



CITY OF PETERBOROUGH COMMITTEE OF ADJUSTMENT

HEARING DATE: May 1, 2007

Staff Comments Regarding File B04/07

B04/07 – Part of 3800 and 3810 Water Street– Howell, Fleming (J. C. Edgar Wood)

At the April 3, 2007 Committee of Adjustment meeting, the Committee adjourned the application submitted by Trent Rapids Power Corporation, for approval of a Lease Agreement to exceed 21 years, to facilitate the development of a hydro-electric generating facility on lands owned by Trent University. The Committee was concerned with the lack of consultation with the public regarding the proposed generating facility project and adjourned the item until the May 1 meeting to permit the applicant to provide the Committee with the following information:

- i) Clarification on the difference between an Environmental Screening process and a full Environmental Assessment;
- ii) Further particulars with respect to the long-term Lease Agreement between the University and Trent Rapids Power Corporation.

On April 20, 2007, Trent Rapids Power Corporation submitted a package to the Secretary of the Committee of Adjustment in response to many of the questions and concerns raised at the April 3 hearing. A summary of this information is attached as Exhibit 'A'.

Environmental Assessment Process

In general, an Environmental Assessment is a process that is carried out to predict the environmental impacts of proposed initiatives before they are carried out. An environmental assessment attempts to identify possible environmental effects and proposes measures to mitigate adverse effects. The Canadian Environmental Assessment Agency serves as the Centre of expertise for a Federal Environmental Assessment and is responsible for the overall administration of the Federal Environmental Assessment process.

There are four types of environmental assessments;

- i) Screenings;
- ii) Comprehensive Studies;
- iii) Mediations;
- iv) Review Panels;

It is the Canadian Environmental Assessment Agency (CEAA) which determines the appropriate environmental assessment. In the case of Trent Rapids Power Corporation proposal, the CEAA determined that the project was subject to a screening. A screening is a systematic approach to document the environmental effects of a proposed project and determine the need to mitigate the adverse impacts, modify the proposal or recommend further assessment through mediation or an assessment by a review panel.

A comprehensive study follows a similar process as the screening, however, these studies are associated with large projects, such as large-scale oil and natural gas developments, nuclear power developments, large electrical-generation plants, industrial plants and certain projects in national parks, which have the potential for significant adverse environmental effects.

Exhibit 'A' provides details associated with the environmental screening process as it relates to the Trent Rapids Power Corporation proposal including the open houses that were held and the fact that these provided opportunity for the public to submit comments to Parks Canada/Trent Severn Waterway and the lead agency coordinating the process.

Lease Agreement

As discussed at the April 3, 2007 Committee of Adjustment hearing, Trent Rapids Power Corporation has developed a long-term Lease Agreement with Trent University (the property owner) to facilitate the construction of the proposed hydroelectric generating facility. Because the lease exceeds 21 years, approval is required from the Committee of Adjustment. The information provided by Trent Rapids does not disclose much information about the lease due to the fact that the Lease Agreement contains specific terms that Trent Rapids considers sensitive, which, if made public, could affect the negotiations on other similar projects. While not disclosing the actual length of the Lease, Trent Rapids has confirmed that these types of facilities generally have a life span of many decades and, in some cases, over 100 years. It is staff's position that details associated with the lease are not relevant to whether or not consent should be granted to the lease arrangement between Trent Rapids Power Corporation and Trent University.

On April 24, 2007, Trent University held an information session regarding the proposed hydroelectric power facility. Representatives from Trent University, Trent Rapids Power Corporation and Trent Severn waterway were in attendance to answer questions from the public concerning the proposed project.

It is the opinion of staff that the submission by Trent Rapids Power Corporation addresses the Committee's requirement for additional information related to the proposed project.

Staff continue to have no objection to the Committee granting the consent, subject to the following conditions:

1. That the City Solicitor receive evidence that a determination has been made in accordance with the Canadian Environmental Assessment Act authorizing the exercising of any power or the performance of any duty or function that would permit the project to be carried out in whole or in part.
2. That Site Plan Approval be granted for the Powerhouse pursuant to By-law 97-54.

Respectfully submitted,

Ken Hetherington, M.C.I.P., R.P.P.
Acting Manager, Planning Division

R. Waldron, C.E.T., CBCO
Manager, Building Division

KH/sf

Attachment:

Exhibit 'A': Memorandum to Members of the Committee of Adjustment