

STAFF REPORT – November 21, 2019

TO: Chair and Members of the Board of Directors

RE: Response to a Natural Waterfront Park for Cobourg

Background: A Natural Heritage Waterfront Park

At the September 19, 2019 Ganaraska Region Conservation Authority (GRCA) Board of Directors meeting, Richard Pope, accompanied by Margaret Bain, made a presentation to inform the Board of a proposal that has since been presented to the Town of Cobourg Council to create a Natural Heritage Waterfront Park. The presenters' intention was to inform the GRCA of the initiative and to have the GRCA Board endorse the proposal. GRCA staff were requested to report back to the Board at a future meeting.

The purpose of the Natural Heritage Waterfront Park, as presented to the GRCA Board is to create a park giving the following areas permanent protection:

- The West Harbour;
- The West Headland;
- The Ecology Garden;
- West Beach

Site Characteristics

The subject lands contain the following features:

- Floodplain associated with Lake Ontario;
- Dynamic Beach (West Beach);
- Lake Ontario Erosion Hazard;
- Coastal Wetland (small area identified by GRCA staff between the harbour and the boat storage areas).

GRCA Planning & Regulatory Role

GRCA has a delegated 'Provincial Interest' in Plan Review (as per Conservation Ontario/Ministry of Natural Resources/Ministry of Municipal Affairs and Housing Memorandum of Understanding). The Authority represents the provincial interests regarding natural hazards encompassed by Section 3.1 of the Provincial Policy Statement (2014). Furthermore, pursuant to the Planning Act, GRCA is a public commenting body and comments as per policies as a local resource management agency on Planning Act applications.

GRCA is a Regulatory Authority and may restrict, regulate or give permission for certain activities in and adjacent to shorelines. The above noted features fall within GRCA's Regulated Area. On this basis, a permit would be required for

development within these features, or within the setback allowance (15m). Depending on the nature of the site characteristic, GRCA staff may or may not be in a position to support development proposed within the feature or within close proximity to the feature.

GRCA supports the protection of the features and recommends that they are protected over the long term through land acquisition by the Municipality or through the inclusion into Official Plans or comprehensive zoning.

Discussion

GRCA staff supports the protection of all hazard lands. It appears that the majority of these lands are already owned by the Municipality and are entirely regulated by the Authority. The area included within the proposed park is specifically discussed as follows:

The West Harbour

This area encompasses the Centre Pier west to the west lighthouse on the west headland. The Advisory Committee on Natural Spaces of the Willow Beach Field Naturalists states the West Harbour comprises "the water west of the Centre Pier Area and a line connecting the Centre Pier to the west Lighthouse, and the shore west the north end of the Centre Pier" and further that they may wish to "exclude the strip in front of the Yacht Club between the Centre Pier and the boat launch". Based on the description the area that will comprise this portion of the park needs to be clarified. It appears that water of the harbour is included within the park boundary.

GRCA notes that the landward portion of these lands are owned by the Town of Cobourg.

The lands in this location fall within the Floodplain associated with Lake Ontario. Additionally, there is a small coastal wetland that has been identified by GRCA staff in this area.

The water of the West Harbour is under the jurisdiction of the Federal Government and is governed by Parliamentary Statute and Transport Canada under the Navigation Protection Act.

The proponent has indicated that future marina expansion into the area would be prevented as part of the proposed park. Notwithstanding, the proponent has indicated that dredging, the construction of a disabled access dock, or a boatlift could be located in this area. The details of what would be considered as viable proposals within this area supported are unclear. Furthermore, if the purpose of this park is to be a "natural waterfront park" the suggestion of allowing certain development while opposing other development appears to be more for the purpose of marina expansion prevention rather than the creation of a natural park.

As the water of the harbour is under Federal jurisdiction is it unclear what implications the proposed park would have on the marina in this regard.

The area is currently identified as the Cobourg Harbour. GRCA recognizes that certain activities beyond that of a normal shoreline occur within this area. Furthermore, harbours are generally considered locations to direct boats for storage purposes for landowners.

Also, the location indicates a line connecting the Centre Pier to the west lighthouse. This seems to indicate the inclusion of lake bed, which as mentioned, is under the jurisdiction of the Federal Government.

The West Headland

This area is owned by the Town of Cobourg, but it is understood that rules pertaining to these lands still fall, in part, under Federal jurisdiction. This is an artificially created area.

These lands are within GRCA's Regulated Area. It is noted that to maintain the headland, erosion protection measures may need to be installed. Although it appears that erosion protection is currently in place, it is unclear if the park would allow for the implementation of further protection.

The Ecology Garden

It is understood this area is owned in part by the Legion Village and the Town of Cobourg. The lands do fall within a GRCA Regulated Area, but appear to be outside any natural hazards. Appropriate consultation with the administrators of the Ecology Garden should be sought.

West Beach

A large portion of the lands are owned by the Town of Cobourg with exceptions including the private residences at 77 Cedermere Avenue, 76 Cedermere Avenue, 90 Ontario Street and 94 Ontario Street. There is a track that is part of the Kawartha Pineridge District School Board property and includes a portion of the existing boardwalk with land that extends toward the lake. The west beach includes the floodplain associated with Lake Ontario, an erosion hazard component and the area is considered a dynamic beach.

GRCA does not support development within dynamic beaches. Notwithstanding, GRCA would be supportive of all hazard lands being absorbed into public ownership. GRCA staff are not aware of the intention of the school board with respect to these lands. Furthermore, it is not specified as to where the boundary of the park would be located.

Town of Cobourg

Much of the property falls within the Town of Cobourg owned property at this time. At this time, GRCA staff are not in receipt of information provided by the Town of Cobourg staff proposing a park. In general, for a park to be created, GRCA staff would be circulated a submission for review and comment. GRCA staff are not in receipt of a submission at this time by Municipal staff. GRCA does not have any information that would indicate this proposal is in keeping with the policies, guidelines or procedures of the Town of Cobourg.

Summary

The proposal contains all of the above noted locations and therefore consideration must be given to the entirety of the project as a whole.

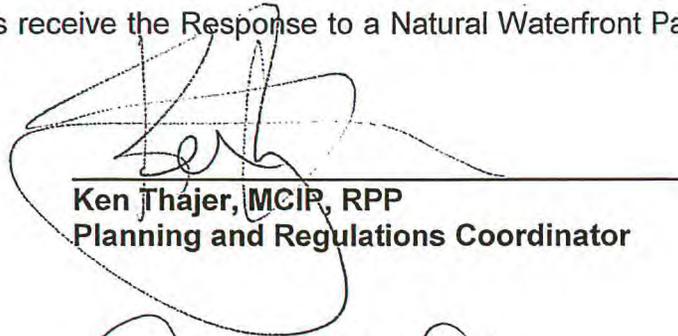
GRCA staff do not have enough information to recommend the endorsement of the proposed park. GRCA staff have concerns with jurisdiction, re-purposing of the marina, and a lack of clarity with respect to what uses could be supported within the park. While the GRCA is supportive of the area becoming park lands to protect the natural heritage value of the park, staff would recommend further discussions to bring clarity to the above concerns.

On this basis, GRCA staff do not recommend the endorsement of the proposal in its current form.

RECOMMENDATION:

THAT the Board of Directors receive the Response to a Natural Waterfront Park for Cobourg for information.

Prepared by:



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Recommended by:



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