

Recommendation:

That Report Planning-2023-22, dated June 20, 2023, regarding OPA File No. 15OP-21010 & ZBA File No. R-08-21 (Clancy) be received; and

That Council receive all comments related to OPA File No. 15OP-21010 & ZBA File No. R-08-21 (Clancy); and

That Council advise the County of Peterborough that the Township of Douro-Dummer supports proposed Official Plan Amendment File No. 15OP-21010 which represents Amendment No. 70 to the County Official Plan as described in the document prepared by the County of Peterborough Planning Department and attached to this Report; and

That the Draft Zoning By-law be revised as presented and that the requirement for approval of the Zoning By-law shall be a Draft Plan Condition. The Approval Authority shall be advised, in writing, by the Township of Douro-Dummer, that the property has been rezoned with appropriate restrictions with the holding provision, if applicable, for the lands within the plan of subdivision; and lastly,

That the Developer/Owner shall agree in the Subdivision Agreement that minor modifications to the Plan of Subdivision may be necessary to ensure compliance with the implementing Zoning By-law and the service standards of the Township of Douro-Dummer, which may result in the reduction in the number of lots or their reconfiguration.

Overview:

Innovative Planning Solutions Inc., Agent, on behalf of Gerry Clancy, Owner, submitted an application for the approval of a twenty-five (25) lot rural residential Plan of Subdivision and an application for an Official Plan Amendment (OPA) to the County of Peterborough together with the required fees and supporting documentation. The Agent also submitted an application for a Zoning By-law Amendment (ZBA) together with the required fees and supporting documentation to the Township of Douro-Dummer.

The applications were deemed complete by the County of Peterborough and the Township of Douro-Dummer in correspondence dated June 7, 2021. The ZBA application was assigned file number R-08-21, the Plan of Subdivision application was assigned file number 15T-21006 and the OPA application was assigned file number 15OP-21010. The OPA represents OPA No. 70 to the County Official Plan.

A copy of the Notice of Complete Application is attached to this Report.

The applications are in reference to a property described legally as Part Lots 2 and 3, Concession 10, Douro Ward in the Township of Douro-Dummer, and known municipally as 162 County Road 4. The property has an area of approximately 28.61 hectares

(70.69 ac) and approximately 18.28 metres (60 feet) of frontage on County Road 4 and abuts the Hamlet of Donwood.

A copy of the signed Draft Plan of Subdivision is attached to this Report and will be submitted as part of the Fourth Submission package. Given recent changes to the Planning Act, there is no longer a requirement to hold a public meeting for Plans of Subdivision, however, a public meeting is still required for OPA's and ZBA's. Township Staff will bring forward a Report to Council at a later date which will outline the Township's proposed conditions for Draft Plan Approval for the plan of subdivision.

The OPA application proposes to expand the Donwood Hamlet Area Boundary to accommodate the draft plan of subdivision. Portions of the subject lands are proposed to be re-designated from 'Rural' and 'Industrial' to 'Environmental Constraint' and 'Hamlet'. A portion of the subject property is proposed to remain within the 'Rural' designation.

A copy of Draft OPA No. 70 is attached to this Report.

The ZBA application proposes to rezone portions of the subject lands from the Rural Zone (RU) to the Hamlet Residential Zone (HR), the Environmental Conservation Zone (EC) and the Special District 254 Zone (S.D. 254).

After the posting of the Notice of Public Meeting and Draft By-law, the Agent requested that Block 29 on the draft plan of subdivision remain within the (RU) Zone in order to be consistent with the OPA. After reviewing this request, Township Staff recommend placing Block 29 within the Special District 171 Zone (S.D. 171) to limit the permitted uses to an agricultural use, farm or hobby farm excluding buildings or structures used for barns and/or dwellings and a conservation or forestry use; to recognize the limited lot area; and to recognize that Block 29 will not have frontage on a public road.

In e-mail correspondence dated June 12, 2023, the Agent confirmed that the revised By-law was discussed with the Owner and both the Agent and Owner were satisfied with the revised approach.

A copy of the revised By-law is attached to this Report. Staff recommend that the revised Draft By-law be brought forward to Council at a later date as a condition of Draft Plan Approval for the plan of subdivision.

In support of the applications, the following documents were submitted:

- [Draft Plan](#), prepared by IPS Consulting Inc., dated March 2020
- [Planning Justification Report](#), prepared by IPS Consulting Inc., dated May 2021
- [Preliminary Stormwater Management Report](#), prepared by WMI & Associates Ltd., dated May 2021

- [Flood Hazard Assessment Summary](#), prepared by WMI & Associates Ltd., dated May 5, 2021
- [Revised Hydrogeological Assessment](#), prepared by Ian D. Wilson Associates Ltd., dated September 21, 2020, revised March 15, 2021
- [Environmental Impact Study](#), prepared by Cambium Inc., dated March 11, 2021
- Stage 1 and 2 Archaeological Assessment, prepared by Irvin Heritage Inc., dated November 26, 2020
- [Traffic Impact Study](#), prepared by JD Northcote Engineering Inc., dated March 18, 2021

Second Submission

- [Draft Plan of Subdivision](#), prepared by Innovative Planning Solutions, Revision date March 4, 2022
- [Comment & Response Matrix](#), prepared by Innovative Planning Solutions, dated March 9, 2022
- [TIS Comment Response Letter to County's Comments](#), prepared by JD Engineering, dated December 22, 2021
- [TIS Comment Response Letter to MTO Comments](#), prepared by JD Engineering, dated December 22, 2021
- [Traffic Impact Study](#), prepared by JD Engineering, March 18, 2021, revised December 22, 2021
- [Preliminary Stormwater Management Report](#), prepared by WMI, dated March 2022
- [Engineering Drawing Package](#), prepared by WMI & Associates Limited, dated February 28, 2022
- [Response to ORCA Review of Environmental Impact Study](#), prepared by Cambium Inc., dated March 1, 2022
- [Hydrogeological Assessment \(with revisions\)](#), prepared by Wilson Associates Limited, dated September 21, 2020, Revised January 14, 2022

Third Submission

- [Comment & Response Matrix](#), prepared by Innovative Planning Solutions, dated October 11, 2022
- [Preliminary Stormwater Management Report](#) and [Engineering Plans](#) prepared by WMI, dated October 2022
- [Draft Plan of Subdivision](#), prepared by Innovative Planning Solutions, Revised August 24, 2022

A Notice of Public Meeting was provided by ordinary mail to every owner of land within 120 metres of the subject lands on May 29, 2023. A copy of the Notice is attached to

this Report. A copy of the Notice was published in the June 1, 2023 edition of Peterborough This Week and two Notices were posted on the subject property, one on the County Road 4 frontage located between 200 and 202 County Road 4 and one at the entrance to the subject property located between 158 and 166 County Road 4. The prescribed persons and public bodies were provided Notice via email and regular mail on May 29, 2023. Finally, the Notice is available on the [County](#) and [Township](#) websites. The notice circulation complies with the requirements of the Planning Act.

Senior Staff from the Township were circulated for comment on May 29, 2023. Comments were received from the Fire Chief requesting that it be confirmed that the turning circle in the cul-de-sac meets Building Code requirements. The Fire Chief also noted that there is no public dry hydrant within 5 km of the fire station for this area, so water supply for fire protection for a single dwelling and exposure protection would be required. Clarification was requested as to whether the storm retention pond could be converted to a fire protection water supply or the subdivision would need a tank. These comments were forwarded to the Township peer reviewer, D.M. Wills for a response.

The Manager of Public Works met with D.M. Wills to develop standards for new Township Roads within subdivisions and provided an example of a typical cross section. D.M. Wills is in the process of compiling these requirements so that they can be forwarded to the Owner/Agent for this proposal. Items to be included for new municipal road construction include:

- Wider platform for active transportation
- Driveway aprons to be paved
- Streetlights to be included
- Identify areas for snow clearing / storage in cul-de-sacs

Access to the subdivision is proposed from an existing entrance which is not part of the subject property. The existing entrance is identified as Part 2 on Plan 45R-12217 and belongs to the owners of 160 County Road 4. This entrance provides access to three residential properties identified as 160, 162 and 164 County Road 4 as shown on the air photo attached to this Report. The intent is to convey Part 2 on Plan 45R-12217 to the subdivision lands and bring the roadway up to Municipal standards. The internal roadway (identified as Street 'A' on the draft plan together with Part 2 on Plan 45R-12217) would then be assumed by the Township of Douro-Dummer.

The above noted items will form part of the Township conditions of Draft Plan Approval for the plan of subdivision.

There were no other comments or concerns received from Staff.

As of the writing of this Report, Township Staff have not received any verbal or written comments from members of the public as they relate to this application.

The Agent has prepared an overview of the proposal and Planning Staff from the County of Peterborough are present to speak to the peer review of the supporting documents, to Official Plan, Provincial Policy Statement and Growth Plan Conformity and to any comments received from the prescribed persons and public bodies.

Conclusion:

OPA File No. 15OP-21010 (OPA No. 70) serves to expand the Donwood Hamlet Area Boundary to accommodate the draft plan of subdivision. Portions of the subject lands are proposed to be re-designated from 'Rural' and 'Industrial' to 'Environmental Constraint' and 'Hamlet'. A portion of the subject property is proposed to remain within the 'Rural' designation.

ZBA File No. R-08-21 proposes to rezone portions of the subject lands from the Rural Zone (RU) to the Hamlet Residential Zone (HR), the Environmental Conservation Zone (EC), the Special District 171 Zone (S.D. 171) and the Special District 254 Zone (S.D. 254).

Upon receiving all comments related to OPA File No. 15OP-21010 & ZBA File No. R-08-21 (Clancy); and with no concerns identified, it is recommended that Council advise the County of Peterborough that the Township of Douro-Dummer supports proposed Official Plan Amendment File No. 15OP-21010 which represents Amendment No. 70 to the County Official Plan.

Upon the completion of the Public Meeting for OPA File No. 15OP-21010 & ZBA File No. R-08-21 (Clancy), the County Planning Department will prepare a technical report for consideration by County Council and the Township will be advised of the date it will be dealt with by County Council.

Financial Impact:

All costs related to the application are the responsibility of the Owner/Agent.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Staff Report Regarding OPA 15OP-21010 and ZBA R-08-21 (Clancy).docx
Attachments:	<ul style="list-style-type: none"> - Notice of Complete App - June 7, 2021.pdf - Notice of Public Meeting - Final.pdf - 2 - 20-916_24August2022 - Signed 31May2023.pdf - 162 County Road 4 _Draft OPA Text_Rev 4thSub_June12,2023.pdf - 20-916_29May2023-OPA 1.pdf - Draft By-law (Township Format) (June 12, 2023).pdf - 162 County Road 4 (air photo).pdf
Final Approval Date:	Jun 13, 2023

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs