

Application Circulation Comments

TPC at Marlwood Inc.
 Lot 26, Concession 7
 31 Marlwood Avenue, Wasaga Beach ON

OPA File No. OPA02/17
ZBLA File No. Z11/17
Draft Plan of Subdivision File No. PS01/17

Agency / Resident	Comment Number	Comment	Theme	Response	Applicant Response
Comments from Agencies and Organizations					
Agency: Canada Post Date: December 11, 2017 Representative: Nadya Singh Contact: (416) 751-0160 x. 2018 Nadya.singh@canadapost.ca	1	The owner/developer will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.	NOAC	Applicant to address on approved plans and in consultation with Canada Post.	To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance required as part of Final Approval.
	2	The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the Town of Wasaga Beach.	NOAC		To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance required as part of Final Approval.
	3	The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.	NOAC		To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance required as part of Final Approval.
	4	The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.	NOAC		To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance required as part of Final Approval.
	5	The owner/developer agrees to provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans: 1. A Community Mailbox concrete base pad per Canada Post specifications. 2. Any required walkway across the boulevard, as per municipal standards 3. Any required curb depressions for wheelchair access.	NOAC		To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance required as part of Final Approval.
	6	The owner/developer further agrees to determine, provide and fit up a suitable gravel area 30 to 60 days prior to the first occupancy to act as a Temporary Community Mailbox location(s) which may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent CMB site locations. This is will enable Canada Post to provide mail service to new residences as soon as homes are occupied. Specifications for this gravel area will be provided at the time the developer notifies Canada Post of the first occupancy date. (The developer should provide evidence of how they intend to co-ordinate this activity in a timely manner to a safe and clean usable area).	NOAC		To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance required as part of Final Approval.
	7	Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy.	NOAC		To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance

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					required as part of Final Approval.
	8	There will be no more than one mail delivery point to each unique address assigned by the Municipality. As the project nears completion, it is requested that the Developer contact me directly to communicate the first occupancy date at which time Postal Coding will be provided. Existing postal coding will not apply and new postal codes will be issued for this development.	NOAC		To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance required as part of Final Approval.
	9	It is requested that the developer notify all new homebuyers of the process to initiate Mail Delivery; Once the homeowner has closed their home sale, the new homeowner can go to the local Post office and show their warranty documentation as well as a license for identification to begin the process of requesting mail delivery. Of note, any mail which has been sent to this homeowner in the interim – to this new address - will also be available for pickup at this local Post Office - this is where mail will be held until mail delivery begins.	NOAC		To be completed as part of Final Design and Subdivision Agreement. Canada Post clearance required as part of Final Approval.
<p>Agency: County of Simcoe Date: December 7, 2017 Representative: Tiffany Thomson, Planner II Contact: (705) 726 9300 x. 1185 tiffany.thomson@simcoe.ca</p>	10	The proposed development is also within 120 metres of a Provincially Significant Wetland (Jack’s Lake) and within 120 metres and 50 metres of Areas of Natural Scientific Interest (ANSI) (Provincial Life and Earth Science). Policy 3.3.15 of the County Official Plan identifies that on adjacent lands to natural heritage features such as the above, development or site alteration shall not be permitted unless it has been demonstrated that there will be no negative impact on the natural features or on their ecological functions. An Environmental Impact Study by Azimuth Environmental Consulting Inc. dated September 29, 2017 was received in support of application. The EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusions relating to natural heritage impact of the proposed development. The County would recommend that this additional work be completed in consultation with the Nottawasaga Valley Conservation Authority (NVCA) and the Ministry of Natural Resources and Forestry (MNRF) prior to the adoption of the proposed official plan amendment.	Natural Heritage	Applicant is required to conduct additional studies as identified in the EIS, and in consultation with the NVCA and MNRF, prior to adoption of the proposed OPA.	<p>Azimuth completed additional studies related to SAR in consultation with the MNRF (agency responsible for SAR). The results of the data collection, information exchanges and consultations (Appendix C to Azimuth Letter re: Peer Review Comments, February 6, 2020) revealed that the potential for impact to habitat of Eastern Hog-nosed Snake (THR) was the SAR issue of concern to the MNRF and that SAR bats were not a concern (MNRF correspondence July 12, 2018). As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor of value to Eastern Hog-nosed Snake.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario’s ESA related to the proposed development (MNRF correspondence March 8, 2019). Therefore, the proposed development has been deemed by the province to not contravene the ESA. Additional studies related to hydrogeology/water balance have been completed by Azimuth based on the revised draft plan and updated approach to surface water management/servicing – see Comment 36 below and Azimuth’s reply to WSP Peer Review Comment 2.</p>

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	11	It should also be noted to the applicant that the County is the approval authority for local official plan amendments with an associated fee of \$2,000.00 (site specific) to be paid when the adoption package is submitted to the County.	Application Fees	Applicant to acknowledge that a payment to the County in the amount of \$2,000.00 is required when the OPA adoption package is submitted to the County.	Acknowledged.
Agency: Enbridge Date: November 14, 2017 Representative: Alice Coleman Contact: (416) 495-5386 municipalplanning@enbridge.com	12	The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea50@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.	NOAC - Servicing	Applicant to acknowledge as a condition of draft plan approval and approved plans, subsequent to further consultation with Enbridge.	Acknowledged.
	13	If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.	NOAC - Servicing		Acknowledged.
	14	Easement(s) are required to service this development and any future adjacent developments. The applicant will provide all easement(s) to Enbridge Gas Distribution at no cost.	NOAC - Servicing		Acknowledged.
	15	In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact SalesArea50@enbridge.com	NOAC - Servicing		Acknowledged.
	16	The applicant will grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.	NOAC - Servicing		Acknowledged.
	17	Enbridge Gas Distribution reserves the right to amend or remove development conditions.	NOAC - Servicing		Acknowledged.
Agency: Hydro One Date: November 20, 2017 Representative: Michelle Tien, Real Estate Contact: (905) 946-6238 michelle.tien@hydroone.com	18	No comments or concerns at time of circulation.	NOAC - Servicing	N/A	Acknowledged.
Agency: SCDSB	19	The inclusion of Street 'A' in the plan of subdivision suggests future residential development of the balance of the golf course lands. We note that	NOAC	Applicant to address as a condition of draft approval.	Acknowledged. SCDSB clearance required as part of Final Approval.

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<p>Date: December 14, 2017 Representative: Vivian Chan, Planner Contact: 1170 Hwy 26 Midhurst, ON L9X 1N6 (705) 728-7570</p>		additional development in this community will further exacerbate accommodation pressures for elementary pupils.			
	20	That the owner(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that the Simcoe County Student Transportation Consortium will determine bus routes and bus stop locations.	NOAC		Acknowledged. SCDSB clearance required as part of Final Approval.
	21	That the owner(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that students may be accommodated in portable classrooms at schools within Wasaga Beach or in neighbouring municipalities and this may result in bus trips greater than 60 minutes and/or riding on more than one bus on a one-way trip.	NOAC		Acknowledged. SCDSB clearance required as part of Final Approval.
	22	A municipal sidewalk shall be provided on at least one side of Streets 'A' and 'B' within the plan, and a municipal sidewalk shall be extended along the Golf Course Road frontage to enable students to safely walk to a school bus stop.	NOAC		Acknowledged. SCDSB clearance required as part of Final Approval.
<p>Agency: Ministry of Tourism, Culture and Sport Date: March 08, 2018 Representative: Wai Hadlari, Archaeology Review Officer Contact: Archaeology Programs Unit Programs and Services Branch Culture Division 401 Bay Street, Suite 1700 Toronto ON M7A 0A7 Tel.: (416) 212-5107 Email: Wai.Hadlari@ontario.ca</p>	23	<p>1. No further archaeological assessment of the study area is warranted; 2. The Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed; 3. The proposed undertaking is clear of any archaeological concern.</p> <p>Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.</p>	Cultural Heritage	The Town acknowledges that the Ministry is satisfied that the Archaeological Assessment completed by Amick Consulting, issued on August 25, 2017 (MTCS No. P058-1586-2017) is consistent with the 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licenses.	Acknowledged.
<p>Agency: Loft Planning Consultants Representative: Kristine Loft Contact: (705) 446-1168 kristine@loftplanning.com</p>	24	I wish to confirm the Archaeology Report has been filed and accepted by the Ministry of Culture, Tourism and Sport for this site and the Municipality was copied on this correspondence.	Cultural Heritage	The Town acknowledges that the Ministry is satisfied that the Archaeological Assessment completed by Amick Consulting, issued on August 25, 2017 (MTCS No. P058-1586-2017) is consistent with the 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licenses.	Acknowledged.

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<p>Agency: NVCA Date: June 26, 2018 Representative: Lee J Bull, Manager Contact: lbull@nvca.on.ca (705) 424-1479</p>	<p>25</p>	<p>In our pre-consultation comments dated March 3, 2016, NVCA staff requested that the following information be provided as part of the a complete application. We have not been provided with this information and are unable to provide comment on the limits to development as a result. We request that the applicant provide this information at their earliest convenience:</p> <ol style="list-style-type: none"> 1. A site survey should be completed in order to determine if further flood information needs to be provided. 2. Hazardous soil – at this location there could be a risk of hazardous soils (peat or marl). This should be addressed by a geotechnical engineer and a report provided for review. 	<p>Natural Hazards</p>	<p>Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>1. An updated topographic survey was completed by Rudy Mak Surveying Ltd., dated October 2019. Burnside delineated flood limits associated with Marl Lake in proximity to proposed development (Burnside Figure 1 attached)</p> <p>2. The WSP Preliminary Geotechnical Investigation, January 7, 2020, acknowledges that Marl is present at the site.</p> <p>Section 5.3 of the report states that the Marl as well as topsoil, Disturbed Soils as well as any fill must be removed in cut, fill and structurally sensitive areas to facilitate future development. The report continues to state that test pits should be conducted to verify the thickness and extent of all unsuitable soil. These test pits are typically carried out by the contractor either in advance to better define volumes or immediately ahead of construction operations to determine construction procedures and verify dewatering requirements.</p> <p>Section 5.3 also describes how the excavated soils are to be replaced with compacted approved material.</p> <p>Section 5.4 references the OSHA for the Type of soils encountered and the related requirements for safe excavations. The section also advises that permits for dewatering will be required due to the level of groundwater recorded. As the extent and depths of excavations remain unknown to WSP the need for either an EASR or PTTW is not known but acquisition is recommended.</p> <p>Due to the groundwater level recorded and anticipated dewatering requirements recommendations were given for monitoring of settlements of existing structures, trench shoring and the limitation of the lengths of excavations.</p>
	<p>26</p>	<p>A stormwater management report and associated plans have been submitted and are being reviewed by technical staff. Comments will be provided under separate cover.</p>	<p>Stormwater Management</p>	<p>Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>Acknowledged. Additional technical reports from Burnside Engineering and Azimuth Environmental have now been completed based on further dialogue with the Town and NVCA staff. The</p>

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					additional technical reports are submitted with this response.
	27	<p>The Environmental Impact Study [EIS] determines that the woodlands on the development site are not significant due to a 50 ha minimum sizing criteria based on watershed forest cover. NVCA staff disagree with this conclusion.</p> <p>Town of Wasaga Beach Official Plan Section 13.4.10.4(c) - Significant Woodlands, states that woodlands can be significant if larger than 20ha.</p> <p>The Natural Heritage Reference Manual [NHRM] Ecological Function Criteria (Table 7-2), shows that the woodlands meet the criteria for "Proximity to Other Woodlands or Other Habitats". The woodlands on the subject property about the significant features: Wasaga Beach Provincial Park ANSS, the Mart Lake Earth Science ANSI, and the Jacks Lake Swamp Complex (JLSC) Provincially Significant Wetland (PSW).</p> <p>The NHRM (Table 7-2) also shows that woodlands on the property, namely the southern woodlot, meet "linkage" criteria as it connects the three significant features named above.</p>	Ecology	Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.	<p>Azimuth has completed further study and assessment related to Significant Woodlands as provided in Azimuth response to WSP Peer Review comment 5a, b. The reassessment indicates that some woodlands of the subject and adjacent lands form part of an area of continuous woodland cover that would be considered Significant by virtue of size and other characteristics according to provincial criteria (NHRM Table 7-2) – including "linkage" which is maintained in the revised development plan as shown on Azimuth Figure 3 (attached).</p>
	28	<p>The Town of Wasaga Beach Official Plan Section 13.4.10.4(f) states that development should be directed away from significant woodlands, unless an EIS properly accounts for the impacts to the feature. The EIS fails to recognize the significance of the woodlands on the property and neglects to properly account for impacts and mitigation to their values and functions. The EIS needs to add sections on the consideration for the protection of the significant woodlands and their functions especially as corridors for species at risk [SAR] snakes and turtles. Failing that, an assessment of the impacts and mitigation to the significant woodlands and their values and functions, especially as corridors, needs to be added.</p>	Ecology	Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.	<p>As per Comment 27, Azimuth has reassessed woodland significance concluding that portions of the woodlands on the property would be deemed significant according to provincial criteria. In its response to WSP Peer Review comment 5b, Azimuth provides a detailed delineation of, and assessment of impacts to, Significant Woodland as follows:</p> <p>The revised draft plan maintains an approximately 50m wide corridor of existing tree cover along the southern portion of the property identified as part of area Significant Woodlands (see Azimuth Figure 3 attached). The proposed development would remove approximately 0.5ha of tree cover from the overall 575ha+ Significant Woodland. The natural heritage function attributed to this area of woodland is that of providing a wildlife movement corridor/habitat linkage of value to Eastern Hog-nosed Snake in particular (inferred) and terrestrial wildlife in general (inferred).</p> <p>Two areas of Significant Woodland would be directly impacted – an approximately 0.44ha patch of woodland (FOD5-8) surrounded by golf course fairways, and an approximately 6m wide X 130m long strip of woodland edge trees (adjacent to golf fairway) (see Figure 3 attached). The woodland</p>

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					<p>patch (FOD5-8) is disconnected from woodlands inferred to function as a wildlife movement corridor by golf course land uses and hence do not contribute to potential corridor function.</p> <p>Therefore, loss of this woodland patch will not impact potential function of the retained 50m wide strip of forest cover along the southern property boundary as a habitat linkage. The encroachment into the edge of the habitat linkage is minor and would involve removal of a row or two of edge trees located adjacent to the golf fairway taking out approximately 0.08ha of Significant Woodland. This minor encroachment would result in no impedance of wildlife moving through the vegetated corridor post development and hence does not represent a negative impact to this potential habitat function.</p> <p>Lands immediately south of the woodland corridor maintained in the revised draft plan are developed (multi-unit residential/subdivision). Therefore, wildlife potentially utilizing the corridor established in the plan would be subject to the sights and sounds of existing development/human activity. Lands along the northern side of the corridor are developed as golf course lands and hence are already subject to human activity.</p> <p>Therefore, alignment of single-family dwelling along the northern side of the corridor will not introduce human activity new to the area and hence any wildlife movement through the area will continue post-development and no buffer/setback is required along the northern edge abutting proposed lots to maintain/provide for this habitat function (Note: the MNRF requested no buffer in review of draft plan revision designed to maintain the habitat linkage/wildlife movement corridor).</p>
	<p>29</p>	<p>The EIS mentions no impacts arising from the development on animal movement corridors/habitat linkages, significant woodlands, provincially significant woodlands and ANSIs. NVCA staff disagree and feel that the removal of the southern forest block would have significant impacts on all of the components mentioned above, in contradiction to the Provincial Policy Statement.</p>	<p>Ecology</p>	<p>Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>As per Comment 28 above, in its response to WSP Peer Review comment 5b, Azimuth provided a detailed assessment of impacts arising from the revised plan on animal movement corridors/linkages and Significant Woodlands. The assessment indicates no negative impact to Significant</p>

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					<p>Woodlands or related habitat functions (including habitat linkage) consistent with the PPS</p> <p>In addition, as per Azimuth reply to WSP Peer Review Comment 1b, the revised plan maintains a “secondary wildlife movement corridor/habitat linkage” through golf course lands toward Golf Course Road leading to natural heritage cover of lands to the west in keeping with and interest expressed by the NVCA during a March 26, 2019 meeting as shown on revised Azimuth Figure 3 (attached).</p>
	30	The EIS is incomplete in that it does not include final mitigation plans following discussions with MNRF with respect to bat maternity roosts, reptile species and habitat. These need to be added.	Ecology	Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.	<p>As per Azimuth’s response to WSP Peer Review Comment 1a - Azimuth has completed additional studies (SAR reptiles and bats, 2017) and has provided information to, and consulted with, the MNRF on a variety of issues related to SAR as per correspondence (Appendix C to Azimuth Letter re: Peer Review Comments, February 6, 2020). The results of the information exchange and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake (THR) was the SAR issue of concern to the MNRF.</p> <p>As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor (see Azimuth Figure 3, attached) of value to Eastern Hog-nosed Snake. The MNRF provided documentation on March 8, 2019 that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario’s ESA related to the proposed development.</p> <p>Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA</p>
	31	Amphibian and turtle surveys should have been completed in the golf course ponds, especially since the EIS considers these features to be potential spawning, breeding and overwinter habitats.	Ecology	Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.	<p>As per Azimuth’s response to WSP Peer Review Comment 8: Field observations indicated limited use of the golf course ponds by Leopard frog, American Toad, and Spring Peeper as is typical of most man made ponds including SWM ponds, etc. As manmade ponds, they do not represent any of the ELC Ecosite Codes identified in the SWH Ecoregion</p>

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					<p>6E criterion schedule as candidate habitat for consideration as SWH in regard to Amphibian Breeding Habitat (Wetlands).</p> <p>As per Azimuth Figure 3 (attached), the revised development plan retains the North Feature (pond) “as is” and the Central Feature with minor encroachments. The South Feature would be eliminated and replaced by a SWM pond containing a wet cell constructed just north of the current South Feature pond location. As there is every expectation that frogs and toads will colonize the SWM pond (typical behavior), the proposed development involves no loss of amphibian breeding habitat function associated with manmade ponds of the subject lands.</p> <p>Therefore, given that two of three pond features would be protected “as is”/with minor encroachments by the proposed development, and the SWM pond to be constructed will replace manmade pond habitat removed by the proposed development, there will be no overall impact to amphibian breeding associated with the subject lands. No additional calling amphibian surveys are required as there will be no loss of potential habitat as the result of the proposed development and no impact to ELC communities contemplated by the province for consideration as SWH.</p> <p>Reptile/turtle surveys were completed in 2017 (9 visual encounter surveys). These surveys included golf course pond features. Survey results were provided to the MNRF as part of SAR consultations (Report date October 16, 2018). Mitigation recommended in the 2017 EIS regarding timing restriction for excavation of sand traps/areas of exposed mineral soils, and/or application of turtle exclusion fencing.</p> <p>As per Peer Review Comment 14, WSP recommends excavation between May 10 and May 20 to further reduce potential harm. Timing restriction on pond filling works to occur outside of the period September 15 through April 15 is recommended to</p>
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					<p>avoid potential harm to turtles potentially overwintering in golf course pond (see Table 1 attached).</p>
	<p>32</p>	<p>The removal or alteration of the golf course ponds and sand traps effectively removes or alters amphibian and turtle spawning, breeding and overwintering habitats, as per the EIS. However, there is no mention of recreating these habitat functions elsewhere in the local landscape.</p>	<p>Ecology</p>	<p>Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>Amphibians - As per Comment 31 above and Azimuth’s response to WSP Peer Review Comment 8: field observations indicated limited use of the golf course ponds by Leopard frog, American Toad, and Spring Peeper as is typical of most man made ponds including SWM ponds, etc. As manmade ponds, they do not represent any of the ELC Ecosite Codes identified in the SWH Ecoregion 6E criterion schedule as candidate habitat for consideration as SWH in regard to Amphibian Breeding Habitat (Wetlands).</p> <p>As presented in regard to Point 31 above, the South Feature (golf course pond) would be eliminated and replaced by a SWM pond containing a wet cell constructed just north of the current South Feature pond location. As there is every expectation that frogs and toads will colonize the SWM pond (typical behavior), the proposed development involves no loss of amphibian breeding habitat function associated with manmade ponds of the subject lands. SWM ponds are also known to provide habitat for overwintering by turtles.</p> <p>Therefore, the proposed development introduces replacement/recreation in the form of a man-made feature similar to the features lost.</p> <p>Turtles - As per Table 1 (attached) golf course ponds are not candidates for identification as SWH with respect to turtle overwintering habitat according to provincial criteria (i.e., man-made ponds excluded).</p> <p>As per Azimuth’s reply to WSP Peer Review Comment 12: turtle nesting was observed on managed golf course lands north of marsh wetland unit MAS3-1 east of the study area limits (over 200m from proposed residential development) as per Figure 2b of the 2017 EIS. Potential turtle nesting function was <u>inferred</u> for sand traps on the golf course potentially impacted by proposed residential</p>

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					<p>development (i.e., no direct evidence of use of sand traps potentially impacted by development)).</p> <p>Therefore, removal and/or alteration of golf course ponds and sand traps does not impact Significant Wildlife Habitat and hence there is no impetus for replacement/recreation.</p>
	<p>33</p>	<p>The EIS fails to mention or account for the non-permitted removal of wetland habitat by the applicant along the shoreline of the JLSC PSW. ELC mapping calls the disturbed areas THMM1-1 (Dry-Fresh Native Nixed Regeneration Thicket Type), however it should be noted in the EIS that prior to the wetland clearing the vegetation community would likely have been akin to the SWM1-1 (White Cedar-Hardwood Organic mixed).</p> <ul style="list-style-type: none"> • These activities were also not mentioned when discussing significant wildlife habitat. It is very likely that prior to clearing the SWM1-1 habitat may have supported various amphibian, reptile, crayfish and raptor life stages. Also missing is discussion of recreating these habitat features. 	<p>Ecology</p>	<p>Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>As per Azimuth’s reply to WSP Peer Review Comment 5a, Significant Woodland delineated by Azimuth (Azimuth Figure 3, attached) includes golf course lands recently cleared and now undergoing work to restore previous woodland conditions.</p> <p>As per the review comment, the vegetation community cleared contained and abundance of Eastern White Cedar and was for the most part mapped as part of the JLSC PSW and hence likely to have represented a White Cedar-Hardwood Mixed Swamp community (though we note from the [Revised] <i>Plan for Riparian Restoration Works Associated with Tree Clearing at Marlwood Golf Course in Town of Wasaga Beach, County of Simcoe</i> [Azimuth March 13, 2018] that “retained trees included only hardwood species, such as Red Oak, Sugar Maple, Trembling Aspen, and Black Cherry”. Red Oak, Sugar Maple and Black Cherry are typically associated with upland forests and not swamp wetlands.)</p> <p>We understand that restoration of these cleared areas is occurring in compliance with requirements of the Town of Wasaga Beach (hence feature recreation is occurring). The proposed residential development is located in areas over 200m from the cleared woodlands and intervening lands are golf course lands that will continue to be used. We understand that the clearing was completed as part of golf course management.</p> <p>Therefore, given the scale of separation distance to areas of proposed development, retention of the golf course land use in the lands separating the cleared areas from proposed development, that the</p>

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					<p>clearing was completed as part of golf operations and not related to the proposed residential development, and that the cleared area is being restored - the non-permitted removal of wetland habitat by the applicant was not considered in the EIS.</p>
	<p>34</p>	<p>Significant crayfish habitat is referenced as being unaffected by the development proposal through the retention of the SWM1-I habitat. Impacts arising from the wetland clearing should be mentioned and mitigated for as part of the EIS.</p>	<p>Ecology</p>	<p>Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>The EIS identified Terrestrial Crayfish as a <u>candidate</u> SWH function based simply on presence of ELC Ecosite Codes listed in the Ecoregion 6E SWH criterion schedule – i.e., no crayfish chimneys observed. Therefore, there was no evidence of “defining criteria” for the function and hence the EIS was generous in its identification of SWH in regard to Terrestrial Crayfish.</p> <p>As per the MNRF’s SWH criterion schedule, habitat of terrestrial crayfish is associated with wet meadows, edges of shallow marshes, mudflats (i.e., open areas). In Azimuth’s experience chimney crayfish are generally found within open, often disturbed sites providing moist, but not permanently saturated conditions, in areas of clay based soils (often wet ditches, wet sections of farm fields and shores of marshes).</p> <p>Observations by Azimuth within swamp habitat (i.e., not open lands) elsewhere indicate association with ephemeral/intermittent surface drainage features that provide periodic inflows during the growing season. In the context of Marl Lake, the shoreline and associated marsh habitats are the likely areas of use by terrestrial crayfish should they occur locally (as per the assumption of the EIS).</p> <p>As per the [Revised] Plan for Riparian Restoration Works Associated with Tree Clearing at Marlwood Golf Course in Town of Wasaga Beach, County of Simcoe (Azimuth March 13, 2018) “<i>soil within the restoration area is generally dry and sandy, becoming increasingly moist toward the lake edge</i>”. There are no watercourses in the cleared area.</p> <p>Therefore, soil type and moisture conditions of the cleared area are not amenable to use by terrestrial crayfish and hence the tree clearing did not impact</p>

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					habitat of terrestrial crayfish should they occur locally.
	35	The mapping of Environmental Features (Figure 2a) map is incomplete, as it does not properly map the wetland communities of the JLSC PSW. Cedar swamp communities (SWM1-1) existed along the western edge of Marl Lake (east edge of the study area) prior to their clearing. The wetland boundary and development buffer remain planning and regulatory features despite the clearing.	Ecology	Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.	As per the response to Comment 33 above, mapping of environmental features (i.e., Significant Woodland) is provided (Azimuth Figure 3, attached) that includes the area of tree clearing as part of the Significant Woodland. Mapping of wetlands presented in the EIS include much of the area cleared as part of the JLSC PSW with the remainder mapped as part of the Marl Lake ANSI. Therefore, the cleared areas were depicted as regulatory features in the EIS and have been included in recent assessment work to identify Significant Woodland.
	36	The water balance calculations show that development will result in a loss of approximately 1/3 (7,415 m ³) of the quantity of infiltrated water pre-to-post, with a similar increase in surface runoff. This equates to a local lowering of the water table by 25 mm to 50 mm. The additional surface runoff will exit the development as stormwater discharge directly to Nan Lake. The EIS concludes that the development will have no impact on the form or function of the JLSC PSW. NH staff have concerns that hasty conclusions were made about the long term health of the wetland based on insufficient data. <ul style="list-style-type: none"> • More detailed information is required to properly review the impacts of the development on the JLSC PSW. Modeling and/or monitoring data about the specific changes to the water balance of the wetlands along the western shore of Marl Lake (former SWM 1-1 communities, now mapped THNN1-1) and the SWM1-1 wetland lobe is required. Note: modeling data can only be used if sufficient monitoring data already exists. • The modeling and/or monitoring data should be used along with scientific literature/ecology publications to demonstrate that any changes in water balance are acceptable to the specific communities and species that live within the SWM1-1 community in particular and JLSC PSW in general. • As the changes to the wetland water balance suggested in the EIS water balance document are unclear and potentially harmful, NVCA staff suggest implementing a monitoring program to establish a feature based pre-development water balance and to monitor the post-development water balance to ensure no negative impacts to the wetland. The details of the monitoring program (length of monitoring, number of stations, etc.) should be determined through pre-consultation with the NVCA. 	Ecology	Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.	As per Azimuth's reply to WSP Peer Review Comment 2 - The water balance has been updated and is provided in a standalone Water Balance Assessment Report updated February 5, 2020. The report includes an updated water balance which incorporates both Phase 1 and Phase 2 of the development (considered in compound) based on the approach to surface water management (LID and SWM pond) proposed by Burnside (Burnside FSRs, February 2020). Considering Phase 1 and Phase 2 together, there will be no decrease in the amount of infiltration contributing to Marl Lake post-development. When considering only Phase 2, there will be a slight (5%) decrease after development. This isolated deficit is not considered significant (i.e., within the range of variability of input data). The calculated decrease (5%) in infiltration at Phase 2 will be offset by the increase in infiltration from Phase 1 (45%), and the increase in runoff contributions into Marl Lake from both Phase 1 and Phase 2. The SWM pond will outlet via an open channel constructed to terminate outside of the limits of wetland (see Azimuth Figure 3, attached) and designed with features to dissipate energy of flow prior to entering the adjacent wetland. Based on this assessment, no significant changes in the water level of Jack's Lake Complex Provincially Significant

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					<p>Wetland (PSW) are anticipated as a result of the proposed development (Noting that water levels of Marl Lake are controlled by a dam at the outlet).</p> <p>Since the proposed development and approach to servicing matches infiltration pre- to post-development, the existing groundwater regime is maintained and hence there will be no changes to water chemistry related to groundwater flow through soils to the lake. The proposed SWM pond is lined and hence surface waters conveyed to the pond will not infiltrate – no impact to chemistry of ground water. Also, the SWM pond is designed as a wet facility to MECP water quality requirements and hence sediment and associated nutrients, will be detained in the pond and not discharged to the adjacent wetland/lake – no negative impact to lake water chemistry resulting from overland flow derived from the development.</p> <p>There will be no significant changes to ground or surface water contributions to Marl Lake and associated wetlands and hence no impacts to lake water levels or water chemistry.</p>
	37	More information is required about the potential construction dewatering program. NVCA staff have concerns that a dewatering program may contribute to concentrated flow and erosion across the SWM1-1 community.	Ecology	Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.	According to Burnside, dewatering activities during construction may not be required given the small scale of the proposed works. If dewatering is required, it would be of short duration and water would be discharged to flow spreaders and into existing golf course features. Therefore, there will be no concentrated flow generated posing a risk to erosion within the PSW/SWM1-1 community.
	38	The EIS fails to mention anything about the impacts of stormwater discharge on the water quality and habitat of Marl Lake and the surrounding JLSC PSW. A section needs to be added that shows how stormwater discharge to the Lake will meet the Provincial Water Quality Objective for phosphorus in lake environments and the Guideline for the Protection of Aquatic Life for the nitrate and chloride ions.	Ecology	Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.	Stormwater quality treatment will be provided using a combination of private rear yard soakaway pits on all suitable lots, a proposed downstream SWM facility and grassed swales for the external areas entering the property. The SWM facility has been sized to provide Enhanced water quality protection per the 2003 MOE Planning and Design Guidelines. In addition the proposed soakaway pits, SWM facility and grassed swales will mitigate post-development phosphorus loading. A phosphorus loading analysis was completed using the online NVCA tool. Results indicate no net increase in phosphorus loading. The phosphorus analysis and

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					<p>results are presented in the updated FSR (February 2020).</p> <p>With respect to nitrate and chloride, our SWM strategy (SWM facility, enhanced grassed swales and soakaway pits) for water quality control is based on the design criteria provided by the Town, NVCA and MOE to remove TSS. We acknowledge that nitrate and chloride loading will occur under proposed conditions. There will, however, be some nutrient (i.e. nitrate) uptake from the proposed vegetation that form part of the SWM measures. Without monitoring, we cannot quantify the exact concentrations that will be discharged to Marl Lake. At the detailed design stage, we will provide our best efforts to maximize vegetative buffers. It is anticipated that nitrate concentrations will decrease under proposed conditions due to the land use adjustment from "golf course" to "residential". Chloride levels are anticipated to increase due to winter road maintenance activities. The levels of chloride are anticipated to be insignificant, however, we advise the Town of Wasaga Beach to create a salt management program to minimize chloride levels in the receiving water body. This may include using sand only during winter road maintenance.</p>
	<p>39</p>	<p>NVCA staff notes that insufficient information has been submitted in support of the above noted applications in order to determine the limits to development. The applicant should provide this additional information at their earliest convenience in order that fulsome comments on the proposed development, including development limits, can be provided.</p>	<p>Ecology</p>	<p>Applicant to address in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>As part of the EIS Azimuth delineated the boundary of a section of the JL PSW located in the vicinity of proposed residential development (and associated infrastructure). The wetland boundary was reviewed and approved by the MNRF.</p> <p>This boundary section was tied to provincial wetland mapping in areas removed from the proposed development establishing a development limit associated with the PSW. As part of recent assessments, Azimuth identified the limits of Significant Woodland based on provincial criteria establishing a limit of potential constraint to development.</p> <p>The EIS also depicted the mapped limits of the Marl Lake ANSI as further potential constraint to</p>

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					development. Burnside identifies the flood limit of Marl Lake (Burnside Figure 1, attached). Azimuth Figure 3 (attached) depicts limits of the JL PSW, Marl Lake ANSI, Significant Woodland (as delineated by Azimuth) and Marl Lake Floodline (Burnside).
Comments from the Public					
<p>Agency: Marlwood Home Owner Association</p> <p>Date: November 20, 2017</p> <p>Representative: Mrs. Mavis Clarke, President</p> <p>Contact: 37 Marlwood Ave. Wasaga Beach, ON L9Z 1S8</p>	40	<p>In a letter dated August 14, 2017, Mr. M. Loton advised you of the incorrect application of the Towns Zoning By-law on Marlwood golf course which zones the course O.S. open space. It has been more than three months and we have had no reply to date.</p> <p>We, the Marlwood Home Owner Association still insist on this zoning correction to ensure that our right to a meaningful and legal opposition for a possible zoning change (required in order to build a subdivision) is not infringed. We trust that the Planning department understands our concerns and that it will take the necessary steps to achieve this correction.</p> <p>Should Planning in addition to Council refuse to correct this zoning impropriety of Marlwood golf course, our Association will perceive this as a deliberate violation of the towns zoning by-law and infringement of our democratic rights.</p> <p>We enclose page 93 of the zoning by-law for your convenience in which the correct zoning (CR) for a commercial golf course is indicated. We are aware of the rural zoning which allows a golf course, but we feel that this zoning 22.2.2 applies to none commercial golf course(s) such as the 9-hole golf course in Hometown.</p>	Zoning	<p>To confirm, the Marlwood Golf and Country Club is currently zoned both Open Space (OS) Zone and Accommodation Commercial Exception (CA-1) Zone, as shown on Schedule 'P' to the Town of Wasaga Beach Zoning By-law 2003-60, as amended. Lands specifically subject to the proposed development are currently zoned Open Space (OS).</p> <p>Per Sub-section 22.2.2.c), a golf course is a permitted use in the Open Space (OS) Zone. A golf course is defined as follows, in accordance with Section 28.6 of the By-law: <i>"Shall mean a public or private area operated for the purpose of playing golf, including a par three golf course, a driving range, a miniature golf course or a similar use."</i> This includes the existing use of the subject lands as a commercial (private) golf course.</p> <p>The Open Space (OS) Zone does not permit single-detached residential dwellings as proposed by the applicant, and therefore a Zoning By-law Amendment on lands subject to the proposed development is required.</p>	The Applicant has no further comment.
	41	<p>Furthermore, title records indicate that Marlwood G&CC started with the purchase of property in 1925, then called Wasaga Beach Golf and Country Club Limited meaning of course that Wasaga Beach Golf and Country Club Limited was incorporated and subsequently it was always a business enterprise, right from its beginning. The Wasaga Beach Planning Department has a long history of ignoring this fact.</p> <p>Due to this, the town of Wasaga Beach has enacted many zoning changes and plan amendments in the past, many of which were either not necessary or incorrect.</p> <p>We enclose title records for your convenience and we trust that this time you</p>	Legal	<p>This is being reviewed in the context of the application.</p>	The Applicant has no further comment.

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		will reply in a timely fashion for which we than you in advance.			
	42	The planned development area cuts the wildlife path from Marl lake to parkland and entails the destruction of thousands of creatures.	Natural Heritage	<p>An Environmental Impact Study, prepared by Azimuth Environmental Consulting and dated September 2017, concluded that it is unlikely the development will negatively impact natural heritage features or functions within or beyond the development footprint. Azimuth further notes that the proposed use appears consistent with the adjacent residential and tourism land use, and it is anticipated that natural heritage features and their uses within the area are to remain unaffected. Further study is required to determine if the development will impact natural heritage features influenced by local hydrology and utilized by Species at Risk.</p> <p>In a letter dated December 7th, 2017, the County of Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA.</p> <p>Additionally, in a letter dated June 26th, 2018, the NVCA has requested that further items be addressed through the EIS. It is anticipated that the applicant will address these comments in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>Azimuth has completed additional studies (SAR reptiles and bats, 2017) and has provided information to, and consulted with, the MNRF on a variety of issues related to SAR as per correspondence (Appendix C to Azimuth Letter re: Peer Review Comments, February 6, 2020).</p> <p>The results of the information exchange and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake (THR) was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor (see Azimuth Figure 3, attached) of value to Eastern Hog-nosed Snake. The MNRF provided documentation on March 8, 2019 that, with the change to the draft plan, was sufficient to maintain wildlife connections between Marl Lake and parklands to the west.</p> <p>The lands proposed for development are, with minor exception – part of an existing golf course and hence don't provide natural habitat conditions for wildlife. Recommendations are provided in the EIS to avoid potential harm to wildlife utilizing golf course features (ponds, sand traps, etc.) through timing restriction of construction works and implementation of measures to exclude wildlife from construction areas. Therefore, few animals are at risk to harm/destruction and actions are recommended to reduce risk of harm to wildlife.</p>
	43	On a personal level, we have a number of concerns. At the time of purchase, our realtor informed us that this house was the largest and most expensive in the neighborhood. Any housing development on the golf course could decrease our property value. (p.14)	Property Value, Privacy	While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.	The Applicant has no further comment.
	44	In addition, the development would not only destroy our view of the pond and golf course but also negatively impact on our health and wellbeing. Our house has been designed with numerous large windows to provide a panoramic view of the golf course and sited to take advantage of this view ... not rows of new homes as proposed by the golf course owners. Further, there are now safety and health issues already being experienced by the owners. (p.14)	Privacy	The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.	The Applicant has no further comment.

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				The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.	
	45	The Marlwood Golf Course Development, if approved, will destroy environmental assets and wildlife far more important to the future of this area than the homes it will build, strictly for personal monetary gain. (p.14)	Natural Heritage	See response to comment 25, above.	The Applicant has no further comment.
Resident: Austen and Karen Barnes Date: October 4, 2017 Contact: 35 Masters Lane Wasaga Beach, ON L9Z1S8	46	Same letter as one dated October 4th, 2017 and detailed above.	N/A	N/A	Acknowledged.
Resident: Austen and Karen Barnes Date: October 22, 2017 Address: 35 Masters Lane Wasaga Beach, ON L9Z1S8 Contact: (705) 352-1542	47	No applicable planning related comments.	N/A	N/A	Acknowledged.
Resident: Austen and Karen Barnes Date: February 21, 2018 Address: 35 Masters Lane Wasaga Beach, ON L9Z1S8 Contact: (705) 352-1542	48	Proposed housing development severs this existing wildlife corridor and these animals would succumb to winter starvation. Presently accepted "Environmental Impact Study" by Town Planning analyses only bats which are not markedly impacted by development as long as pond and larger trees exist. (Yet writers still declined release of "bat data"). Photo conclusively shows events as they really area and proves current EIS invalid. The latter denies existence of this important environmental impact factor – by omission. Residents / ratepayers reject acceptance of known incomplete data.	Natural Heritage	See response to Comment 25, above.	See Response to Comment 42 above. The EIS was comprehensive and its scope was not limited to bats.
Resident: Daniel and Samantha Fletcher Date: January 23, 2018 Address: 7 Birdie Court	49	It has been brought to our attention that there is an application for zoning amendment, plan of additional housing being proposed for the subdivision that we reside in being Birdie Court which is part of Marlwood Estates. I would like to address this with the following objections of allowing the zoning to change from open space to residential. When we were looking to re-locate to Wasaga Beach, we explored many different areas. As most locations included the ability to see into our neighbor's yards with no privacy at all, we	Privacy	While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course. The planning process in Ontario allows anyone the	The Applicant has no further comment.

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<p>Wasaga Beach, ON L9Z 1C3 Contact: Samanthaletcher313@gmail.com (705) 309-3361</p>		<p>chose our location and paid a much higher premium for such, which includes a forested area, to the back of the property, as well as a magnificent view of the golf course. It allows us the peace and tranquility of being able to have complete privacy, from all sides of the property, as well as enjoying all the nature, that abounds such a location. We highly object at having to look at a house abutting our side and back yard this is not what we paid for. When the plan for subdivision was originally granted it included this open space.</p>		<p>opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p>	
	<p>50</p>	<p>At that time would have been the time to allow the extra lots not now. We feel that this will definitely depreciate ours as well as the others property values and enjoyment of there property in this area. We as residents are choosing to object to the proposed by-law amendment, from open space to R1 zoning. It was never our intention to live, work and raise a family in a neighborhood that has proposed to change what we have worked so hard for, our privacy, the tree buffer backing on to Golf course road, as well as the loss of wildlife that visit our yard every day. We feel that our long term plans of investment will be diminished excessively, due to this application and will only benefit and profit someone else.</p>	<p>Property Value</p>	<p>The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.</p>	<p>The Applicant has no further comment.</p>
<p>Resident: Doreen Peeny Date: September 4, 2017 Address: N/A Contact: dandoo@rogers.com</p>	<p>51</p>	<p>It has recently come to my attention that an application has been submitted to you, for re-zoning part of the Marlwood Golf Course to allow construction of a new subdivision totalling some 65 houses. As a resident living on Masters Lane, I would like to voice my great concern regarding the following issue.</p> <p>I understand that there are plans to open the cul-de-sac of Masters Lane to allow one access to the new development, plus another access off Golf Course Road. My first question is this. Why would there be any need whatsoever to open the end of Masters Lane, if there is to be another entry to the subdivision from Golf Course Road? The subdivision comprising Marlwood Avenue and Masters Lane, has just one access road off Golf Course Road. Why would the new sub division need two entry points?</p> <p>I would like to point out that when my late husband and I decided to buy in this area, we particularly chose to buy on a cul-de-sac. If we had wanted to live on a through-traffic road, we would then have acted accordingly.</p> <p>This neighbourhood is composed of mostly retired people who particularly chose to live here because of the layout of the streets and the proximity of the golf course. I find it unbelievable that someone – who incidentally does not reside in this neighbourhood - would have the arrogance to suddenly decide to disrupt the lives of existing residents! Every one of us would be affected by this change. One person can cause such loss of enjoyment of property to so many people? That doesn't seem right to me!</p> <p>I shudder to think of the horrors we would have to put up with if this project</p>	<p>Traffic</p>	<p>The Town has to rely on studies submitted to support an application as that is the only information that is available including the Traffic Impact Study (TIS), prepared by R.J. Burnside & Associates Limited. However, should there be missing analysis/information or that the recommendations may need to be provided in more detail, the Town has the ability to either ask for more details or have it Peer Reviewed.</p> <p>The Town will consider this as part of the analysis of the package.</p>	<p>The draft plan was revised to incorporate comments received from the Town of Wasaga Beach, Nottawasaga Conservation Authority, and existing residents.</p> <p>Based on these comments, access to the proposed development has been adjusted to remove the vehicular connection to the existing Master's Lane. In the revised draft plan, access is only provided through a new entrance onto Golf Course Road.</p> <p>It should be noted that an emergency connection is proposed between Master's Lane and the proposed development – access for Emergency Vehicles can be along Master's Lane. The details of this emergency connection will be worked out through detailed design and consultation with the Town.</p> <p>The revised traffic impact study (Dated February, 2020) has been completed and submitted to the Town for review.</p>

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		<p>goes ahead. Trucks and building vehicles up and down Masters Lane is not a good picture! This is a quiet residential area! We do not need the peace and quiet disturbed because someone decides otherwise. I cannot imagine how miserable our lives will be, and we would have no idea of how long the project would take. It could take years.</p> <p>We do NOT need Masters Lane to be a through-road. As it is, the residents who have Golf Course Road running along the back of their property have already had to put up with a huge amount of increased traffic since the homes were built. When we moved in here, Golf Course Road was very quiet. Since then I would say the traffic has increased 100%. It is so bad, that the back yards of these homes have become unusable. At any given time, you will never see anyone sitting out on their decks enjoying the back yards. The noise from the road is deafening at times, especially in the Summer when we have motor bikes roaring back and forth, as well as the trucks. It is impossible to enjoy the back gardens and lawns because of the noise pollution already from Golf Course Road. Do we now have to put up with deafening traffic at the front of the house as well as the back? And yes before you ask, we did know there was a road running behind the houses. However, at that time the traffic was a non-issue, but that is not the case today. If this project is approved, our lives will be utter misery. We will be trapped between two loud, well travelled roads. Not to mention that it would decrease our property values!!</p> <p>I cannot stress enough how much I think this is a really bad idea. The quality of life for the residents of Masters Lane is at stake here. Residents here bought their houses as retirees to enjoy retirement in peace and tranquility, not to be stressed in this way at this time of life. None of us need this stress in our lives. Even if the application is rejected, we are already being stressed having to fill our minds with the worry of what might become of this area.</p> <p>And as for the golf course itself – will that be chipped away little by little, until the sole reason for us buying here will be gone? I cannot help but think that the party that submitted the application in such a cavalier manner, is simply out for making money with total disregard to the effect it will have on the people who already live here.</p> <p>In all sincerity I would ask you to absolutely reject this bizarre unfair proposal.</p>			
<p>Resident: Erica Clark Date Submitted: January 17, 2018 Address: 450 Golf Course Road</p>	<p>52</p>	<p>I wish to be notified of the outcome of these two Amendments in writing.</p>	<p>Notices and Updates</p>	<p>Acknowledged by Town staff.</p>	<p>The Applicant has no further comment.</p>

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Wasaga Beach, ON L9Z 1S5 Contact: N/A					
Resident: Marie Jaques Address: 31 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact:	53	<p>I do object to the Golf Course owners opening up Masters Lane. The people who own homes on this crescent have been here for over 13 years (I am one of the original owners). We have paid a premium to be on this enclosed crescent and would like it to remain the way it is now.</p> <p>Opening up the crescent to allow A.: Traffic increase from the 50 plus homes scheduled to be built; B.: Using the opening to allow trucks from construction to travel down our street is not acceptable. C: There would be dust, gravel, as well as noise on our currently quiet street.</p> <p>There are at least 3 (three) openings from the Golf Course directly onto Golf Course Road, available to the owners of the Golf Course – rather than opening up our street.</p>	General Traffic	<p>A Traffic Impact Study (TIS), prepared by R.J. Burnside & Associates Limited and dated August 2016, concludes the forecasted traffic is consistent with the design and existing capacity of Golf Course Road, and the intersections of Marlwood Avenue and future ‘Street A’.</p> <p>Construction traffic and ancillary effects of construction activity will be mitigated through a future Construction Management Plan, to be developed by the Applicant in consultation with Town staff.</p>	<p>The draft plan was revised to incorporate comments received from the Town of Wasaga Beach, Nottawasaga Conservation Authority, and existing residents.</p> <p>Based on these comments, access to the proposed development has been adjusted to remove the vehicular connection to the existing Master’s Lane. In the revised draft plan, access is only provided through a new entrance onto Golf Course Road.</p> <p>It should be noted that an emergency connection is proposed between Master’s Lane and the proposed development – access for Emergency Vehicles can be along Master’s Lane. The details of this emergency connection will be worked out through detailed design and consultation with the Town.</p> <p>The revised traffic impact study (Dated February, 2020) has been completed and submitted to the Town for review.</p>
	54	<p>Should the opening go ahead I can assure you that compensation for the noise, traffic, dust, etc. would be expected. I cannot see at this time the owners of the Golf Course compensating the owners of Masters Lane. So we would be applying to the Town and the Township of Barrie to radically reduce our annual house taxes. That will mean less income for Wasaga Beach.</p>	Construction Traffic	<p>Construction traffic and ancillary effects of construction activity will be mitigated through a future Construction Management Plan, to be developed by the Applicant in consultation with Town staff.</p>	<p>The Applicant has no further comment.</p>
	55	<p>There is one other future problem – I understand that the new Subdivision is expecting to connect their Water, Sewage Disposal and Fresh Water intake to our existing system in the Marlwood area. I would like to point out that unless this is seriously handled by competent managers in this field (I.e. Wasaga Water, Sewage and Water) we could have a lot more problems. During the summer months we experience water supply problems due to the Town trying to divert some of the water to other locations in our area. Should Marlwood be allowed to connect to our present system we will be in need of an update on all our water supplies etc.</p>	Municipal W/WW Servicing	<p>A Functional Servicing and Stormwater Management Report, prepared by R.J. Burnside & Associated Limited and dated July 6 2017, concludes that the proposed development can be serviced by the surrounding municipal infrastructure. A centralized stormwater management pond on Phase 2 lands will provide quality, erosion and quantity control for runoff.</p>	<p>Capacity of the existing water and sanitary sewer system has been reviewed with Town of Wasaga Beach Staff, and we will work together during detailed design to ensure that there is sufficient capacity within the existing infrastructure for the proposed development.</p>
	56	<p>I would like to be informed of all changes, dates, meetings, etc. by all parties concerned.</p>	Notices and Updates	<p>Acknowledged by Town staff.</p>	<p>The Applicant has no further comment.</p>
Resident: Valentin Lavrov	57	<p>I Valentin Lavrov owner of property 10 Birdie CRT Wasaga beach have been notified of rezoning application with in my area. I would like to be notified of</p>	Notices and Updates	<p>Acknowledged by Town staff.</p>	<p>The Applicant has no further comment.</p>

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 31 Marlwood Avenue, Wasaga Beach ON

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<p>Date Submitted: January 4, 2018</p> <p>Address: 10 Birdie Crescent Wasaga Beach, ON L9Z 1C1</p> <p>Contact: vallav333@hotmail.com</p>		all hearing days on this case.			
	58	I am greatly against this rezoning. I specifically purchased this land for its open space. The land rezoning is less the 200 meters i believe from my property.	Open Space removal	<p>While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.</p> <p>The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p> <p>The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.</p>	The Applicant has no further comment.
	59	<p>Please respect this email as an official response from resident effected by proposed plan.</p> <p>I will be awaiting a response for further action required.</p>	Notices and Updates	Acknowledged by Town staff.	The Applicant has no further comment.
<p>Resident: Brad and Shannon Young</p> <p>Date Submitted: January 25, 2018</p> <p>Address: 6 Birdie Court Wasaga Beach, ON L9Z 1C1</p> <p>Contact: bradsmedalmounting@gmail.com</p>	60	<p>1. We received the townships notice of this application via mail regarding the above zoning amendment to build additional housing being proposed for the subdivision that we reside in, Birdie Court which is part of Marlwood Estates.</p> <p>2. I would like to object to the proposal partially. Namely, the addition of ten homes in the area adjacent to Birdie Court and parallel to Golf Course Road. 2 years ago, when I was being relocated to CFB Borden as part of a Federal Government relocation, we were excited to choose Wasaga Beach as our new home and eventual place of retirement for myself after a long career with the Canadian Forces. While house hunting, we looked at many properties within the township and settled on Birdie court as the most desirable. As most locations included the ability to see into our neighbor's yards with no privacy at all, which was very similar to every other house we have lived in during my career, Birdie court offered a refreshing change from that, for which we paid above market value for, with the expectation that the subdivision would remain unchanged.</p> <p>3. Allowing more houses to be "crammed" into such a small space would definitely affect the overall tranquility of the court, bringing a "Big City" feel to this small town, which is totally unacceptable to us. It will also disrupt the wildlife, who frequently visit our yards (my 8 year old daughter is totally</p>	Density	<p>The proposed development is consistent with and conforms to provincial and municipal planning policy and is considered an appropriate use of the subject lands.</p> <p>Sub-section 4.3.2.a) of the Town of Wasaga Beach Zoning By-law 2003-60, Office Consolidation February 2016, requires a minimum lot frontage of 12m (39 ft.) in the Residential Type 1 (R1) Zone. The Applicant is proposing lots with frontages that exceed the minimum required under the By-law. This is consistent with existing residential lots in the surrounding area.</p> <p>While the Town appreciates many comments related to desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course permanently.</p> <p>The planning process in Ontario allows anyone the</p>	The Applicant has no further comment.

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		<p>fascinated with), take away from the appeal of the golf course and adversely affect property values within the court, diminishing the appeal that Wasaga Beach has for many people and without a doubt cause many disturbances as the contractors build these houses.</p> <p>4. With regards to the development and extension to Marlwood Crescent and the building of 55 new houses I have no objections to that development as it does not directly affect us. I am sure the residents that it does affect will address this.</p> <p>5. Therefore, we as residents are choosing to object to the proposed by-law amendment, from open space to R1 zoning. I am sure that after careful consideration by the granting authority that they will see the benefits of allowing such a development to be permitted will only be in the applicants favor financially and will not outweigh the negative impacts of this plan on the residents of Wasaga Beach and especially of Birdie Court.</p>		<p>opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan and Zoning By-law as well as urban design guidelines.</p> <p>The Town is willing to work with the applicant and residents to amicably resolve the issues.</p>	
<p>Resident: Jeffrey Parent Date Submitted: March 9, 2018 Address: 430 Golf Course Road Wasaga Beach, ON L9Z 1S5 Contact: (705) 790-4002</p>	61	<p>I am writing this letter to express my opinion having received a copy of the Notice and Revised Notice regarding the proposed 65 lots on the existing Marlwood Golf Course property. In particular the proposed 10 residential lots which are proposed to be created along the existing Golf Course Road Right-of-way. I have concerns with respect to the increase in density should this proposal proceed on the basis of these smaller lots.</p>	Density	<p>The proposed development is consistent with and conforms to provincial and municipal land use planning policy and is considered an appropriate use of the subject lands by County and Town staff.</p>	<p>The Applicant has no further comment.</p>
	62	<p>The proposed density does NOT match the existing density within the immediate area, and on Golf Course Road. The existing lots on Golf Course Road are larger lots, most of them being 100 foot plus frontages. There was / is a bylaw which states that the minimum frontage on Golf Course Road is to be 100 feet. The proposed 10 lots along Golf Course Road being proposed by the proponent, contemplates smaller lots. Based on these existing lot densities, the proposed 10 lots along Golf Course Road is NOT acceptable in my opinion. The proposed 10 lots along Golf Course Road would affect the general character and the established lot fabric in this area of Wasaga Beach.</p>	Zoning	<p>Sub-section 4.3.2.a) of the Town of Wasaga Beach Zoning By-law 2003-60, Office Consolidation February 2016, requires a minimum lot frontage of 12m (39 ft.) in the Residential Type 1 (R1) Zone. The Applicant is proposing lots with frontages that exceed the minimum required under the By-law. This is consistent with existing residential lots in the surrounding area.</p> <p>While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.</p> <p>The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p>	<p>The Applicant has no further comment.</p>

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				The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.	
	63	Please make sure I am mailed all the notices, updates, information, etc. for the above files.	Notices and Updates	Acknowledged by Town staff.	--
Resident: Austen Barnes Date Submitted: March 29, 2018 Address: 35 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact: austenbarnes@gmail.com (705) 352 1462	64	Complementing the manipulation above, you are aware we take issue with two key files your office accepted concerning MGC development on I believe, January 3 2018. First is the "Archaeological Survey"; second is the "Environmental Impact Study". Analysis suggests both are bogus in terms of content as defined by their titles. Formal scientific evidence supporting this hypothesis has been tabled. No scientific rebuttals or explanations have been received. Your staff promised review later, but uncensored manipulation as above can occur at any level and unfortunately erases trust and guarantee of impartiality, and kicks in need for rapid active response.	Natural and Cultural Heritage	The Town has received notice from the Ministry of Tourism, Culture and Sport that the Archaeological Assessment is consistent with provincial standards, as stated in a letter from the Ministry dated March 08, 2018. The Ministry states that the fieldwork is consistent with the 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licenses. Members of the public or interested parties have an opportunity to have studies Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date. It is also noted that in a letter dated December 7 th , 2017, the County of Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA. Additionally, in a letter dated June 26 th , 2018, the NVCA has requested that further items be addressed through the EIS. It is anticipated that the applicant will address these comments in a future submission to the Town, and to the satisfaction of the NVCA.	Following the submission of Azimuth' Environmental Impact Study (EIS; September 29, 2017), the Town of Wasaga Beach retained WSP Canada Inc. (WSP) to conduct a peer review of the EIS (October 23, 2018) The NVCA (June 26 2018) and MNRF also provided review comments (27, 2018). During a meeting with the NVCA (March 26, 2019) it was agreed that, as the WSP peer review identified the range of issues of concern to the NVCA and MNRF. In response, Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development.
	65	The Canadian Institute of Planners has developed ethical standards for the planning profession in Canada. These are important for assuring future public quality of life. The mission statement includes "Sustaining Canada's Future". Unfortunately working members face commercial pressures from forces	Professional standards	Acknowledged by Town staff.	The Applicant has no further comment

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		pushing destructive development and short term moneymaking.			
	66	<p>You will gather from the above we are committed to ensure defective science in the two accepted documents in your hands is corrected before they are inducted into the development review process. We have too many factors suggesting biased review. They must be promptly rejected and rewritten embodying proper facts and truth.</p> <p>In the event they are not formally publicly rejected by town planning within seven working days from this note transmission we will be compelled to formally complain to concerned professional regulatory/governance levels.</p> <p>We see several fields of potential conflict with national and provincial codes of professional conduct. Further, we will need to review the revised documents prior to acceptance by the Town, given apparent deficiencies and seeming willingness to contravene science and ethics.</p>	Professional standards	<p>The Town has received notice from the Ministry of Tourism, Culture and Sport that the Archaeological Assessment is consistent with provincial standards, as stated in a letter from the Ministry dated March 08, 2018. The Ministry states that the fieldwork is consistent with the 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licenses.</p> <p>Members of the public or interested parties have an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.</p>	The Applicant has no further comment
	67	<p>Appended are some taxpayer comments which agree with need for Town Planning realignment. We look forward to your contribution to moving forward with new integrated technology as per CIP ethical standards for the planning function in Canada. These include preservation of wildlife (Quote: Members must: "Value both the natural and human environments and understand their interrelationships" - totally lacking in the "Environmental Impact Study" accepted by your office). Taxpayer and total public welfare must come first with municipal policies. We pay for ethical and responsible support, not betrayal to private interests. You have attempted to diversify the planning process for Wasaga Beach, but no amount of external advice is of any use if internal procedures are rigged to kill sound policies and ethics. Municipalities must face global consequences of their short term expediency, and it is the duty of professional planning to correct wrong policies and to oppose bad ethics. We are presently on track for global anarchy in 40 years unless we all smarten up and plant trees instead of destroying them, and preserve biodiversity instead of killing it.</p> <p>Summarizing: Your publicly stated position re development, public demeaning of science and its discussion, refusal to reject bogus science documentation; all betray taxpayer needs in protecting quality of life. They also conflict with Provincial policies set by the Ontario Provincial Planning Institute, and Canadian policies set by the Canadian Institute of Planners, as well as Global policy set by the International Science Policy Platform on Biodiversity and Ecosystem Services. While you attempted "mind reset" of taxpayers, we respectfully look forward to your own "mind reset" in the light of proven truth.</p>	Professional standards / Natural and Cultural Heritage		The Applicant has no further comment
	68	Numerous new developments with housing units selling for \$300K will compete with Marlwood Golf Course development if latter were to be pursued. I suspect profitable Golf Club development may in fact be non viable as per predecessors because this land is part of an alluvial plain with	Marketability and Archaeological	The Town has received notice from the Ministry of Tourism, Culture and Sport that the Archaeological Assessment is consistent with provincial standards, as stated in a letter from the Ministry dated March	The Applicant has no further comment

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		likely 8 feet of sedimentary marl with pulverized shells which would have to be excavated and replaced with crushed stone prior to building anything. As far as we know no core samples were taken during the "Archaeological Survey" which explored only the 12 inches of added topsoil. This core sampling to at least 8 feet has not been examined by your office, as far as we know. One commenter raised this issue.		08, 2018. The Ministry states that the fieldwork is consistent with the 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licenses. Members of the public or interested parties have an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.	
Resident: Austen and Karen Barnes Date Submitted: February 6, 2018 Address: 35 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact: austenbarnes@gmail.com (705) 352 1462	69	Although commissioned by developer (indirectly) the STUDY must be a public service record, impartial and free of bias. It must be rigorous and implemented solely as part of the developer's legal responsibility to protect the public from the many adverse effects possible from irresponsible development. Public needs and acceptability change as technology improves and more is learned. Many past "essential and attractive" developments are now banned. It is therefore essential to implement a STUDY in the light of latest changing needs, using exact current data which must be expertly gathered and impartially analyzed. In short, the STUDY must embody sound current scientific facts or it becomes misleading and potentially harmful to long term public welfare.	Natural Heritage	In a letter dated December 7 th , 2017, the County of Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA. While the Town believes the studies undertaken are consistent with Provincial Standards, there is an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date. Additionally, in a letter dated June 26 th , 2018, the NVCA has requested that further items be addressed through the EIS. It is anticipated that the applicant will address these comments in a future submission to the Town, and to the satisfaction of the NVCA.	Following the submission of Azimuth' Environmental Impact Study (EIS; September 29, 2017), the Town of Wasaga Beach retained WSP Canada Inc. (WSP) to conduct a peer review of the EIS (October 23, 2018) The NVCA (June 26 2018) and MNRF also provided review comments (27, 2018). During a meeting with the NVCA (March 26, 2019) it was agreed that, as the WSP peer review identified the range of issues of concern to the NVCA and MNRF. In response, Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development.
	70	The COMPLAINT herein is that tabled Azimuth document lacks four contents (based on above) necessary for an acceptable competent STUDY: 1.1.1 Study as tabled does not comply with current needs as defined in present guidelines from multiple authorities. It omits essential data and ignores key interactions. 1.1.2. Study as tabled does not embody main current data and is admittedly incomplete at time of issue. Actual data analyzed is limited to a few varieties of flora, with seemingly total omission of fauna (see below). 1.1.3 Evidence suggests study does not embody claimed data as in 1.1.2 above. Azimuth declines release of data claimed to be acquired - implying non existence. What is the point of gathering minimal data nobody is allowed to see or check? This does not constitute a bona fide STUDY. Any STUDY lacking transparency implies deceit and disqualifies it as a STUDY. 1.1.4 A valid impact assessment is not possible based upon zero or near zero real current data.			The Applicant has no further comment
	71	Summarizing:			The Applicant has no further comment

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		The data collected does not conform to the needs or definition of a STUDY and contravenes all pertinent guidelines. Lists of numerous wildlife are included in non committal texts but are omitted from the analysis by making “incidental observations” as above. Further, as stated, no “bat data” gathered is available.			
	72	<p>Despite guidelines listed above, in the 131 page Environment Impact “Study” by Azimuth, no mammals other than bats were studied. Humans do not interface with bats, so this choice conveniently bypasses all human/wildlife interface issues.</p> <p>Referring to the hundreds of other possible wildlife assessment encounters logically needed, only “incidental observations were recorded opportunistically during the course of targeted surveys for vegetation and other wildlife taxa”.</p> <p>This does not constitute a STUDY. Bats – which do not depend upon terrain for food access – are the only mammals targeted for survey, with consequent omission of animal corridor or resident terrain studies or development consequences. Bats only need a larger tree to sleep on. Actual observation durations of other wildlife was only 3 minutes long at selected locations. Wildlife do not make or keep appointments. The “STUDY” is structured to omit all wildlife which can be impacted by development and is therefore disqualified.</p> <p>Summarizing:</p> <p>The data collected does not conform to the needs or definition of a STUDY and contravenes all pertinent guidelines. Lists of numerous wildlife are included in non committal texts but are omitted from the analysis by making “incidental observations” as above. Further, as stated, no “bat data” gathered is available.</p>			The Applicant has no further comment
	73	<p>2.2 Major Departures from Provincial Policy Planning Statement 2014</p> <p>Review of the EIS as filed shows non conformity with PPPS 2014 in sections 1.1.1 c, 1.1.1 h, 1.1.4, 1.1.5.3, 1.5.1b, 1.5.1d, 2.1.1, 2.1.2, 2.1.5b, 2.1.5d, 2.1.7, 2.1.8, 4.7, 4.8.</p>	Provincial Policy	County and Town staff have reviewed the applications and determined that they are generally consistent with Provincial policy and conform to Provincial, County and Town plans. However, based on County input, they note that the EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. It is recommended that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA.	The Applicant agrees with the Town comment. The Applicant has no further comment
	74	<p>NON CONFORMITY OF EXISTING ENVIRONMENTAL IMPACT STUDY WITH OFFICIAL PLAN OF TOWN OF WASAGA BEACH – Office Consolidation Feb 24, 2016</p> <p>Review of the EIS as filed shows potential non conformity with OPTWB in sections 13.4.10.8 (b), 13.4.10.8(f)ii, 13.4.10.8(f)iv, 13.4.12, 13.5.2.4, 13.5.2.8, 13.5.2.9.</p>	TWB Official Plan		The Applicant has no further comment
	75	<p>INCOMPLETION OF RESEARCH NECESSARY FOR FINALIZING STUDY</p> <p>The 131 page Environmental Impact Study prepared by Azimuth</p>	Natural Heritage	In a letter dated December 7 th , 2017, the County of Simcoe noted that EIS concludes that additional	Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding

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		<p>Environmental Consulting Inc. dated September 2017 AEC 15-273 was knowingly filed with the Township without inclusion of the listed intended backup data and the additional content necessary for deriving final recommendations.</p> <p>There is no validity in listing additional data to be obtained to finalize study conclusions, then filing the study without it. This is both unprofessional and unacceptable, suggesting there was pressure to file for timing reasons at the cost of completing due diligence, thereby precluding any valid conclusions. More seriously, according to our review, the report as filed contains substantial misinformation needing correction.</p>		<p>to environmental issues associated with the proposed development, including comments respecting Species at Risk (“SAR”).</p> <p>Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding’s Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario’s ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.</p>
	<p>75</p>	<p>Incompleted Study Sections</p> <p>Response to written request would have been simple had the September copy been updated prior to issue. Sections 7.1.4, 7.1.6, 7.4.2, 7.5, 8.1.1, 8.1.2, 10.0 are therefore incomplete as filed, with admitted needs for further study.</p>		<p>The Applicant has no further comment</p>
	<p>76</p>	<p>In fact, the population of Monarch Butterflies was increasing in the planned development area as milkweed plants spread. Yet neither butterfly sanctuary factors nor milkweed are discussed in the “STUDY”.</p> <p>Section 5.4 of the STUDY is an untruth according to our information. Township removed Monarch Butterfly Sanctuary status plaque in 2016 “for the winter” and have not restored it since. Several verbal restoration requests re plaque in 2017 by residents remain unheeded.</p> <p>The existence of a natural occurring sanctuary cannot be changed by changing a plaque; neither can it be changed by choosing to omit it from a STUDY.</p> <p>Changing factual natural conditions is unacceptable in a STUDY. It so happens the planned development would entail destruction of most of the milkweed plants which support the Monarch Butterflies.</p>		<p>The Applicant has no further comment</p>
	<p>77</p>	<p>Destruction of Wildlife Corridor Connecting Wasaga Beach Provincial Park</p>		<p>The Applicant has no further comment</p>

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		<p>and Marl Lake Wetland Area</p> <p>Ref 1. appended shows site evidence of the critical wildlife corridor South of our residence, necessary to sustain wildlife survival. This would be blocked off by the proposed development project and result in high wildlife kill off, contravening Provincial policies .</p> <p>Deer and other life take refuge for warmth and windchill shield in the coniferous forest area of Wasaga Beach Provincial Park on our West, but must access Marl Lake and wetlands on our East side for water in summer, and edible deciduous shoots in winter. Blocking of this corridor by twin rows of houses would not only destroy existing non threatened species, but it would kill off any remaining species at risk (SAR) such as the hog nosed snake and rare turtles.</p> <p>As per STUDY statement above, no consideration or evaluation of key wildlife corridors necessary for summer and winter survival of mammals or reptiles are present.</p>			
	<p>78</p>	<p>Refusal of Release of Bat recordings, Deployments, Technical Data</p> <p>As stated, the only wildlife tracked in the "STUDY" was bats. There are questions re these recordings. Azimuth recording equipment deployer could not recall the deployment plan on the golf course; did not know the frequency range of the recorder; was ignorant of the audio sound frequency range of bats recorded in June/July 2017 during interview on November 22 2017. This was witnessed by OPP, town planning manager, and Marlwood residents.</p> <p>In the follow up letter sent January 4, copies of the recordings - prepared at our cost - were requested, but again were declined by reply refusal. If evidence of recordings exists, why would Azimuth keep it secret?.</p> <p>This suggests bat monitorings were omitted, as were all other mammals. Evidence suggests field wildlife assessment STUDY by Azimuth was minimal.</p>			<p>The Applicant has no further comment</p>
	<p>79</p>	<p>Undermining of Planning and Relevant Project by Incomplete and misleading EI Study</p> <p>In the opinion of residents the EI STUDY has too many anomalies to qualify as bona fide documentation. We suggest Township Planning Manager should be reviewing incoming documentation for due diligence to assure sound decisions from our Municipal Authority.</p> <p>Mayor and Council are dependent upon rigorously accurate project documentation based on proven facts in order to enable responsible legislation. Such information is clearly lacking in this instance.</p> <p>On the basis of the events above, we must request suspension of the subject project application until all required data is completed, and the review ensures contents and policies conform to all applicable regulations.</p>			<p>The Applicant has no further comment</p>

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	<p>80</p>	<p>RETROACTIVE KEY PROVINCIAL POLICY</p> <p>PPS 2014 states:</p> <p>“2.1.1 Natural features and areas shall be protected for the long term”</p> <p>“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”.</p> <p>This is exactly what is highlighted in Ref.1., which condition is omitted from the EI “Study”. The “Study” does not link wildlife habitat needs with wetlands/lake area providing food in winter and water in summer. The planned development would likely kill off hundreds of deer, foxes, coyotes and other mammals as well as reptiles and other remaining species at risk, and endangered species.</p> <p>“2.1.7 Development and site alterations shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements”. (As noted there are many endangered and threatened species in development location including Monarch Butterflies, bats, turtles, and the Eastern Hog Nosed Snake, which would likely all be destroyed).</p> <p>“2.1.8. Development and site alterations shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4., 2.1.5., and 2.1.6. unless the ecological function of 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”. There is no evaluation of the project impact which clearly destroys existing ecological habitats of these endangered species and SAR as in 2.1.7. The 131 page “STUDY” fails to analyze almost certain disastrous impact of the proposed project on wildlife.</p>	<p>Provincial Policy Statement – Section 2.1 Natural Heritage</p>		<p>The Applicant has no further comment</p>
	<p>81</p>	<p>Note policies of the Provincial Policy Planning Statement 2014 continue to apply even after adoption and approval of an official plan, overruling municipal approval. This means PPS 2014 could cancel a project already approved and commenced after acceptance of a false “STUDY” in good faith resulting in an erroneous Municipal go ahead.</p>	<p>Provincial Policy</p>	<p>Council must make a decision based on professional evidence provided by reports submitted, which are reviewed on the basis of the Town’s Official Plan among other local and Provincial plans. If there are no professional reports to the contrary, Council has to make their decision based on the best information available and the input received from the County, the NVCA and the MNRF.</p>	<p>The Applicant has no further comment</p>
	<p>82</p>	<p>Both Township and Public must be comfortable with this document in radically revised form which reflects the needed field research and accurate data. This must be completed prior to public meeting to review this project – otherwise we waste everyone’s time and effort as well as taxpayer costs.</p> <p>As residents and taxpayers we must insist that Azimuth , Town Planning and Town Council take the information we have worked diligently and honestly to provide very seriously. This is not a “Cat and Mouse” game; this present</p>	<p>Public process</p>		<p>The Applicant has no further comment</p>

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		study if accepted by Township becomes in our opinion a violation of our rights as residents of Wasaga Beach.			
<p>Resident: Heinz Bolender Kristin Bolender Bettina Boldender Date Submitted: April 12, 2018 Address: Not provided. Contact: hbolender@rogers.com</p>	83	<p>I have always lived on Golf Course proximity properties which always were Cul-de-sacs / dead end streets. Riverwood Golf and Country Club, Margate Golf & Country Club, Oriole Golf and Country Club, Mississauga Golf and Country Club, and now Marlwood Golf and Country Club.</p> <p>I strongly object that the Marlwood Golf Club is being considered for development for whatever amount of houses, as the green space lost to brick and mortar structures can never be replaced, why GREED is the only driving force.</p>	General Traffic, Intensification, and Natural Heritage	<p>While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.</p> <p>The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p> <p>The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.</p>	The Applicant has no further comment
	84	<p>Also the consideration taken that Masters Lane the street I live on is slated for an access road to service any construction IS IN NO WAY THE REASON I MOVED HERE , AND TO HAVE MY RETIREMENT UPROOTED AND INTERFERED WITH, I am 74 years old and moving is out of the question.</p> <p>This is no different than having a throughway coming through the lobby of your homes, you would object vigorously as well.</p>	Construction Traffic	<p>Construction traffic and ancillary effects of construction activity will be mitigated through a future Construction Management Plan, to be developed by the Applicant in consultation with Town staff.</p>	The Applicant has no further comment
	85	<p>We are against any development that fails the need to reshape precious well maintained , manicured green spaces, may it be raw untouched nature parks or reserves like across Golf Course road, or any Golf Course.</p> <p>Best solution was reached by Coral Gables City to purchase a Golf Course and re-purpose it for the citizens of that city as an amusement type and entertaining venue, but no development.</p>	Natural and Cultural Heritage	<p>To confirm, a majority portion of the subject lands will continue to operate as a golf course, serving the Town of Wasaga Beach and surrounding community.</p>	The Applicant has no further comment
<p>Resident: Austen and Karen Barnes Date Submitted: February 6, 2018 Address: 35 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact: austenbarnes@gmail.com</p>	86	<p>Statement assures conformity of Archaeological Assessment with appropriate regulations and governing authorities. The content is however committed to be "archaeological" as opposed to being merely geological. This is the key issue in this assessment/study.</p>	Cultural Heritage	<p>The Town has received notice from the Ministry of Tourism, Culture and Sport that the Archaeological Assessment is consistent with provincial standards, as stated in a letter from the Ministry dated March 08, 2018. The Ministry states that the fieldwork is consistent with the 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licenses.</p> <p>Members of the public or interested parties have an opportunity to have studies Peer Reviewed, which</p>	The Applicant agrees with the Town and has no further comment
	87	<p>Checking by ground radar or soil resistivity or deeper test pits or core samples would be more scientifically appropriate in this unique topsoil covered sedimentary deposits location. In post contact Native situations even magnetometer inspection would be logical.</p>			The Applicant agrees with the Town and has no further comment
	88	<p>The key issue here is that this examination, inspecting nearly all topsoil only, guaranteed zero archaeological significance and therefore presets automatic</p>			The Applicant agrees with the Town and has no further comment

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(705) 352 1462		approval for development.		may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.	
	89	The recommendation inevitably arrives at: "The proposed undertaking is clear of any archaeological concern". No archaeological concerns can arise from surface analysis of added topsoil.			The Applicant agrees with the Town and has no further comment
	90	Based upon the foregoing, the Archaeological Assessment is judged to be flawed and should be repeated as outlined. As applied, zero archaeological presence is guaranteed. If logical arguments contradicting/invalidating this review exist they will be gratefully accepted.			The Applicant agrees with the Town and has no further comment
Resident: Loraine and Franke Steele Date Submitted: April 26, 2018 Address: 44 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact: lorsteel@aol.com (705) 352-7130	91	If Council decides to APPROVE the subdivision, how long does Marlwood Homeowners Association have to file an appeal with the LPAT?	Public process	Under the <i>Planning Act</i> , any person or public body who made oral submissions at a public meeting or written submissions to the approval authority, has 20-days after a "Notice of Decision" is issued by the approving municipality. A municipality is required to issue the "Notice of Decision" within 15-days of approval or refusal of the application by Council.	The Applicant has no further comment
	92	Is the developer allowed to commence with the subdivision while our association has an appeal in process?		If the LPAT determines that an application for appeal is valid, and proceeds with the formal appeal process, development of the subject property will not commence prior to a decision being issued.	The Applicant has no further comment
	93	Those who do NOT wish to speak at the Public Meeting would like to STAND UP and state their name and address only, FOR THE RECORD, and hand over their written OBJECTION to the Chairperson. Will that be allowed?		Yes, the public will be allowed to stand and state for record purposes their objection or support of the proposal.	The Applicant has no further comment
	94	Following the Public Meeting, how long will PLANNING DEPARTMENT take to get back to Council with their report on the public meeting?		It is unknown on how long the Planning Department will take to get back to Council with their report on the Public Meeting.	The Applicant has no further comment
	95	Will Council schedule a COUNCIL MEETING to discuss Planning Department's Report, and will council make a decision on the subdivision Application on Marlwood Golf Course at that Council Meeting? Also, will the public be informed about that Council Meeting so that they can be in attendance?		Yes, there will be a Council Meeting to discuss the Planning Department Report. It is unknown as to when Council will make a decision on any planning applications, staff cannot determine this. All Council Meetings dates and the agenda are placed on the Town's website for public viewing. The Planning Act requires that all participants of a Public Meeting be given a "Notice of Decision" once Council makes a decision on a subdivision file.	The Applicant has no further comment
Resident: Austen and Karen Barnes Date Submitted: May 3, 2018 Address: 35 Masters Lane	96	This constitutes a Fiduciary Complaint regarding prolonged inaction in resolving issues raised by electorate/stakeholders/taxpayers which abovementioned are committed to serve. Our research since moving into this Town suggests nearly all public complaints to Town in the past remain ignored as a general policy, but our immediate concerns are: Complained inaction potentially impacting the following:	Public process	Public participation in the planning process is legislated through the Planning Act. As part of this process, the Town maintains records of all comments and where appropriate, works with the public and applicant to amicably resolve the issues provided they are reasonable and are in line with	The Applicant has no further comment

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Wasaga Beach, ON L9Z 1S8 Contact: austenbarnes@gmail.com (705) 352 1462		APPLICATION BY T.P.C. AT MARLWOOD INC. FOR A PROPOSED OFFICIAL PLAN AMENDMENT, (FILE NO. OP02/17), ZONING BY-LAW AMENDMENT (FILE NO. Z11/17) AND PLAN OF SUBDIVISION (FILE NO. PS01/17).		good planning principles.	
	97	1. Depositions have been made by electorate/stakeholders/taxpayers re Covenant Restrictions, Heritage Issues, and Town Purchase of Golf Course; any of which if accepted would supersede\invalidate the abovementioned application.	Public process	Council must make a decision based on professional evidence provided by reports submitted, which are reviewed on the basis of the Town’s Official Plan among other local and Provincial plans. If there are no professional reports to the contrary, Council has to make their decision based on the best information available and the input received from the County, the NVCA and the MNRF. While the Town believes the studies undertaken are consistent with Provincial Standards, there is an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date. Members of the public or interested parties have an opportunity to have studies Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.	The Applicant has no further comment
	98	2. Two files supportive of the above application and accepted by Township are proven to be lacking in logical methodology, truth, or factual content suggesting being “rigged” to support the abovementioned application. Corrected reports would potentially preclude this development. Rejection/rewrite has been refused by Township. Further, to clear up any misunderstanding: Approval by other trusting governance does not “ipso facto” authorize or indemnify or supersede harmful findings. Some previous disastrous examples are: 1. Cheating emissions software from Volkswagen; 2. Airbags deployed by explosives, causing deaths, and 3. the defective drug thalidomide, which victims are still attempting to attain adequate recompense for, enduring lives of misery In Dec 1960 this pregnancy anxiety suppressant was found to cause nerve damage, and fetal limb deformations, but was not banned in Canada until May 1962. Authorities must initially trust providers of goods or services for routine general approval, but contrary to present contractor and Town planning arguments this does not in any way imply or guarantee permanent approval or product or service infallibility.			The Applicant has no further comment
	99	3. Meanwhile we have witnessed scientific fact being openly disagreed with by key Town staff, face to face with public, and refusal of meeting to discuss deposition(s) by a councillor prior to Public Hearing. Both contravene acceptable Town/Public interfacing and both offenders appear unaware of, and unapologetic for, what amounts to public contempt and betrayal of their Fiduciary Duties.			The Applicant has no further comment
	100	Be advised abovementioned events and prolonged delay or refusal of action re stakeholder/electorate/ratepayer concerns in 1. and 2. and similar events constitute transgression of Fiduciary Town Requirements and accordingly are legitimate grounds for a class action lawsuit. We request logical impartial action on all five issues, ideally within seven days, and in any case prior to public hearing of abovementioned development. Indefinite “firewalling” against public interests contravenes law and is not an allowable option.	Pending legal action	The Town acknowledges that legal action has been referenced by Mr. Barnes. The letter has been forwarded to the Town’s solicitor for further consideration and review. A formal response to Mr. Barnes will be provided once the Town’s solicitor has issued a legal opinion.	The Applicant has no further comment
Resident: Austen and Karen Barnes Date Submitted: May 11, 2018	101	Mr. Barnes has submitted an Ontario Superior Court of Justice Court File, dated October 05, 2004, concerning a previous legal matter involving Mr. Smardenka.	Not applicable.	The submission is acknowledged by Town staff.	The Applicant has no further comment

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<p>Address: 35 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact: austenbarnes@gmail.com (705) 352 1462</p>					
<p>Resident: Patricia Gurdyal Date Submitted: June 10, 2018 Address: 26 Britton Court Wasaga Beach, ON L9Z 1C1 Contact: None provided.</p>	<p>102</p>	<p>At the time of purchase, we were advised that there could be no development on the first nine holes of the golf course so we are dismayed to learn that there is a proposal to build 65 homes on the course, 10 of which will directly impact us.</p>	<p>Open Space and Tourism</p>	<p>While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.</p> <p>The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p> <p>The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.</p>	<p>The Applicant remains committed to working with the Town.</p>
	<p>103</p>	<p>There is currently a plan to redevelop the downtown of Wasaga Beach to encourage tourism. At the same time there seems to be a desire to destroy what is currently a somewhat challenging golf course in favour of building homes. The golf course should be a part of the town's plan to boost tourism and should be part of the promotion of our town. We have many friends, not too interested in sitting on a beach, who come to Wasaga to play golf. This is the best golf course in Wasaga Beach in terms of the skill level and the beauty and should be retained as such as part of an invigorated Wasaga Beach. I know the argument has been made that the area will still be a golf course but with redesigned, shorter holes, it will become merely an executive course and the challenge is gone. There are many municipalities that own golf courses, such as Toronto, Brampton, London, Chatham - why not Wasaga Beach? There is also the historical significance of this golf course. Even though there have been redesigns over the years, I understand that the basic course is almost 100 years old. I do believe that, once the first phase of construction is approved, it will only be a matter of time before the entire course is redeveloped into a housing estate. There is some indication of this in the plans, which show a road with no apparent purpose.</p>			<p>The Applicant has no further comment</p>
	<p>104</p>	<p>The plans show that ten of the units will face on to Golf Course Road and I question how they will be accessed. If there are to be ten almost consecutive driveways going out onto this road I believe it will present a driving hazard.</p>	<p>General Traffic and Construction Traffic</p>	<p>A Traffic Impact Study (TIS), prepared by R.J. Burnside & Associates Limited and dated August 2016, concludes the forecasted traffic is consistent with the design and existing capacity of Golf Course Road, and the intersections of Marlwood Avenue and future 'Street A'.</p> <p>Construction traffic and ancillary effects of construction activity will be mitigated through a future Construction Management Plan, to be developed by the Applicant in consultation with Town staff.</p>	<p>The Applicant agrees with the Town and has no further comment</p>
	<p>105</p>	<p>In closing, the building of homes is a noisy and messy business so I would also ask, what are we, the homeowners, going to be compensated for the</p>	<p>Construction Activity</p>	<p>Construction traffic and ancillary effects of construction activity will be mitigated through a</p>	<p>The Applicant has no further comment.</p>

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		resulting disruption to our lives - the noise disturbance and the dust created by construction. That is not to mention the devaluation of our homes which will no longer back onto a golf course; we will be looking out at other homes with the noise created by the people residing there.	and Property Value	future Construction Management Plan, to be developed by the Applicant in consultation with Town staff.	
Resident: Corrine Lalonde Date Submitted: June 6, 2018 Address: Not provided. Contact: Corrine.lalonde@outlook.com (705) 429 8556	106	My concern with the proposed change is that it reduces the availability of more affordable townhouses. Wasaga Beach, like many communities has a shortage of affordable housing for families, couples and singles. By approving this proposal, it would eliminate a much-needed segment of the local housing market. I would urge the planning committee to consider the availability of mixed use housing (not just single detached homes) in moving forward with this proposal, and for any other housing development proposals brought forward.	Housing Affordability	Acknowledged by Town staff.	This comment is acknowledged by the Applicant.
Resident: Austen and Karen Barnes Date Submitted: June 14, 2018 Address: 35 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact: austenbarnes@gmail.com (705) 352 1462	107	It is our opinion that the proposed development as it relates to the subject site is not consistent/compliant with the 2014 Provincial Policy Statement (PPS). Further, it does not conform to the 2017 Growth Plan. In this regard, the proposed development does not give proper consideration nor does it provide adequate studies to demonstrate compatibility with the overarching Provincial documents which contain a number of policies that promote the protection of natural wetland and water resource systems.	Planning Policy	Council must make a decision based on professional evidence provided by reports submitted, which are reviewed on the basis of the Town's Official Plan among other local and Provincial plans. If there are no professional reports to the contrary, Council has to make their decision based on the best information available and the input received from the County, the NVCA and the MNRF.	The Applicant has no further comment.
	108	Additionally, we specifically contend that the applicant's Environmental Impact Study (EIS) does not adequately address key natural ecological system heritage impacts of the proposed development, nor does it adequately address the potential negative impacts for Species At Risk (SAR), which suggests the potential for creating unacceptable impacts upon the existing environment.	Natural Heritage	In a letter dated December 7th, 2017, the County of Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA. While the Town believes the studies undertaken are consistent with Provincial Standards, there is an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.	Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk ("SAR"). Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding's Turtle, and other terrestrial wildlife. The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no

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					permitting/authorizations required under Ontario's ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.
109	Accordingly this is an interim notice of objection to acceptance of this self admitted unfinished document as a valid Environmental Impact Study.	Objection	Acknowledged by Town staff.	--	
110	In particular, the applicant has omitted the additional studies specific to hydrology as well as Species At Risk (SAR), both of which are noted in the conclusion of the applicants' EIS as being required "prior to preparation of firm conclusions relating to natural heritage impact of the proposed development...Further study is required to determine if the development will impact natural heritage features influenced by local hydrology and utilized by SAR. The conclusions of this report will be updated based on the results of the additional studies." In short, the Environmental Impact Study accepted by the Wasaga Beach Manager of Town Planning and Development Review is by its own definition incomplete to the extent of precluding valid conclusions, and is therefore invalid.	Natural Heritage	<p>In a letter dated December 7th, 2017, the County of Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA.</p> <p>While the Town believes the studies undertaken are consistent with Provincial Standards, there is an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.</p>	<p>Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk ("SAR").</p> <p>Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding's Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario's ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.</p>	
111	<p>For all the reasons provided above, the proposed development is not consistent with Provincial Policy Statement (PPS) nor does it conform to the 2017 Growth Plan, and cannot be legally approved in its current incompleated form. We advise Town Manager of Planning and Development Review to reject the Environmental Impact Study as non-conforming and Council to deny the application in its current form, as the development does not appropriately demonstrate that key natural heritage features and species at risk are being protected to the benefit of the environment. Note Provincial compliance can be implemented AFTER project commencement in event of default.</p> <p>We repeat: The Environmental Impact Study accepted as complete by</p>	Natural Heritage	<p>Council must make a decision based on professional evidence provided by reports submitted, which are reviewed on the basis of the Town's Official Plan among other local and Provincial plans. If there are no professional reports to the contrary, Council has to make their decision based on the best information available and the input received from the County, the NVCA and the MNRF.</p> <p>Additionally, in a letter dated June 26th, 2018, the NVCA has requested that further items be addressed through the EIS. It is anticipated that the applicant</p>	<p>Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk ("SAR").</p> <p>Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to</p>	

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		Wasaga Beach Manager of Town Planning and Development Review is by its own definition and admission incomplete to the extent of precluding valid conclusions and is therefore invalid.		will address these comments in a future submission to the Town, and to the satisfaction of the NVCA.	preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding's Turtle, and other terrestrial wildlife. The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario's ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.
Resident: Charlene Porter Date Submitted: June 20, 2018 Address: 42 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact: charleneporter30@gmail.com	112	I am hereby objecting to the application submitted by T.P.C. Marlwood Inc. for housing development and extension of Masters Lane on Marlwood Golf Course for the following 3 reasons;	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
	113	Antagonistic change to a distinctive neighborhood – I purchased my home specifically due to its location in this distinctive neighborhood. Masters Lane and Marlwood Avenue are not through streets with low traffic, giving the community a quiet, calm and peaceful neighborhood that the residents of Marlwood Estates specifically bought into. This will no longer be the case if Masters Lane is allowed to be opened up as a through street. The removal of the cul-de-sac and increase in traffic is a huge concern and will no doubt disrupt the enjoyment of our distinctive neighborhood.	Traffic	The Town has to rely on studies submitted to support an application as that is the only information that is available including the Traffic Impact Study (TIS), prepared by R.J. Burnside & Associates Limited. However, should there be missing analysis/information or that the recommendations may need to be provided in more detail, the Town has the ability to either ask for more details or have it Peer Reviewed. The Town will consider this as part of the analysis of the package.	The draft plan was revised to incorporate comments received from the Town of Wasaga Beach, Nottawasaga Conservation Authority, and existing residents. Based on these comments, access to the proposed development has been adjusted to remove the vehicular connection to the existing Master's Lane. In the revised draft plan, access is only provided through a new entrance onto Golf Course Road. It should be noted that an emergency connection is proposed between Master's Lane and the proposed development – access for Emergency Vehicles can be along Master's Lane. The details of this emergency connection will be worked out through detailed design and consultation with the Town. The revised traffic impact study (Dated February, 2020) has been completed and submitted to the Town for review.
	114	Wildlife and Conservation – Marlwood Golf Course is geographically aligned with crown land, Wasaga Beach Provincial Park and surrounds Marlwood Lake. There is much wildlife in the area that depends on access to Marlwood Lake. Deer and other wildlife come from the forest across Golf Course Road, down the fairway, to the lake. This route is exactly where housing is being planned. I protest the disruption of the wildlife's access to the lake. The owners of the golf course destroyed many trees around the lake. The	Natural Heritage	Council must make a decision based on professional evidence provided by reports submitted, which are reviewed on the basis of the Town's Official Plan among other local and Provincial plans. If there are no professional reports to the contrary, Council has to make their decision based on the best information available and the input received from	Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk ("SAR"). Azimuth has consulted with the MNRF on a variety

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		<p>downing of those trees has had an impact on wildlife and the eco system of the area; so will the disruption of the access route to the lake. The ecological impact of the proposed development cannot be dismissed and taken lightly.</p>		<p>the County, the NVCA and the MNRF.</p> <p>In a letter dated December 7th, 2017, the County of Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA.</p> <p>While the Town believes the studies undertaken are consistent with Provincial Standards, there is an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.</p> <p>Additionally, in a letter dated June 26th, 2018, the NVCA has requested that further items be addressed through the EIS. It is anticipated that the applicant will address these comments in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding’s Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario’s ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.</p>
	<p>115</p>	<p>Importance to Wasaga Beach – Marlwood Golf Course is a golden nugget to Wasaga Beach. Mayor Smith and Council are working hard on the new Downtown Development Project. The mission is to make Wasaga Beach an all year thriving community for tourists as well as residents. Marlwood Golf Course is a pristine, professionally designed course with not only historical value but its natural beauty is highly praised by all those who visit and play it. It is a proper course. By “shortening” the course and mutilating the design to accommodate housing, will diminish the value and attraction the course will have to the area. It will not be a course that Wasaga Beach can boast about and may lead to the closing of the course all together. Then what; more houses! This golf course was designed and built in the 1920’s and is just as important to Wasaga Beach as is Beach Area 1. I believe it should be protected and incorporated into the business development plans. I object to the rezoning from open space to residential as it should be protected. It is an important asset to the area and a key element for Wasaga’s economic development plan. Keeping it zoned as open space and designating it as an historical asset to the Town (in its current state) should be the mandate. Mayor Smith has said he wants to preserve Wasaga Beach for future generations. Preserving Marlwood Golf Course for future generations would</p>	<p>Open Space and Tourism</p>	<p>While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.</p> <p>The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p> <p>The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.</p>	<p>The Applicant has no further comment.</p>

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		be a good start. Shortening the course and mutilating the design will be the beginning of its demise. The importance of this golf course needs to be recognized before it is ruined with houses.			
<p>Resident: Heinz Bolender Kristin Bolender Bettina Bolender Date Submitted: June 21, 2018 Address: Not provided. Contact: hbolender@rogers.com</p> <p>Additional notes: Same email received multiple time to different recipients.</p>	116	<p>I have always lived on Golf Course proximity properties which always were Cul-de-sacs / dead end streets. Riverwood Golf and Country Club, Margate Golf & Country Club, Oriole Golf and Country Club, Mississauga Golf and Country Club, and now Marlwood Golf and Country Club.</p> <p>I strongly object that the Marlwood Golf Club is being considered for development for whatever amount of houses, as the green space lost to brick and mortar structures can never be replaced, why GREED is the only driving force.</p>	Open Space	<p>While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.</p> <p>The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p> <p>The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.</p>	The Applicant has no further comment.
	117	<p>Also the consideration taken that Masters Lane the street I live on is slated for an access road to service any construction IS IN NO WAY THE REASON I MOVED HERE, AND TO HAVE MY RETIREMENT UPROOTED AND INTERFERED WITH, I am 74 years old and moving is out of the question.</p> <p>This is no different than having a throughway coming through the lobby of your homes, you would object vigorously as well.</p>	Traffic	<p>The Town has to rely on studies submitted to support an application as that is the only information that is available including the Traffic Impact Study (TIS), prepared by R.J. Burnside & Associates Limited. However, should there be missing analysis/information or that the recommendations may need to be provided in more detail, the Town has the ability to either ask for more details or have it Peer Reviewed.</p> <p>The Town will consider this as part of the analysis of the package.</p>	The Applicant has no further comment.
	118	We are against any development that fails the need to reshape precious well maintained, manicured green spaces, may it be raw untouched nature parks or preserves like across Golf Course road, or any Golf Course.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
	119	Related issues below are important to the preservation of nature as considered and conducted by other city's, and should be adopted by Wasaga Beach as well, as to be a leader in Habitat preservation.	Natural Heritage	<p>Council must make a decision based on professional evidence provided by reports submitted, which are reviewed on the basis of the Town's Official Plan among other local and Provincial plans. If there are no professional reports to the contrary, Council has to make their decision based on the best information available and the input received from the County, the NVCA and the MNRF.</p> <p>In a letter dated December 7th, 2017, the County of</p>	<p>Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk ("SAR").</p> <p>Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern</p>

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				<p>Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA.</p> <p>While the Town believes the studies undertaken are consistent with Provincial Standards, there is an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.</p> <p>Additionally, in a letter dated June 26th, 2018, the NVCA has requested that further items be addressed through the EIS. It is anticipated that the applicant will address these comments in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding's Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario's ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.</p>
<p>Residents: Jim and Vicki Burns Date Submitted: June 22, 2018 Address: Not provided. Contact: Vickinburns52@gmail.com</p> <p>Additional Notes: Same letter sent to County on June 22, 2018.</p>	<p>120</p>	<p>We strongly object to the proposed housing development on Marlwood Golf Course and to changing Masters Lane from a cul-de-sac to a through road to the new housing development.</p>	<p>Traffic</p>	<p>The Town has to rely on studies submitted to support an application as that is the only information that is available including the Traffic Impact Study (TIS), prepared by R.J. Burnside & Associates Limited. However, should there be missing analysis/information or that the recommendations may need to be provided in more detail, the Town has the ability to either ask for more details or have it Peer Reviewed.</p> <p>The Town will consider this as part of the analysis of the package.</p>	<p>The draft plan was revised to incorporate comments received from the Town of Wasaga Beach, Nottawasaga Conservation Authority, and existing residents.</p> <p>Based on these comments, access to the proposed development has been adjusted to remove the vehicular connection to the existing Master's Lane. In the revised draft plan, access is only provided through a new entrance onto Golf Course Road.</p> <p>It should be noted that an emergency connection is proposed between Master's Lane and the proposed development – access for Emergency Vehicles can be along Master's Lane. The details of this emergency connection will be worked out through detailed design and consultation with the Town.</p> <p>The revised traffic impact study (Dated February, 2020) has been completed and submitted to the Town for review.</p>
	<p>121</p>	<p>If planning is approved there is no doubt that the quality of life that the</p>	<p>Constructio</p>	<p>Construction traffic and ancillary effects of</p>	<p>The Applicant has no further comment.</p>

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		residents of Masters Lane have enjoyed will be changed forever. We would be subjected to and be living in a construction zone for probably several years, with construction equipment being transported up and down this usually quiet safe residential street, along with all the noise and dirt.	n Traffic	construction activity will be mitigated through a future Construction Management Plan, to be developed by the Applicant in consultation with Town staff.	
	122	We fear that if these changes are made many of the members who have stood by and supported this club in the past will look to play at alternative courses. Perhaps, putting into jeopardy the future of this gem of a golf course. It would be a shame to lose it. Wasaga Beach needs to keep and preserve this golf course as is, for its residents and tourists.	Tourism	<p>While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.</p> <p>The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p> <p>The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.</p>	The Applicant has no further comment.
	123	Development on Marlwood Golf Course would also have a severe impact on the wildlife that make this area their home.	Natural Heritage	<i>Refer to Response 119 above.</i>	<p>Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk ("SAR").</p> <p>Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding's Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario's ESA related to the proposed development. Therefore, the proposed development has been</p>

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					deemed by the province to <u>not</u> contravene the ESA.
<p>Resident: Cameron Moggach</p> <p>Date Submitted: June 23, 2018</p> <p>Address: 35 Masters Lane Wasaga Beach, ON L9Z 1S8</p> <p>Contact: Bjjackson925@hotmail.com</p> <p>Additional Notes: <i>Same letter sent to County on June 23, 2018.</i></p>	124	I am submitting this letter of objection to the Zoning By-Law Amendment and Plan of Subdivision captioned above.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
	125	It is my opinion and belief that the addition of building lots at this location would be detrimental to the habitat of the local wildlife which traverses the area for food and water during the winter months. I have witnessed this activity on countless occasions. The building lots will create a barrier preventing the wildlife access to the needed food and water.	Natural Heritage	<i>Refer to Response 119 above.</i>	<p>Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk (“SAR”).</p> <p>Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding’s Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario’s ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.</p>
	126	<p>I am to understand that an agreement was made in the recent past between the Corporation of the Town of Wasaga Beach and Beaver Bay Developments Inc. and the Royal Bank of Canada which included the following clause:</p> <p>The developer acknowledges and confirms that it shall not be entitled to sewer/water capacity beyond those units allocated in the plan (referring to those homes that currently exist on Marlwood Ave and Masters Lane).</p> <p>On 15 May, 2014 Judge Newbold of the Ontario Superior Court held this restrictive covenant registered on title and remains in force in relation to the property in question.</p> <p>One would think that the restriction would remain enforceable until such time as a Higher Court overturns the agreement.</p>	Legal	Acknowledged by Town staff.	<p>On December 17, 2019 Marlwood brought an Application before the Ontario Superior Court of Justice to seek a declaration that no restrictive covenant affects the Golf Course Lands such that the Proposed Development cannot proceed.</p> <p>On January 14, 2020, a court order from Justice Leibovich of the Ontario Superior Court of Justice was issued. That order provides as follows:</p> <p>THIS COURT DECLARES that Instrument SC110488, being a subdivision agreement registered to lots 1-63 comprising Subdivision Plan 51M743 (the “Subdivision Agreement”), is not registered against title and does not affect the lands municipally known as 31 Marlwood Avenue in the Town of</p>

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		With this in mind, it would make little sense to make changes to the official plan at this time with the understanding the additional building lots will not receive sewer/water service.			<p>Wasaga Beach, identified as Property Identification Numbers 58334-0327, 58334-0249 and 58334-0250 (collectively, the “Marlwood Golf Course”).</p> <p>THIS COURT DECLARES that the Subdivision Agreement is not a restrictive covenant running with the Marlwood Golf Course lands and does not prevent development on these lands.</p> <p>THIS COURT DECLARES that Instrument R01109351, being a Condominium Development Agreement registered against the Marlwood Golf Course lands, is not a restrictive covenant and does not prevent development on these lands.</p> <p>The Town is in possession of the January 14, 2020 court order from Justice Leibovich. It is the Applicant’s position this Order provides a complete and definitive response to any concerns with respect to a restrictive covenant operating to prohibit the Proposed Development.</p>
<p>Resident: Valerie Draheim Address: 20 Mulligan Lane, Unit 12 Wasaga Beach, ON L9Z 1S8 Contact: Wdraheim@rogers.com</p> <p>Additional Notes: Same letter received multiple times by different recipients.</p>	127	I purchased my Condo Unit in the middle of Marlwood Golf Course 16 years ago and retired in this pristine environment in order to spent my senior years in this peaceful and quiet neighbourhood which will be totally altered with construction of multiple housing, much more traffic and noise. The costly infra structure has also to be taken into consideration by the Municipality.	Traffic	<p>The Town has to rely on studies submitted to support an application as that is the only information that is available including the Traffic Impact Study (TIS), prepared by R.J. Burnside & Associates Limited. However, should there be missing analysis/information or that the recommendations may need to be provided in more detail, the Town has the ability to either ask for more details or have it Peer Reviewed.</p> <p>The Town will consider this as part of the analysis of the package.</p>	The Applicant has no further comment.
	128	The Golf Course is the main reason why I am living here with the beautiful trees and vegetation, Marlwood lake and the wild life that goes with it. The ecological impact of the proposed development cannot be dismissed and taken lightly since a lot of trees were cut down by the owners	Natural Heritage	<p><i>Refer to Response 119 above.</i></p>	<p>Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk (“SAR”).</p> <p>Azimuth has consulted with the MNR on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to</p>

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					<p>the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding's Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario's ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.</p>
	129	Also the historical aspect of this course which was built in 1920 is of great importance and is one of the few heritage designations of Wasaga Beach. Why change all that and destroy part of it?	Cultural Heritage	<p>The Town has received notice from the Ministry of Tourism, Culture and Sport that the Archaeological Assessment is consistent with provincial standards, as stated in a letter from the Ministry dated March 08, 2018. The Ministry states that the fieldwork is consistent with the 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licenses.</p> <p>Members of the public or interested parties have an opportunity to have studies Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.</p>	The Applicant has no further comment.
	130	I am adding my name to the objection list of all the residents of this neighbourhood and hope that we, the Senior Citizens, will get some consideration so that we may spend our remaining years in peace and harmony in our cherished dwellings.	Objection	Acknowledged by Town Staff.	The Applicant has no further comment.
<p>Resident: Austen and Karen Barnes Date Submitted: June 25, 2018 Address: 35 Masters Lane Wasaga Beach, ON L9Z 1S8 Contact: austenbarnes@gmail.com</p>	131	The proposed development here omits transparency, truth, and scientific rigour as reflected in my numerous previous notes to council, Town employees, and contractors. No satisfactory response at any influential level has been forthcoming.	Professional Standards	Members of the public or interested parties have an opportunity to have supporting studies Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.	The Applicant has no further comment.
	132	Investigative meetings have been obstructed, dangerous equipment for wildlife killing has been concealed at night adjacent to our homes; and	Cultural Heritage	Members of the public or interested parties have an opportunity to have supporting studies Peer	The Applicant has no further comment.

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(705) 352 1462		critical data has been omitted from legally required documents which have been accepted as valid. Namely: Archeological Survey and Environmental Impact Study.	and Natural Heritage	Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.	
	133	For all the reasons provided above, the proposed development is not believed acceptable, incorporating actions contrary to fiduciary and other legal aspects as well as violating numerous current regulations and incurring personal damages.	Professional Standards	<i>Refer to Response 132 above.</i>	The Applicant has no further comment.
	134	[Referring to figure in letter] The area on left (west) is Wasaga Beach Provincial Park consisting of dense coniferous forest with a high wildlife population. The area between this and Marl Lake (east) is wetland with underground interconnected ponds with many deciduous trees. Ponds have the same water level, confirming a single integrated wetlands hydrological system. Wildlife must traverse the corridor between to feed on deciduous shoots in winter and access water in summer. The red strips of housing units occupy and block this critical open space and sever this connection. Also this same area between the west shore of the lake and the eastern boundary of the park is a sanctuary for monarch butterflies, the eastern hog nosed snake and rare turtles – all species at risk(SAR). All this data is omitted from documentation presently accepted as factual	Natural Heritage	<i>Refer to Response 119 above.</i>	Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk (“SAR”). Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding’s Turtle, and other terrestrial wildlife. The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario’s ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.
Resident: Frank and Lorraine Steele Date Submitted: June 12, 2018 Address: <i>Not provided.</i> Contact: Roy77019@gmail.com (705) 253-7130	135	Dear Mr. Gennings, Why is there no notice on the Town's Website regarding T.P.C. at Marlwood Inc. for a proposed Official Plan Amendment, Zoning By-Law Amendment and Plan of Subdivision? We received a letter by Canada Post on Monday, June 11 informing us about this meeting, which is only fifteen days prior to the scheduled Public Meeting on June 26. According to the Planning Act, Municipalities are supposed to inform the public 20 days before a public meeting.	Public Notice	To confirm, all notices and studies are posted to the Town of Wasaga Beach’s Planning Department website: https://www.wasagabeach.com/town-hall/planning-development	The Applicant has no further comment.

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		Please reply with your comments.			
Resident: Patrick Kerins Date Submitted: June 26, 2018 Address: 218-60 Mulligan Lane Wasaga Beach, ON L9Z 0C5 Contact: 145cabra@gmail.com		I object to the proposed subdivision development at Marlwood Golf Course in Wasaga Beach. This historic, one-of-a-kind golf gem is a real bonus for our community. As currently designed it is a challenging, fun to play par 71 course that attracts golfers of all levels, from near and far.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
	136	If changed to an executive par 64 course (Wasaga Sun, June 7, 2018) a lot of the more serious golfers, locals and tourists alike, may choose to spend their golf dollars elsewhere, probably in Collingwood, Elmvale or Midland, with the possible loss of jobs and tax revenue in Wasaga Beach. Up to a few years ago our resort/tourist based town had three challenging full-length golf courses. Wasaga Sands has been lost to development and The Links at Georgian Sands' future looks cloudy – leaving a town with an economy based on quality of life, fun, environmental beauty, and tourism with potentially one remaining golf course – a short executive type course that may only appeal to the novice, occasional golfer – possibly leaving the majority of golfers looking for alternatives, maybe in another town?	Tourism	While the Town appreciates many comments related to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course. The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines. The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.	The Applicant remains committed to working with the Town. The Applicant has no further comment
Resident: Loraine Steele Date Submitted: June 26, 2018 Address: 218-60 Mulligan Lane Wasaga Beach, ON L9Z 0C5 Contact: 145cabra@gmail.com Additional Notes: Same letter received multiple times by different recipients.	137	I am formally objecting to the application submitted by T.P.C. Marlwood Inc. for housing development and extension of Masters Lane on Marlwood Golf Course.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
	138	I acquired the services of an Urban Planner by the name of Paul Demczak of Batory Management to write the following report on my behalf: It is my opinion that the proposed development as it relates to the subject site is not consistent with the 2014 Provincial Policy Statement, and does not conform to the 2017 Growth Plan. In this regard, the proposed development does not give proper consideration and provide adequate studies to demonstrate compatibility to the overarching Provincial documents, which contain a number of policies that promote the protection of natural heritage systems and water resource systems. Additionally, I specifically contend that the applicant's Environmental Impact Statement does not adequately address key natural heritage impacts of the proposed development, nor does it adequately address the potential negative impacts for Species at Risk, which suggests for the potential to create unacceptable impacts on the existing environment.	Natural Heritage	County and Town staff have reviewed the applications and determined that they are generally consistent with Provincial policy and conform to Provincial, County and Town plans. However, based on County input, they note that the EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. It is recommended that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA. Council must make a decision based on professional evidence provided by reports submitted, which are reviewed on the basis of the Town's Official Plan among other local and Provincial plans. If there are no professional reports to the contrary, Council has to make their decision based on the best	See response in to comment 139 below.
	139	In particular, the applicant has not provided additional studies specific to hydrology as well as SAR, which is also noted in the conclusion of the applicant's EIS as being required and I quote: "prior to preparation of firm			Azimuth has submitted addendum to the EIS in a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the

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		<p>conclusions relating to natural heritage impact of the proposed development ... Further study is required to determine if the development will impact natural heritage features influenced by local hydrology and utilized by SAR. The conclusions of this report will be updated based on the results of the additional studies". unquote</p> <p>With regard to natural heritage, the proposed development would be contrary to Policy 2.1.2 of the PPS which provides that 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.</p> <p>With regard to water resources Policy 2.2.1 c) of the PPS, requires identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas ... which are necessary for the ecological and hydrological integrity of the watershed. Policy 2.2.1 d) of the PPS stipulates maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas.</p> <p>Policy 1.2.1 of the Growth Plan seeks to protect and enhance natural heritage, hydrologic, and landform systems, features, and functions. Further, Policy 4.2.2.3 a) states that within Natural Heritage Systems, new development or site alteration will demonstrate that: i) there are no negative impacts on key natural heritage features or key hydrologic features or their functions; ii) connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape; iii) the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible. The proposed development would be contrary to these policies without the appropriate studies being provided in a satisfactory manner.</p> <p>For all of the reasons provided above, it is my opinion that the proposed development would not be consistent with the PPS nor conforms to the 2017 Growth Plan and should not be adopted in its current form. I am recommending that Council deny the application in its current form, as the development does not appropriately demonstrate that key natural heritage features and species at risk are being protected to the benefit of the environment.</p>		<p>information available and the input received from the County, the NVCA and the MNRF.</p> <p>In a letter dated December 7th, 2017, the County of Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA.</p> <p>While the Town believes the studies undertaken are consistent with Provincial Standards, there is an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared by certified professionals to either refute or validate the work that has been undertaken to date.</p> <p>Additionally, in a letter dated June 26th, 2018, the NVCA has requested that further items be addressed through the EIS. It is anticipated that the applicant will address these comments in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>proposed development, including comments respecting Species at Risk ("SAR").</p> <p>Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding's Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario's ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.</p>
	140	We all purchased homes on Masters Lane to live in peace and tranquility in	Open	While the Town appreciates many comments related	The Applicant remains committed to working with

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		our retirement years and I would like to convey that message to Planning Staff & Council Members, and implore them NOT to destroy this beautiful open space and greenery.	Space	<p>to the desire to have open space nearby or adjacent to homes, these lands are privately-owned and the land owner is not obliged to retain these lands as a golf course.</p> <p>The planning process in Ontario allows anyone the opportunity to change the use of their lands, notwithstanding the fact that they are required to follow a planning process and have the lands evaluated by Town staff based on their Official Plan, Zoning By-law as well as urban design guidelines.</p> <p>The Town is willing to work with the applicant and residents to amicably resolve the issues provided they are reasonable and are in line with good planning principles.</p>	<p>the Town.</p> <p>The Applicant has no further comment.</p>
<p>Resident: Lynn and Bill Hawley Date Submitted: June 25, 2018 Address: <i>Not provided.</i> Contact: lynnjhawley@yahoo.ca</p>	141	We are objecting to the application submitted by T.P.C Marlwood Inc. for housing development of the Subject Lands legally described as part of Lots 25 and 26, Concession 7 and 8 and municipally addressed as 31 Marlwood Avenue in the Town of Wasaga Beach.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
	142	<p>We purchased 7 Marlwood Avenue and paid an extra \$29,000.00 to back directly on the golf course and have no other homes behind us. We have enjoyed every minute of it spending many hours sitting on our back deck watching the wildlife. We have woken up to deer sleeping at the back of our property and seen many different kinds of birds, groundhogs, squirrels and even porcupines. We have enjoyed sharing all this with our Grandchildren.</p> <p>This would all be affected by the building of new homes. In addition we feel by reducing the yardage of the golf course would ruin it and definitely the traffic would increase.</p> <p>We have no problem with progress but not at the expense of others who have worked their whole lives and have settled in a community that will be tremendous changed.</p>	Natural Heritage	<p>Council must make a decision based on professional evidence provided by reports submitted, which are reviewed on the basis of the Town's Official Plan among other local and Provincial plans. If there are no professional reports to the contrary, Council has to make their decision based on the best information available and the input received from the County, the NVCA and the MNRF.</p> <p>In a letter dated December 7th, 2017, the County of Simcoe noted that EIS concludes that additional studies related to Species at Risk and hydrology should occur prior to the preparation of firm conclusion relating to natural heritage impact of the proposed development. The County recommends that additional work be completed in consultation with the NVCA and MNRF, prior to the adoption of the proposed OPA.</p> <p>While the Town believes the studies undertaken are consistent with Provincial Standards, there is an opportunity to have it Peer Reviewed, which may either validate or provide recommendations for additional work. Furthermore, any individual or group are welcome to have similar studies prepared</p>	<p>Following the submission of Azimuth Environmental Consulting, Inc.'s (Azimuth) Environmental Impact Study (EIS; September 29, 2017), the Town of Wasaga Beach retained WSP Canada Inc. (WSP) to conduct a peer review of the EIS (October 23, 2018) The NVCA (and MNRF also provided review comments.</p> <p>During a meeting with the NVCA (March 26, 2019) it was agreed that, as the WSP peer review identified the range of issues of concern to the NVCA and MNRF, it provided content and structure upon which to provide a comprehensive response to environmental issues associated with the proposed development.</p> <p>Azimuth has submitted a memorandum (Dated, February 5, 2020) responding to environmental issues associated with the proposed development, including comments respecting Species at Risk ("SAR").</p> <p>Azimuth has consulted with the MNRF on a variety of issues related to SAR. The results of the information exchanged and consultations revealed</p>

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				<p>by certified professionals to either refute or validate the work that has been undertaken to date.</p> <p>Additionally, in a letter dated June 26th, 2018, the NVCA has requested that further items be addressed through the EIS. It is anticipated that the applicant will address these comments in a future submission to the Town, and to the satisfaction of the NVCA.</p>	<p>that the potential for impact to habitat of Eastern Hog-nosed Snake was the SAR issue of concern to the MNRF. As a result, the draft plan was revised to preserve the woodland cover on the southern section of the property inferred to function as a habitat linkage/wildlife movement corridor, of value to Eastern Hog-nosed Snake, as well as Blanding's Turtle, and other terrestrial wildlife.</p> <p>The MNRF provided documentation that, with the change to the draft plan, the agency required no further consultation/actions related to SAR – i.e., no permitting/authorizations required under Ontario's ESA related to the proposed development. Therefore, the proposed development has been deemed by the province to <u>not</u> contravene the ESA.</p>
<p>Resident: Joseph Brian Passmore Date Submitted: June 22, 2018 Address: 3 Marlwood Avenue Wasaga Beach, ON L9Z 1S9 Contact: brianpassmore@rogers.com (705) 422 1956</p>	143	My official objections to Marlwood Golf course proposed housing development	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
<p>Resident: Donna Gibbs Date Submitted: Not provided. Address: 78 Downer Crescent Wasaga Beach ON Contact: Not provided.</p>	144	This lifestyle has no value or worth to those seeking profit and entitlement to take away this special and historic place from its community. I am taking a stand to express my disdain for such a transaction.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
<p>Resident:</p>	145	I am hereby objecting to the application submitted by T.P.C. Marlwood Inc.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.

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Joseph Brian Passmore Date Submitted: June 23, 2018 Address: 3 Marlwood Avenue Wasaga Beach, ON L9Z 1S9 Contact: brianpassmore@rogers.com (705) 422 1956		for housing development and extension of Masters Lane on Marlwood Golf Course			
Resident: Joyce and Larry Frazer Date Submitted: June 25, 2018 Address: 15 Masters Lane Wasaga Beach, ON L9Z 1S9 Contact: frazers@rogers.com (705) 422 1956	146	My husband & I live at 15 Masters Lane, one street back from Marlwood Golf Course. We strongly disagree with the the Rezoning & proposed Houses being built on this beautiful Golf Course.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
	147	We also found the clause in the agreement dated? March 11, 2003 (see attachment) Signed by Cal Patterson (who was deputy Mayor at that time) & Clerk, Eric Collingwood. Which is a Binding Agreement by the Town of Wasaga Beach. "Restrictive Covenant", which catagolitry says NO MORE SEWERAGE OR WATER!!! SO HOW CAN YOU GET AROUND THAT. doesn't that say it all.	Legal	Acknowledged by Town staff.	On December 17, 2019 Marlwood brought an Application before the Ontario Superior Court of Justice to seek a declaration that no restrictive covenant affects the Golf Course Lands such that the Proposed Development cannot proceed. On January 14, 2020, a court order from Justice Leibovich of the Ontario Superior Court of Justice was issued. That order provides as follows: THIS COURT DECLARES that Instrument SC110488, being a subdivision agreement registered to lots 1-63 comprising Subdivision Plan 51M743 (the "Subdivision Agreement"), is not registered against title and does not affect the lands municipally known as 31 Marlwood Avenue in the Town of Wasaga Beach, identified as Property Identification Numbers 58334-0327, 58334-0249 and 58334-0250 (collectively, the "Marlwood Golf Course"). THIS COURT DECLARES that the Subdivision Agreement is not a restrictive covenant running with the Marlwood Golf Course lands and does not prevent development on these lands. THIS COURT DECLARES that Instrument R01109351, being a Condominium Development Agreement registered against the Marlwood Golf Course lands, is not a restrictive covenant and does not prevent development on these lands.

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					The Town is in possession of the January 14, 2020 court order from Justice Leibovich. It is the Applicant's position this Order provides a complete and definitive response to any concerns with respect to a restrictive covenant operating to prohibit the Proposed Development.
Resident: Sarah Jane Madill Date Submitted: June 25, 2018 Address: 8 Portage Trail Wasaga Beach, ON Contact: Sarah.madill8@gmail.com	148	I'm adding my support to stop the development in the above-mentioned files.	Objection	Acknowledged by Town staff.	The Applicant has no further comment.
	149	We have some special areas within our community that are habitat to at risk & endangered species that we are honour bound to protect. Our natural wildlife corridors are a significant part of this, further development at Marlwood will jeopardize their existence.	Natural Heritage	<i>Refer to Response 142 above.</i>	The Applicant has no further comment.
Resident: Doug Maidwell Date Submitted: June 24, 2018 Address: Not available. Contact: k- binternational@rogers.com Additional Notes: Same letter received multiple times by different recipients.	150	LEAVE THE GOLF COURSE ALONE it is the only good recreation to the east end	Objection	Acknowledged by Town staff	The applicant has no further comment.
Resident: Paddy Running-Horan Date Submitted: June 24, 2018 Address: 40 Sandy Coast Crescent Wasaga Beach ON Contact: horans@rogers.com (705) 352-0813	151	Ontario regulation 172/06 governs the interference with wetlands and alterations to shorelines and watercourses. Wetlands are a vital element of our environment and are rapidly disappearing mostly due to their continuing destruction from thoughtless construction of homes on these delicate areas	Natural Heritage	<i>Refer to Response 142 above.</i>	As per Azimuth's reply to WSP Peer Review Comment 2 - The water balance has been updated and is provided in a standalone Water Balance Assessment Report updated February 5, 2020. The report includes an updated water balance which incorporates both Phase 1 and Phase 2 of the development (considered in compound) based on the approach to surface water management (LID and SWM pond) proposed by Burnside (Burnside 2019a,b). Considering Phase 1 and Phase 2 together, there will be no decrease in the amount of infiltration contributing to Marl Lake post-development. When considering only Phase 2, there

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					<p>will be a slight (5%) decrease after development. This isolated deficit is not considered significant (i.e., within the range of variability of input data). The calculated decrease (5%) in infiltration at Phase 2 will be offset by the increase in infiltration from Phase 1 (45%), and the increase in runoff contributions into Marl Lake from both Phase 1 and Phase 2. The SWM pond will outlet via an open channel constructed to terminate outside of the limits of wetland (see Azimuth Figure 3, attached) and designed with features to dissipate energy of flow prior to entering the adjacent wetland. Based on this assessment, no significant changes in the water level of Jack's Lake Complex Provincially Significant Wetland (PSW) are anticipated as a result of the proposed development (Noting that water levels of Marl Lake are controlled by a dam at the outlet).</p> <p>Since the proposed development and approach to servicing matches infiltration pre- to post-development, the existing groundwater regime is maintained and hence there will be no changes to water chemistry related to groundwater flow through soils to the lake. The proposed SWM pond is lined and hence surface waters conveyed to the pond will not infiltrate – no impact to chemistry of ground water. Also, the SWM pond is designed as a wet facility to MECP water quality requirements and hence sediment and associated nutrients, will be detained in the pond and not discharged to the adjacent wetland/lake – no negative impact to lake water chemistry resulting from overland flow derived from the development. There will be no significant changes to ground or surface water contributions to Marl Lake and associated wetlands and hence no impacts to lake water levels or water chemistry.</p>
<p>Resident: Maurice A Loton Date Submitted: June 24 2018 Address: Loton Law Professional Corporation</p>	<p>152</p>	<p>In 2002 the Town of Wasaga Beach started to negotiate a new development on the Marlwood Golf Course with Beaver Bay Development Inc.</p> <p>After much negotiation an agreement was reached as a result of which a Plan of Subdivision was prepared along with an amended to the existing zoning Bylaw. The agreement, dated March 11, 2002. was registered on title on April 15, 2003, which affected the golf course and surrounding lands. The property</p>	<p>Legal</p>	<p>Acknowledged by Town staff.</p>	<p>The On December 17, 2019 Marlwood brought an Application before the Ontario Superior Court of Justice to seek a declaration that no restrictive covenant affects the Golf Course Lands such that the Proposed Development cannot proceed. On January 14, 2020, a court order from Justice Leibovich of the Ontario Superior Court of Justice</p>

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<p>803 Mosley Street Wasaga Beach, ON L9Z2H4 Contact: (705) 429-4332</p>		<p>Identification Numbers were 58334-0249(LT), 5833-0250(LT) and 58334-0327(LT) with the agreement being registered as instrument number R01109351. That agreement contains restrictive covenants which exist today.n</p>			<p>was issued. That order provides as follows:</p> <p>THIS COURT DECLARES that Instrument SC110488, being a subdivision agreement registered to lots 1-63 comprising Subdivision Plan 51M743 (the "Subdivision Agreement"), is not registered against title and does not affect the lands municipally known as 31 Marlwood Avenue in the Town of Wasaga Beach, identified as Property Identification Numbers 58334-0327, 58334-0249 and 58334-0250 (collectively, the "Marlwood Golf Course").</p> <p>THIS COURT DECLARES that the Subdivision Agreement is not a restrictive covenant running with the Marlwood Golf Course lands and does not prevent development on these lands.</p> <p>THIS COURT DECLARES that Instrument R01109351, being a Condominium Development Agreement registered against the Marlwood Golf Course lands, is not a restrictive covenant and does not prevent development on these lands.</p> <p>The Town is in possession of the January 14, 2020 court order from Justice Leibovich. It is the Applicant's position this Order provides a complete and definitive response to any concerns with respect to a restrictive covenant operating to prohibit the Proposed Development.</p>
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