

COMMITTEE OF THE WHOLE

August 10th, 2021

**Report #PD-2021-31
Noelle Reeve, Planner**

MABERLY PINES SUBDIVISION OPTIONS FOR LIFTING THE HOLDING ZONE

STAFF RECOMMENDATION

It is recommended:

“THAT, staff be directed to undertake a hydrogeological study for the Maberly Pines Subdivision to an upset limit of \$50,000 to address the principal of development as required by Section 1.6.6 of the Provincial Policy Statement that sufficient sewage and water resources are available to support development.”

BACKGROUND

On June 22, 2021, Council implemented a Holding Zone on the undeveloped lots in the Maberly Pines subdivision because the *Terrain, Hydrogeological and Ecological Analysis* undertaken by Water and Earth Sciences Associates (WESA) Ltd. in the late 1970s was determined by the Rideau Valley Conservation Authority (RVCA) to provide incomplete verification of the principle of development (i.e., that there is suitable drinking water quality and quantity available and sufficient nitrate dilution capacity for septic treatment).

Information required since the 1990s by the Ministry of Environment’s D-5-4 and D-5-5 documents is not available for this subdivision.

DISCUSSION

Discussions with the RVCA hydrogeologist ruled out any concern that development of the Maberly Pines lots would have an impact on the lots on Little Silver and Rainbow Lakes to the south, because of the distance between the subdivision lots.

Discussions between the Township and RVCA determined there are four options Council could choose to move forward with lifting the Holding Zone to allow development of the subdivision.

- i) Retain a hydrogeologist to undertake a new investigation. The investigation would produce an addendum report that provides the missing information, a final private servicing plan, and revised/affirmed recommendations. The addendum would include a review of the servicing outcomes at the 4 built-out lots (current groundwater quality, etc.); additional Procedure D-5-5 testing elsewhere in the subdivision – 3 test wells; and confirmation of the available terrain assessment in light of Procedure D-5-4 requirements.
- ii) Retain a hydrogeologist to obtain groundwater samples from the existing houses for laboratory analysis. The information would be provided to future residents for their reference (without reference to specific addresses and names). The Township would establish a private servicing layout for the vacant lots to implement, as best as possible, WESA's recommendations, which include several best practices to address significant terrain constraints, including: 50 m (and at least 30 m) separation distances between services (which should pertain to lot boundaries as well); and locating wells up-gradient from septic systems. (RVCA also suggest increased casing depths, if the drillers think the yield is sufficient to facilitate this.)

The Township would also inform each lot purchaser when an application for a building permit was submitted, of the following (or equivalent):

- The well and septic systems should be constructed as per WESA's recommendations, which are above the minimums prescribed by the Ontario Building Code and the Wells Regulation. The recommendations were considered mandatory to protect drinking water quality and were to supersede preferences for house locations.
 - Well yield may be marginal. Additional in-house storage or other measures may be required.
- iii) The Township establishes a private servicing layout for the vacant lots, based on the WESA report without drilling new test wells or sampling existing wells. The Township informs each lot purchaser, as above as well as stating:
 - The drinking water quality was never tested. Therefore, well water should be tested for all parameters listed in the Lanark County subdivision or severance checklists, and for bacteria in accordance with public health guidance (3 times per year, at minimum).
 - iv) The type of development could be restricted to low impact, small homes with incinerating toilets, and potable water brought into the dwelling, etc. The Township would develop a private servicing layout that would be less restrictive because the water and sewage impacts would be minimized.
 - v) Although not recommended for reasons indicated in previous reports, place a warning on title indicating that:
 - The drinking water quality was never tested. Therefore, well water should be tested for all parameters listed in the Lanark County subdivision or severance checklists, and for bacteria in accordance with public health guidance (3 times per year, at minimum).

In response to discussion at the Public Meeting, quotes were received from three well drilling companies for wells to be drilled to a depth of 200 feet in the subdivision. (The drillers prefer to drill through bedrock. It is alluvial deposits that are more expensive because more casing is needed.) All three quotes were around the \$10,000/well mark so if well water can be tested from the existing wells in the subdivision and only 3 test wells needed to be drilled, the cost of drilling drops to \$30,000 with lab work and analysis bringing the total to \$45,000.

OPTIONS CONSIDERED

Option #1 – (Recommended as it provides the greatest protection to well water)

Council direct staff to undertake a hydrogeological study to an upset limit of \$50,000 (includes 10% contingency) to address the principal of development as required by Section 1.6.6.1 of the Provincial Policy Statement that sufficient sewage and water resources are available to support development.

Option #2 – (Not Recommended)

Choose one of the other three options listed in the Discussion section. Doing nothing is not an option. Waiting to see if water quality and quantity issues arise from development of the subdivision and if the Township is sued if wells become contaminated from lack of nitrate dilution from septic systems or produce insufficient quantity of water or residents get sick because they do not know they need to treat their water for high iron or sulphate content would be irresponsible planning and presents liability for the Township.

STRATEGIC PLAN LINK

Economic Development: The Township is an attractive community for new residents and is an attractive tourist destination.

Environment: Tay Valley continues to be known for its environmental policies and practices. Our residents have access to clean lakes, and water and a healthy, sustainable environment.

FINANCIAL CONSIDERATIONS

The options the Township could use to recover money spent gathering information on where the wells, septics and houses should be located, include a Community Improvement Plan, Local Area Specific Development Charge, or possibly the contingency reserve.

CONCLUSION

The Planner recommends Council direct staff to undertake a hydrogeological study to an upset limit of \$50,000 to ensure the principal of development is met as is required by Section 1.6.6.1 of the Provincial Policy Statement that sufficient sewage and water resources are available to support development. The Township would not want to earn a reputation as a place where residents become ill because of insufficient hydrogeological information that the Township was aware of.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:



**Noelle Reeve,
Planner**



**Amanda Mabo,
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