stakeholder Task Force and the subsequent actions taken by staff in response to these concerns:

- Thermal mitigation of the Site Plan Storm Water Management design

Response: The comments received from the ORCA Biologist concerning the storm water management design were included in the Site Plan Application response package for the applicant to address. As a condition of approval, the applicant will have to satisfy ORCA in this regard. A recommendation has been included in the report to have the thermal impacts on the abutting Byersville Creek tributary monitored through construction and for a period of five years post construction. In addition to the recommendation, the City may need to undertake such work as part of the Harper Road and Crawford drive realignments. Any arrangements to cost-share and increase efficiencies in this regard will be negotiated between the developer, the City and ORCA.

In the event the monitoring program reveals that the site’s development has resulted in unacceptable thermal impacts on the tributary of Byersville Creek, the developer may be required to implement additional mitigation measures. Security will be retained until

the end of the thermal monitoring period and may be used to mitigate any negative impacts identified through the monitoring period.

- Riparian buffer for the Byersville Creek Tributary

Response: The creek's riparian zone will be improved by the City with the implementation of the recommendations arising out of the Webber Avenue and Rye Street Urbanization and Harper Creek North Reach Class EA and by the applicant with the implementation of the landscape specifications to naturalize the zoned Open Space District abutting the site's south side.

- Protection of adjacent wetland

Response: The wetland is being protected by the ORCA approved buffer, control of parking lot lighting trespass and the implementation of landscape specifications to naturalize the buffer.

- Methane study

Responses: As directed by the Official Plan, a scoped methane study will be undertaken due to the proximity of the site to a known closed landfill located near the current Harper Road and Crawford Drive intersection.

- Wildlife exclusion strategies

Response: The fence separating the parking area from the wetland buffer will include specifications to help prevent the movement of wildlife from natural areas to the west into the casino / hotel site.

- Bird strike avoidance

Response: The casino building does not include any windows along its west elevation. Sometimes birds will see light through a building and attempt to fly through, striking a window. The design of the casino building and the hotel are not conducive to bird strikes.

- Enforcement of Site Plan Storm Water Management Design

Response: Enforcement is achieved by way of the Site Plan Agreement, where the Applicant's consulting Engineer of Record is required to supervise and inspect the construction of storm water management features. Post-construction, the Engineer is required to submit a letter bearing the person's stamp and signature verifying that all the storm water management features have been installed in accordance with the Schedules to the Site Plan Agreement and are operating as designed. The Site Plan Agreement also requires that the storm water management features are regularly

maintained. Maintenance verification documentation must be submitted to the Utility Services Department.

- Ground water impacts on the site

Response: A Hydrogeological Assessment Report was required and reviewed by ORCA. The report states that “it is our professional opinion that the site is suitable from a hydrogeological perspective for development of the casino, hotel, parking lot and storm water ponds”. However, in their response ORCA has questioned how the storm water dry ponds will function, given the data was collected last year, when the region was experiencing a drought.

- Infiltration of storm water and thermal impacts

Response: ORCA is requiring the submission of specifications to ensure that infiltration and thermal impacts are mitigated during the construction phase, particularly with respect to de-watering. The inclusion of such mitigation measures are requested to be included in the EIS and other relevant reports. As well, the submission and implementation of a Thermal Effectiveness Monitoring Plan is required, which will be entirely funded by the applicant/owner, during site construction phase and for a period of five years post construction, to verify the predicted function of the thermal mitigation measures and storm water impacts on the abutting tributary of Byersville Creek.

- Erosion mitigation during construction

Response: Enforcement of erosion and sedimentation control measures through construction is the responsibility of Planning Staff. An Erosion and Sedimentation Control Plan is required and is listed as one of the Schedules in the Site Plan Agreement.

- Possible detrimental effects of site lighting on sensitive species

Response: Staff are requiring revisions to the Site Lighting Plan to reduce the intensity of the parking lot lighting and to control the amount of light trespass into the Open Space District to the south and the wetland buffer to the west. The Applicant has been requested to investigate zonal control of the parking lot lighting in order to dim or turn off parking lot lighting in areas where it is not needed during low demand periods for parking.

- Crawford Drive closure and its naturalization

Response: This will be undertaken by the City as part of the Webber Avenue and Rye Street Urbanization and Harper Creek North Reach Class EA. A strip of asphalt 3.0 metres in width will remain for an informal trail, connecting Fisher Drive to the Harper

Road-Crawford Drive-Parkway intersection. The remaining open space will be naturalized, improving the riparian zone of the adjacent cold-water creek.

- Mitigation of run-off due to snow clearing and storage

Response: This will be addressed further, as the Applicant has been requested to specifically investigate the mitigation of run-off due to snow clearing and storage in the site's Storm Water Management Plan.

- Oil / grit separator implementation

Response: In order to provide storm water quality control, there are two oil / grit separator structures shown in the Storm Water Management Plan: one at the north end of the site and one to the south.

- Noise mitigation

Response: Any noise generated from the site is being mitigated with the installation of a solid board fence abutting the wetland buffer and with the installation of native evergreen trees bordering the site's west side.

- Post-construction monitoring program

Response: The main post construction issue identified is with respect to thermal impacts on the adjacent cold water tributary of Byersville Creek. The submission and implementation of a Thermal Effectiveness Monitoring Plan is required to be entirely funded by the applicant/owner, to the satisfaction of ORCA, during site construction and for a period of five years post construction, to verify the predicted function of the thermal mitigation measures and storm water impacts on the abutting tributary of Byersville Creek. Security will be withheld until the conclusion of the Thermal Effectiveness Monitoring Program and may be used to address any negative impacts identified through the Monitoring Program period.

The noted concerns were considered by all Planning and Utility Services Department staff who participated in the review of the Site Plan Application.

Some of the revision work to be undertaken by the consulting team for the applicant include: the submission of landscape specifications to naturalize the wetland buffer and the zoned Open Space District along the cold-water creek, the submission of a Landscape Plan for the hotel site area; a review of the site lighting levels and the degree of light trespass into the wetland buffer and the Open Space strip bordering the site's south boundary; and the submission of an Erosion and Sedimentation Control Plan to be enforced by Planning staff through the duration of construction.

As there are a number of comments that are technical in nature and many that require revisions to the set of drawings, it has been recommended to include a general condition requiring that all the comments be addressed to the satisfaction of the Director of Planning and Development Services as well as the Director of the Utility Services Departments.

A number of the recommendations are significant in their scope and extend beyond the development site. Riparian buffers, wildlife exclusion strategies, thermal impacts, naturalization of Crawford Drive, Harper Park access, and adaptive management plans are such examples. In discussions with the "Casino Watershed Task Force" it was suggested that these items could be addressed through a separate process with a broader focus. The notion of a Harper Park Master Plan or Adaptive Management Plan could for example be undertaken in the future. This would require Council consideration and support as a capital budget item in the future with the costs determined by the scope of the project.

Archaeology

As a condition of Site Plan Approval, a Stage 2 Archaeological Assessment is required. Before the Visitor's Centre was constructed on the site, a Stage 1 Assessment was completed. The Stage 1 Archaeological Assessment recommended the completion of a Phase 2 assessment before further development on the site is to proceed.

Notice

Notice of the Application was circulated to all abutting property owners, as well as concerned City departments, agencies and utilities. A message was received from the Ministry of Transportation (MTO) stating that there are some storm water management issues remaining to be addressed, as well as some outstanding items relative to the Traffic Impact Study. The message concluded by stating that the items must be addressed prior to the issuance of an MTO Building and Land Use permit.

A response to the Notice of Application was also received from Hiawatha First Nation and Curve Lake First Nation. Curve Lake First Nation requested the provision of all relevant project information, including but not limited to: the Archaeological Assessments, EIS and Hydrogeological Reports.

Summary

Since none of the comments received through the Site Plan Review process affect the location of the casino building or its ground floor elevation, it will be possible for the casino to obtain a conditional building permit to commence construction if there are

some conditions of Site Plan Approval remaining to be addressed. The applicant will be required to deposit the parkland levy and the full amount of performance security prior to the issuance of a building permit. As well, the City's Building Division will have to approve the building plans submitted for permit and the building permit fee, development charges and any other applicable fees and charges will have to be deposited.

The Site Plan Application is deemed to comply with applicable Zoning By-law regulations and is in keeping with the policy directives of the Official Plan. As a result, the subject Site Plan Application is recommended for conditional approval.

Submitted by,

Jeffrey Humble, MCIP, RPP
Director, Planning and Development Services

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Attachments:

- Exhibit A: Land Use Map
- Exhibit B: Naming of Roads Map
- Exhibit C: Site Plan Application set of Drawings
- Exhibit D: Draft By-law and By-law Map for Removal of "H" – Holding Provision from the Zoning of the Property
- Exhibit E: "Casino Watershed Task Force" Site Plan Recommendations (May 5, 2017)

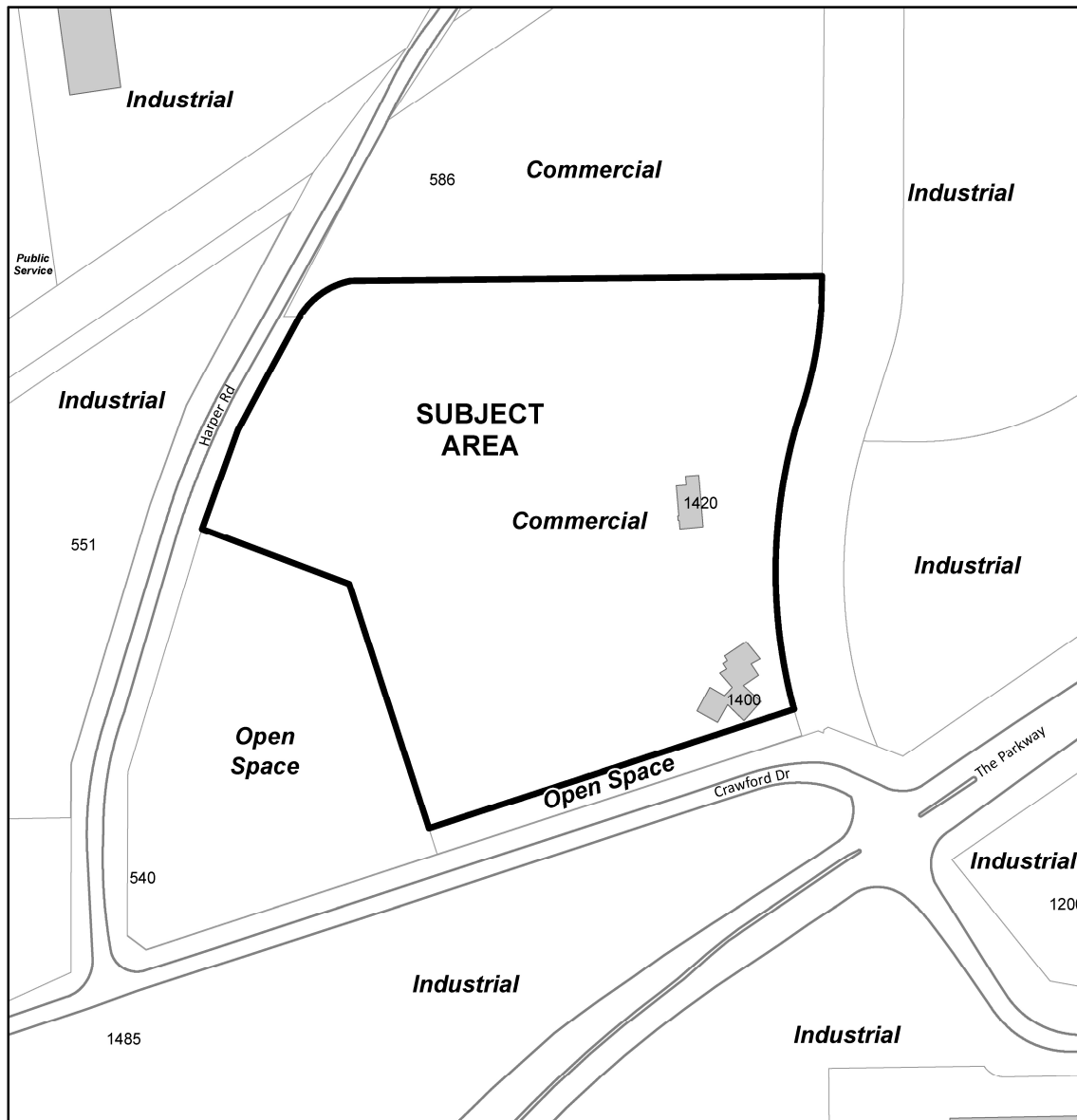
Exhibit A, Land Use Map, Page 1 of 1

Land Use Map

File: Z1611

Property Location: 1400 Crawford Dr

EXHIBIT	
SHEET	OF



The City of Peterborough Planning Division

The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for a legal description.



Date: May 3, 2017

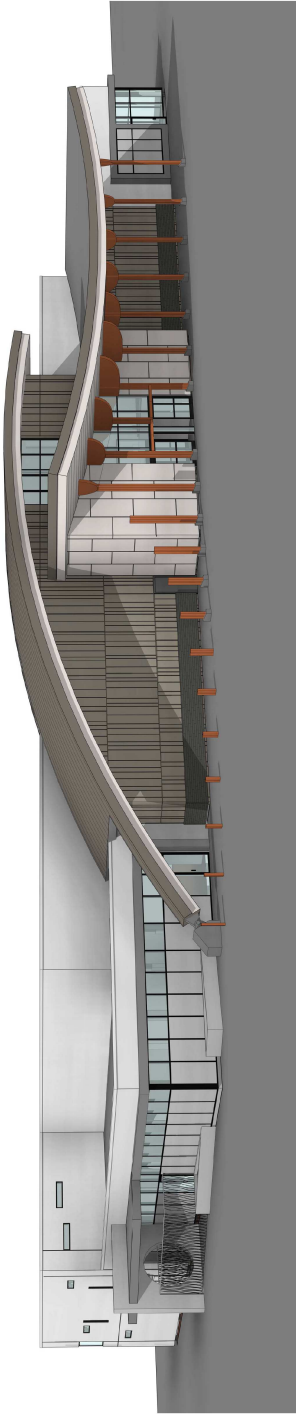
Map by: Jellis

0 15 30 60 90 Metres

Exhibit B, Page 1 of 1



Exhibit C – Site Plan Set of Drawings, Page 1 of 21



PETERBOROUGH CASINO

OWNER
GREAT CANADIAN GAMING CORP.
5500 SHEPPARD AVENUE EAST
SUITE 100
VICTORIA, BC V8N 3N9
TEL: (604) 303-1000





















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CIVIL ENGINEER
ANLEY GROUP
550 WELHAM ROAD
SUITE 100
BURNABY, BC V5C 4E7
TEL: (709) 726-3371

SITE PLAN GENERAL NOTES:

- [illegible]

SITE LEGEND:

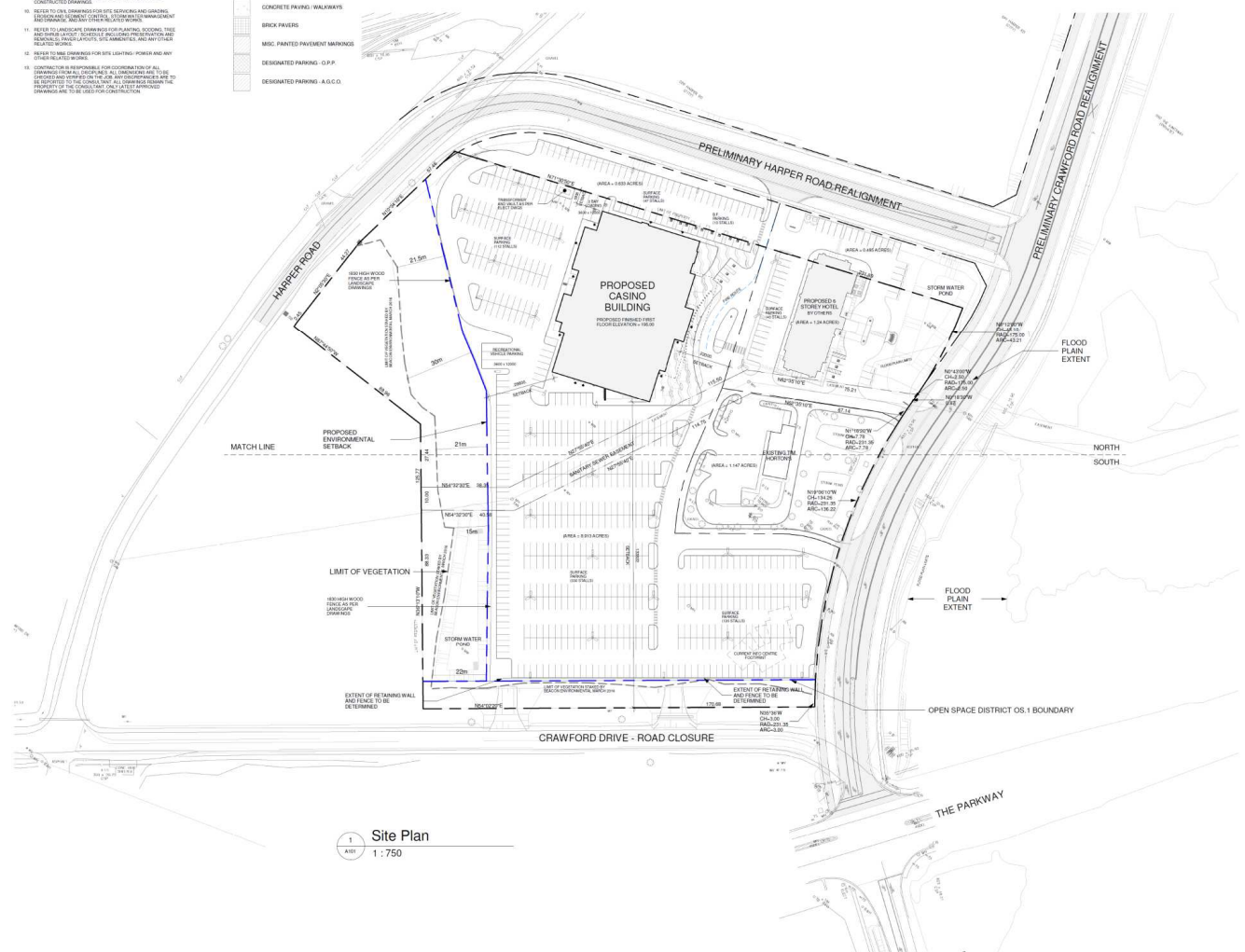
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|---|--|
|  | INDICATES POLE MOUNTED LIGHT CABLES LOCATED ON SELECT DOWN |
|  | INDICATES BOLLARD TYPE LIGHT STANDARDS BY ELECTRICAL |
|  | PROPERTY LINE - EXTENT OF CONTRACT |
|  | PART LOT - EASEMENT LINE |
|  | FIRE ACCESS ROUTE |
|  | INDICATES MANHOLE PER CIVIL |
|  | INDICATES CATCH BASIN PER CIVIL |
|  | INDICATES CATCH BASIN - MANHOLE PER CIVIL |
|  | INDICATES FIRE HYDRANT PER CIVIL |
|  | INDICATES METAL BOLLARD TYPE BUMPER DETAIL, SIGN |
|  | INDICATES POLE MOUNTED SIGN |
|  | INDICATES BOREHOLE LOCATION |
|  | INDICATES 1/8" PER SURVEY |
|  | INDICATES BARRIER FREE CUT OUT BOX FACILITY AT TRAFFIC INTERSECTIONS |
|  | INDICATES REFER TO DETAIL, SIGN |
|  | CONCRETE PAVING: SLAB/RAILS |
|  | BRICK PAVERS |
|  | MISC. PAINTED PAVING MARKINGS |
|  | DESIGNATED PAVING - G.P.P. |
|  | DESIGNATED PAVING - A.G.G.O. |

PROPERTY DESCRIPTION:

PART LOT 9, CONCESSION 11 (NORTH MONAGHAN), BEING PARTS 1, 2 & 3 PLAN 45R13939, SUBJECT TO AN EASEMENT IN FAVOUR OF THE CORPORATION OF THE CITY OF PETERBOROUGH OVER PART LOT 9, CONCESSION 11 (NORTH MONAGHAN) BEING PART 2 PLAN 45R13939 AS IN PE48242, TOGETHER WITH RIGHT OF WAY OVER PART LOTS 8 & 10, CONCESSION 11 (NORTH MONAGHAN) BEING PART 7 PLAN 45R13939 AS IN PE48245

GEOGRAPHIC TOWNSHIP OF NORTH MONAGHAN
NOW IN CITY OF PETERBOROUGH
COUNTY OF PETERBOROUGH

GEOGRAPHIC TOWNSHIP OF NORTH MONAGHAN
NOW IN CITY OF PETERBOROUGH
COUNTY OF PETERBOROUGH



Large Scale Site Plan - South

1:300

100' 0"

200' 0"

300' 0"

400' 0"

500' 0"

600' 0"

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22600' 0"

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23800' 0"

23900' 0"

24000' 0"

24100' 0"

24200' 0"

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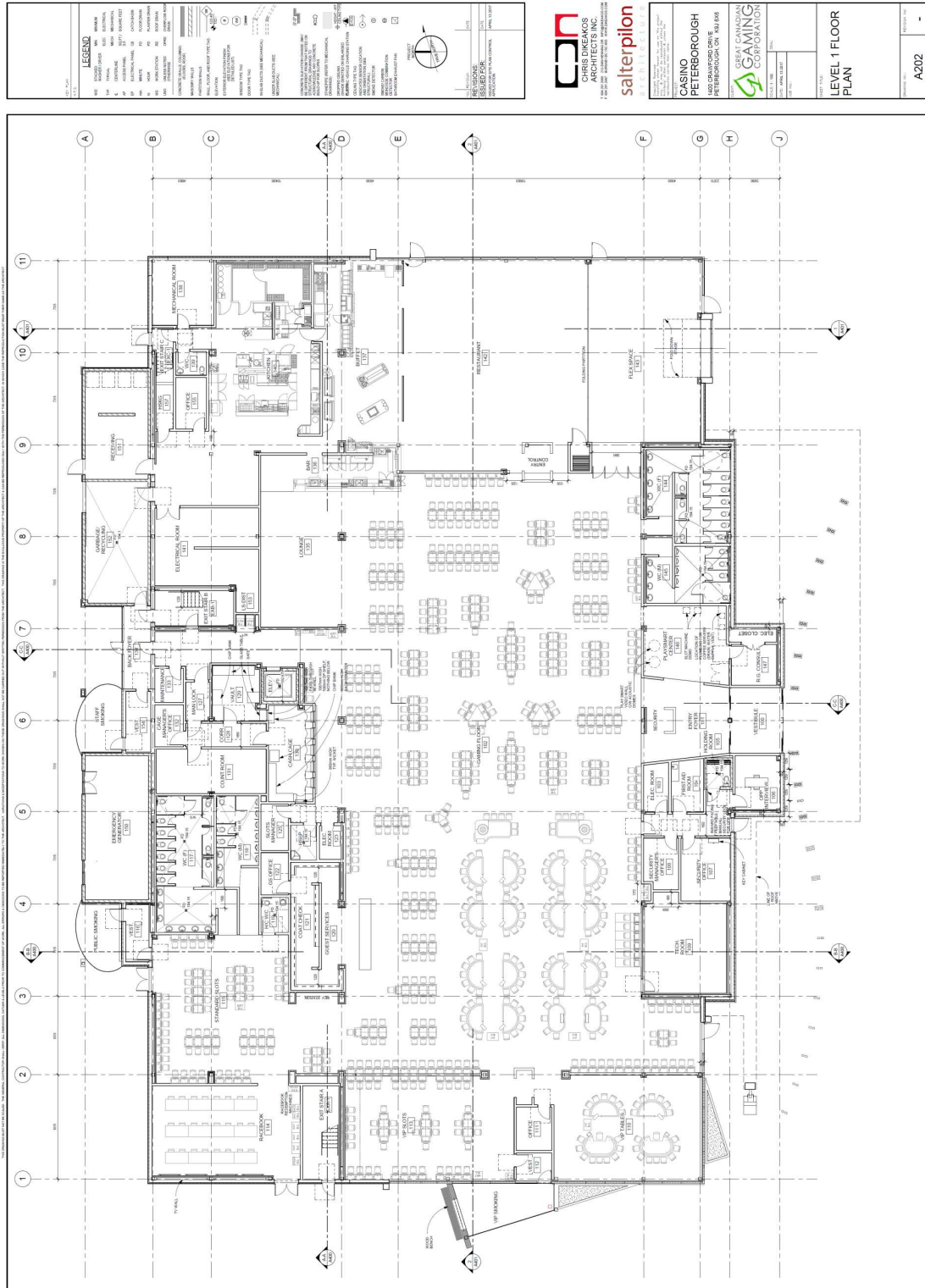
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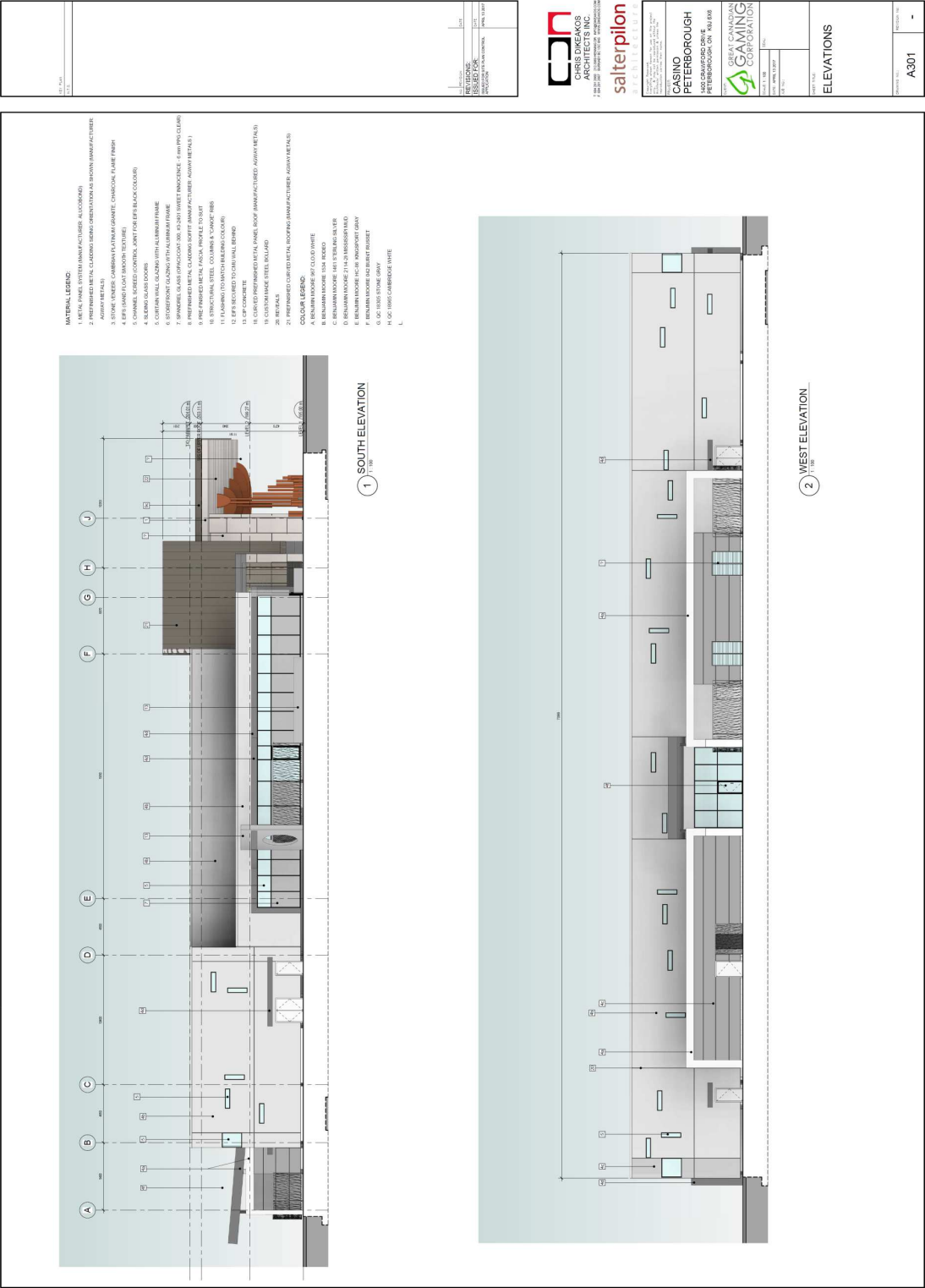
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Exhibit C – Site Plan Set of Drawings, Page 5 of 21



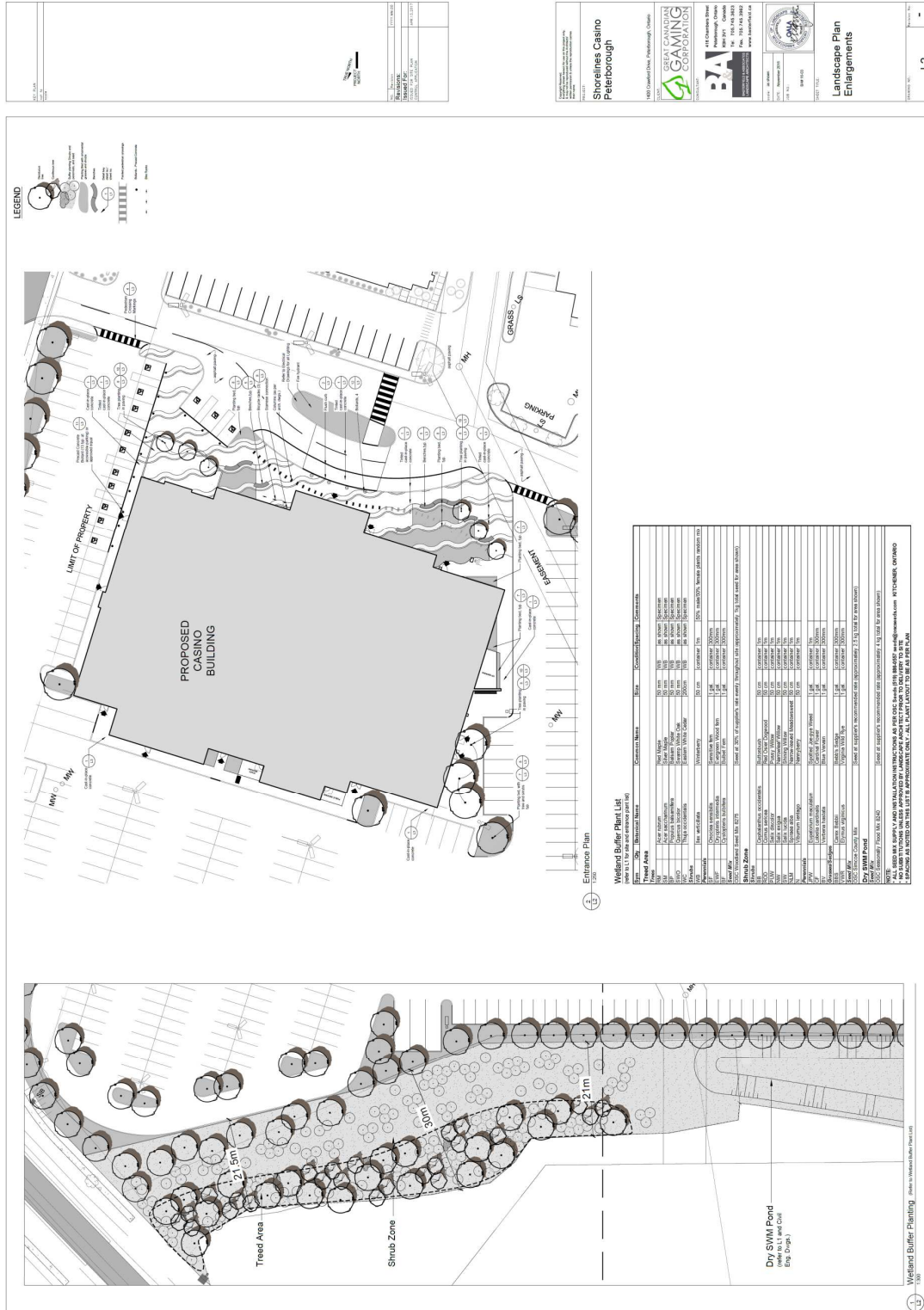
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Exhibit C – Site Plan Set of Drawings, Page 7 of 21



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Exhibit C – Site Plan Set of Drawings, Page 10 of 21



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Exhibit C – Site Plan Set of Drawings, Page 17 of 21



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Exhibit D – Draft By-law, Page 1 of 2

The Corporation of the City of Peterborough

By-Law Number 17-

Being a By-law to remove the “H” – Holding Symbol from the zoning of the lands known as 1400 Crawford Drive and

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

Map 21 forming part of Schedule ‘A’ to By-law 97-123 is amended by changing the area shown on the sketch attached hereto as Schedule ‘A’ from **SP.363 - “H”** – Special Commercial District, to **SP.363** Special Commercial District.

By-law read a first, second and third time this day of , 2017.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit D – Draft By-law, Page 2 of 2

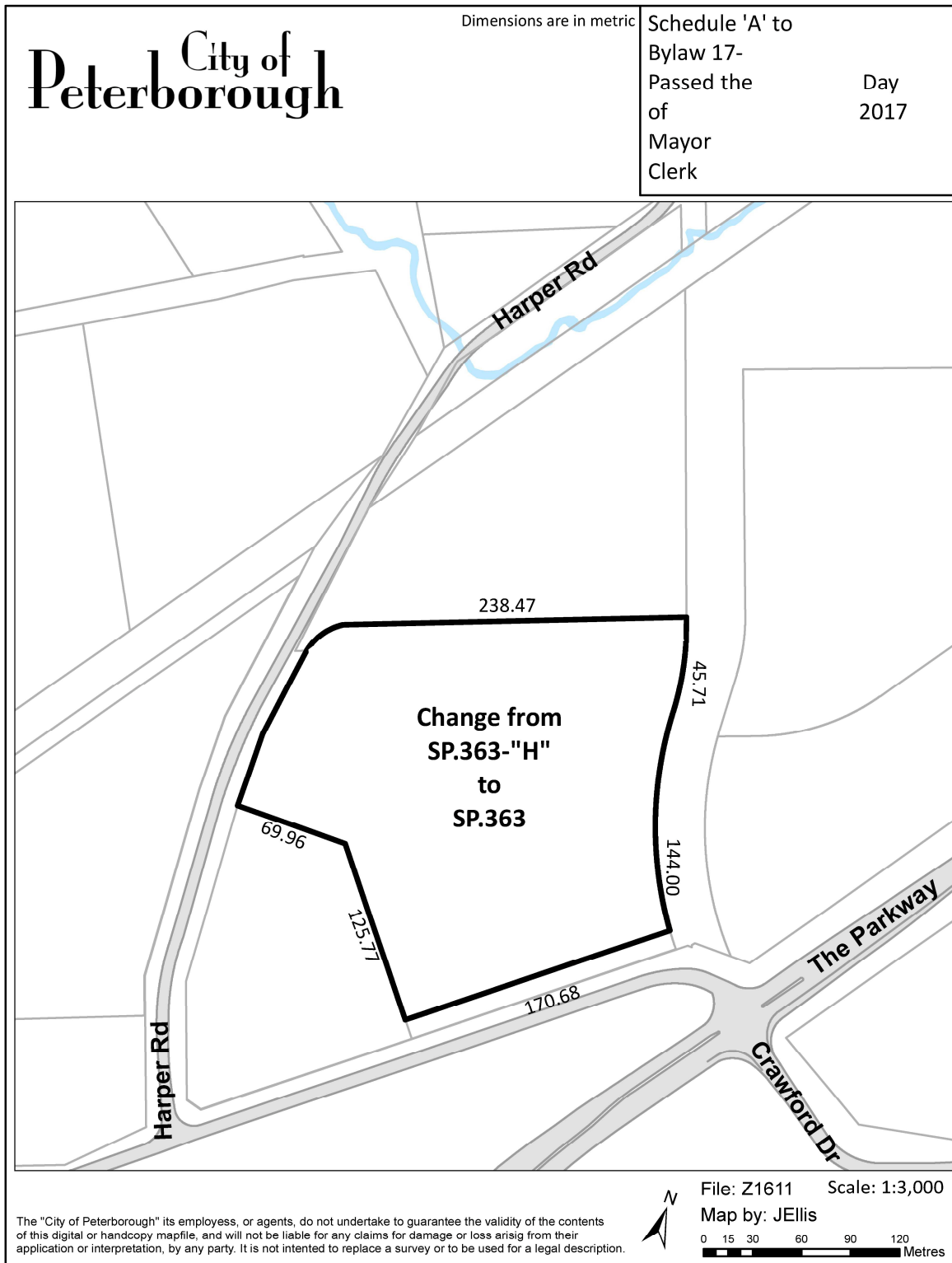


EXHIBIT E - Casino Watershed Task Force - Site Plan Recommendations
Page 1 of 5

Friday, May 12, 2017

Dear Mayor Bennett and Councillors:

Subject: Casino Watershed Task Force, Shorelines Casino Site Plan Recommendations

Through the foresight of council, a motion was passed on May 16, 2016 to involve the environmental expertise of stakeholders such as the Peterborough Field Naturalists during the site plan approval process for the Shorelines Casino development to be located at 1400 Crawford Drive. As a result, the Casino Watershed Task Force (CWTF) was formed under the leadership of the Peterborough Field Naturalists. Membership in the CWTF was drawn from the broader community and includes citizen expertise in Environmental Science, Engineering, Conservation and Management of Wetlands, Light Pollution, Fisheries and Fish Habitat Management, Land Stewardship and Road Ecology, and Public Engagement and Consultation. Upon reviewing the site plan drawings and studies currently available for the Shorelines Casino development, the CWTF developed a report, enclosed herein, summarizing recommendations for protection of the particularly sensitive lands of the Casino site and its environs.

The information presented in the attached report is intended to provide guidance through specifying actions intended to lessen the impact of the Casino development on the ecological functions of natural heritage systems directly on the site, or in close proximity, and it provides recommendations that recognize the complexities associated with urban development in a fragile watershed. The report is by circumstance incomplete as missing at the time of writing were models to indicate on and offsite noise and light impacts, details relating to the hotel site, stormwater management, low impact development methods, and foundation drainage, among others. The CWTF looks forward to reviewing and commenting on the remaining studies, reports and information as they become available.

Council will also find the CWTF report contains mitigation strategies for both the construction, and the operations phases of the Casino development. To ensure that mitigation strategies implemented are effective in achieving the desired protection for the natural systems impacted, it is the opinion of the CWTF that an adaptive management plan is essential. To that end, a post-construction monitoring program has also been recommended. And to determine if environmental protection strategies are meeting intended objectives, we propose that an implementation committee be struck to assist with administering the long-term monitoring and adaptive management plans. Assemblage of an implementation committee aligns with the objectives and development policies of the Lansdowne West Secondary Planning Area section of the Official Plan, and there is a willingness on the part of the CWTF to assist on said committee to provide continuity from site plan through to operation. Furthermore, there was recognition that the ultimate goal of enhancing and protecting Harper Park, and the coldwater fishery, was supported by all those participating in the site approval process, and that key to achieving this goal will be a coordinated approach that includes several separate planning initiatives now, and in the future.

Finally, the CWTF would like to thank council, and the members of staff with whom we worked, for the positive and constructive experience in civic engagement. The CWTF has appreciated the opportunity for involvement that council and staff have afforded, and would be happy to meet again to review and provide feedback on the engagement process we have just undertaken.

Sincerely,

Kim Zippel on behalf of the CWTF

EXHIBIT E - Casino Watershed Task Force - Site Plan Recommendations

Page 2 of 5

Shorelines Casino Site Plan Recommendations – 05 May 2017

Casino Watershed Task Force^{1/} (CWTF) Site Plan Recommendations

Introduction

On May 16, 2016, Peterborough City Council voted to amend the recommendations to the Official Plan Amendment and Zoning By-law Amendment for 1400 Crawford Drive and 586 Harper Road to add:

"... as part of the [Casino] site plan approval process, staff involve stakeholders such as the Harper Park Stewardship Initiative and the Peterborough Field Naturalists."

This recommendation resulted in two working meetings (Friday, March 21st 2017; Thursday, April 27th 2017) between City of Peterborough staff and the combined stakeholder group henceforth known as the Casino Watershed Task Force (CWTF). In addition to recommendations provided to City staff throughout the two meetings, CWTF members were encouraged to also provide Casino site plan recommendations to Otonabee Conservation (ORCA). This document contains a summary of CWTF recommendations based on the site plan material available at the time of the second meeting, and it has been circulated to both City and ORCA staff on May 5, 2017.

In addition to the site plan recommendations submitted on May 5, 2017, the CWTF plans to develop and submit further recommendations in relation to site plan impacts when outstanding study reports, such as the Stormwater Management Study, become available.

Context

The CWTF was established due to widespread recognition that the Casino site and its environs are significant and particularly sensitive: half of the site is shown as wetland on MNRF maps; there is a high water table (often less than 1m below the ground surface); there is considerable groundwater under the site (estimated to be 100 million litres of water); this water is connected with nearby wetlands, where there are springs and seeps that support a cold water creek; the creek provides potential fish habitat for brook trout. Deer and other species use the existing natural features on the site and move through them to adjacent areas.

Therefore, a significant and sensitive site requires sensitive and careful treatment in order to protect important natural heritage features and for development to proceed.

Recommendations^{2/}

The CWTF recommends that the City and/or ORCA require the following, either in the site plan and agreement, or as conditions of approval:

1

*Notes:

- 1/ The CWTF was formed under the leadership of the Peterborough Field Naturalists. Membership is from the broader community and includes citizen expertise in Environmental Science, Engineering, Conservation and Management of Wetlands, Light Pollution, Fisheries and Fish Habitat Management, Land Stewardship, Landscape and Road Ecology, and Public Engagement and Consultation.
- 2/ Includes mitigation strategies to be implemented during construction.

EXHIBIT E - Casino Watershed Task Force - Site Plan Recommendations

Page 3 of 5

Shorelines Casino Site Plan Recommendations – 05 May 2017

1. Protection of the Headwater Tributary to Byersville Creek & Groundwater Upwellings

The GHD Hydrogeological Assessment Report, April 13, 2017, p. 9, Section 7, Conclusions and Recommendations states:

*"Based on the results of the hydrogeological review, it is our professional opinion that the Site is suitable for the proposed development **provided low impact development strategies are implemented to recharge the groundwater table and reduce thermal impacts.**"*

The CWTF is in agreement with the statement, and suggests the following Low Impact Development (LID) practices be incorporated into site & building design:

- a) Mitigation of Stormwater Runoff (Quality, Quantity, and Temperature) to the coldwater creek:
 - Use a green roof to reduce roof drainage and cool excess effluent.
 - Use a multi-level parking garage to reduce the amount of site impervious surface.
 - Mitigate thermal impacts from parking lot run-off through increased use of trees & flower beds within the parking lot for shading and infiltration.
 - The dry pond stormwater management solution is limited by the high-water table. The stormwater pond discharges directly to the coldwater creek. An engineered solution will be required to return water to the watershed in a timely fashion, at a temperature that will not impact coldwater stream species.
 - It is not yet clear whether the stormwater management pond will adequately function to infiltrate and cool warm stormwater from the buildings and parking lot. Also, it is not clear what impacts overflow from the pond during high water table periods and high runoff events will have on the adjacent cold water stream.
 - No measures have yet been proposed or discussed in consultant reports to contain, cool and direct construction-period stormwater. CWTF agrees with proposed silt fencing. A construction period stormwater management and cooling plan should be developed and approved by ORCA and the City.
 - Given the high water table of the site, develop and have ORCA approve a dewatering plan with methods to avoid and/or minimize dewatering. If dewatering is required, develop contingency technical procedures to ensure water is re-infiltrated ASAP to minimize impacts per the hydrogeological report.
- b) Riparian Buffer Zone for the Byersville Creek Tributary
 - Temperature on the south side of the parking lot retaining wall should be kept at ambient air temperature to avoid reflective heating back into the current 12-meter buffer zone to the creek. Reduction of heat radiating toward the coldwater stream could be accomplished by designing a wall that allows for air flow, is light in colour, and of a material that will not act as a heat reservoir for the parking lot.
 - The design of the retaining wall would be less important if the riparian buffer were increased to 30m, as recommended for coldwater streams in the Natural Heritage Reference Manual. Additional plantings to shade and naturalize the stream corridor are recommended.

*Notes:

- 3/ Outstanding Issues which were not raised with City of Peterborough staff at the initial two meetings.

EXHIBIT E - Casino Watershed Task Force - Site Plan Recommendations
Page 4 of 5

Shorelines Casino Site Plan Recommendations – 05 May 2017

- c) Site Snow Management
 - Require development of a site snow dump management plan that would include:
 - Constraints on the use of sand; and
 - Separation and treatment of meltwater to prevent toxins from entering fish habitat.
 - Use of a contractor certified by the Salt Application Verified Equipment ([SAVE](#)) Program.

2. Protection of the Site's Unevaluated Wetland

- The CWTF is pleased to see that the small parcel adjacent to, and north of, the City owned wetland will be included within the protected area. This wooded wetland piece should be severed and conveyed to the City.
- The environmental setback (buffer) seems adequate given constraints of the site; however, the current stormwater management pond and a new swale lie within Council's prescribed 30m setback from the wooded, unevaluated wetland.
- The proposed wooden fencing to mitigate noise, headlights, and encroachment appears to be appropriate to achieve the objective; the planned native plantings in the buffer are appropriate. The CWTF supports the proposed native plantings within the setback.
- Evaluate wooded wetland^{3/}: The unevaluated wooded wetland on site should be evaluated to determine whether it is part of the nearby complex of wetlands and whether it is significant woodland or wildlife habitat; this has not yet been done. Given the complexities and timing after recent reevaluation of the Harper Creek Wetland, the EIS (ss.5.1, 5.2) recommended discussions with MNRF about, and City evaluation of, significant wetland, wildlife, and woodland criteria. These discussions should take place and be resolved before or as a condition of site plan approval. This evaluation is important to determine whether the Official Plan policies in sections 2.4.10, 3.3.7, and otherwise, apply.

3. Wildlife Exclusion Strategies

- The wooden fencing along the eastern edge of the buffer to the unevaluated wetland appears to be an appropriate height (+/-2m) and construction to exclude large animals from the site.
- Reptile and amphibian ingress to the site could be mitigated with the addition of wildlife exclusion fencing (0.6-0.9m) on the west border of the site to the outside of the wooden fence. This same fencing could be used on the southern border between the parking lot and the coldwater stream buffer.

4. Reduction of On- and Off-site impacts

- a) Light Trespass
 - Only full cut-off light fixtures should be used for security/safety issues.
 - If LED fixtures are used for illumination, ensure that they incorporate a dimming feature to be used during the overnight period if 24-hour lighting is to be implemented.
 - The applicant's modeling map shows high light levels in the northwest portion of the site. The modeling does not indicate light levels off the site, both for adjacent City and private lands. Considerable light trespass is expected and is not yet mitigated. Additional conifer plantings in the northwest of the site and on adjacent City land would assist, but may be insufficient.
 - City staff indicated that they would be requesting the proponent better address light trespass issues. The CWTF supports City staff's request.
 - Parking Lot Lighting Grid Control^{3/} – Grid control should be used for those sections of the parking lot located away from the Casino and Hotel, but close to natural features. During

*Notes:

- 3/ Outstanding Issues which were not raised with City of Peterborough staff at the initial two meetings.

EXHIBIT E - Casino Watershed Task Force - Site Plan Recommendations
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Shorelines Casino Site Plan Recommendations – 05 May 2017

off-peak visitor times, such as the overnight period on weekdays, independent grid control of parking sections would allow the lighting to be shut-off as an energy efficiency measure, and for protection of wildlife from light trespass impacts. Lighting should also be managed for seasonal night limitations (e.g. bird nesting and migration; frog breeding).

- b) Noise Trespass
 - Prior to construction, obtain baseline readings of ambient sound.
 - As per OP, Section 10.2.3.9, development in the planning area shall comply with provincial guidelines with respect to noise: [MOECC Environmental Noise Guideline](#)
 - Nesting birds in unevaluated wetland – time construction to avoid nesting season.
- c) Bird Strike Avoidance
 - Mitigation for glass used in building structures.
- d) Site Waste Control^{3/}
 - Store site waste in a manner that will not attract wildlife.
 - Removal of the Visitor Centre and other construction waste should require careful dismantling and sorting, reuse/resale wherever possible, and careful management to avoid materials going to the landfill and excessive truck movement on- and off-site.

5. Methane Study

- Per City of Peterborough Official Plan, Section 10.2.3.10: *“Prior to the approval of development on lands within 500 meters of the former waste disposal site, studies shall be conducted to demonstrate that potential methane gas generated by previous waste disposal activities can be appropriately mitigated.”*
- CWTF have not seen these studies nor are we aware that these studies have been done.
- A study of methane, and any other relevant contaminants, should be completed and assessed favourably.

6. Development of a Post-Construction Monitoring Program

- Fund for a minimum length of 5 years, with a review at the end of the 5-year period to determine if continued monitoring is necessary.
- Identify parameters to be monitored based on mitigation strategies implemented.
- Prepare an adaptive management plan to allow action to be undertaken to address out-of-spec parameters.
- Require a fund be set aside by the applicants and available to the City to take remedial measures to address adaptive management efforts and unforeseen impacts on and around this sensitive site.
- Prepare an annual report for the public, ORCA and City of Peterborough staff, on the performance of mitigation strategies.

Overall, the CWTF recommends that City and ORCA staff support best practices for this significant and sensitive site in order to achieve protection of its, and the surrounding, natural features. This will require careful attention, innovative measures, adaptive management, and full consideration and response to those several information sources and studies that have not yet been available to date.

The CWTF thanks City of Peterborough and ORCA staff for the opportunity to discuss these items with you. We trust that these recommendations are valuable as you carry out your various public responsibilities for the Casino site plan.

*Notes:

- 3/ Outstanding Issues which were not raised with City of Peterborough staff at the initial two meetings.