

**Recommendation:**

That the report Planning-2025-13, dated August 5, 2025, regarding the recommended conditions on Consent Application File B-34-25 (Leahy) be received.

**Overview:**

On behalf of the Owner, Karl Moher (Agent) filed an application for Consent to Sever with the County of Peterborough for the property located in Part of Lot 6, Concession 2, Douro Ward, municipally known as 482 Douro First Line. Application B-34-25 proposes to create a new lot for residential use by severing the portion of the property in active agricultural use from the portion of the property developed with a single detached dwelling.

The County of Peterborough circulated the application to the Township and other relevant agencies for comment. Following receipt of comments from Township Departments circulated, the Planner completed the Municipal Appraisal Form (MAF) dated June 9, 2025, and returned the document to the County in accordance with the Delegation of Powers By-law 2022-14, as amended by By-law 2023-05. Further to the responsibilities of the Planner under the Delegation of Powers By-law, the MAF was provided to Council for information purposes at the Regular Council meeting on June 17, 2025. The MAF is attached to this report for ease of reference.

The MAF provides that the application conforms to the Township of Douro-Dummer Official Plan policies, and that the retained parcel conforms to the Township of Douro-Dummer Zoning By-law, but the severed parcel does not. It has been recommended that the application be approved, subject to the following conditions:

1. \$1,250 cash-in-lieu of parkland fee to be paid to the Municipality.
2. Rezoning of the severed parcel to the satisfaction of the Municipality.
3. A 3-metre strip of frontage from the severed parcel be deeded to the Township for road widening purposes. Cost to be incurred by the applicant.
4. The existing buildings and setbacks from the new lot lines be shown on the draft R-Plan and if any deficiencies are found then a rezoning/minor variance will be required.
5. The northern side lot line of the retained parcel be located a minimum of 22 metres from the northern wall of the existing dwelling to accommodate minimum setback distance from a raised septic system.

The Agent expressed disagreement with conditions 2 and 3 above. At the Regular Council meeting on June 17, 2025, Council passed the following resolution:

**Resolution Number 196-2025**

Moved by: Councillor Johnston

Seconded by: Deputy Mayor Nelson

That the Municipal Appraisal Form for Severance File B-34-25 (Leahy) be received, that Council requests that the County of Peterborough defer the file, and that Township Staff be directed to bring a report back to the Regular Council Meeting on August 5, 2025, regarding the severance conditions recommended.

Carried.

The Planner and Chief Building Official met with the Agent and Owner on Wednesday, July 23, to hear their concerns and further discuss the recommended conditions on the Consent Application.

### **Condition 2: Rezoning**

The subject property is primarily zoned Rural (RU) with a portion along the Indian River being zoned Environmental Conservation Provincially Significant Wetland (EC(P)). The submitted application form provides that the retained parcel will have an area of 0.42 hectares, and the severed parcel will have an area of 18.6 hectares.

Based on the regulations for the RU zone, the minimum lot area for a permanent single detached dwelling is 0.4 hectares (s. 9.2.4 a)), and the retained parcel meets this minimum lot area requirement. The minimum lot area for an agricultural use or farm is 20 hectares (s. 9.2.1 a)). The severed parcel is deficient from this minimum lot area requirement and relief from the Zoning By-law is necessary.

In discussions with the Agent, further justification has been provided, and the Planner is prepared to support a Minor Variance application rather than a Rezoning application to address the lot area deficiency of the severed parcel and will amend the MAF accordingly.

### **Condition 3: 3-metre strip of frontage from the severed parcel**

Section 7.12 of the County of Peterborough Official Plan outlines the criteria under which Consent Applications are to be assessed by lower-tier municipalities.

Policy 7.12.20 of the Official Plan enables the consent granting authority to attach conditions to the approval of Consent Applications, including, but not limited to, the dedication of land to the Township, County, or Ministry of Transportation for road widening purposes. In addition, Policy 7.12.7 provides that the Township shall consider the impact of a proposed consent on the Municipality's financial status. Where necessary, dedications for road widenings and reserves shall be required as a condition of approval across the frontage or other yards of all proposed lots.

Through consultation with the Manager of Public Works, it is understood that this recommended condition has been imposed on Consent Applications consistently for decades. The condition is in anticipation of the Township requiring the land for road widening and improvements, utility installations, and stormwater management and drainage improvements, among other needs. Acquiring the land through the Consent

Application process eliminates the need for the Township to purchase the land in the future, producing a benefit to the future financial status of the Township.

This recommended condition will remain unchanged from the original MAF completed on June 9, 2025.

### **Conclusion:**

The Township is a commenting agency tasked with evaluating Consent Applications for conformity with the policies of the Township's Official Plan and regulations of the Township's Zoning By-law and conditions are recommended accordingly. Should the Agent and/or Owner continue to disagree with the recommended conditions, they may request that the application be considered by Peterborough County Land Division Committee, a body which has the authority to amend the conditions recommended on Consent Applications.

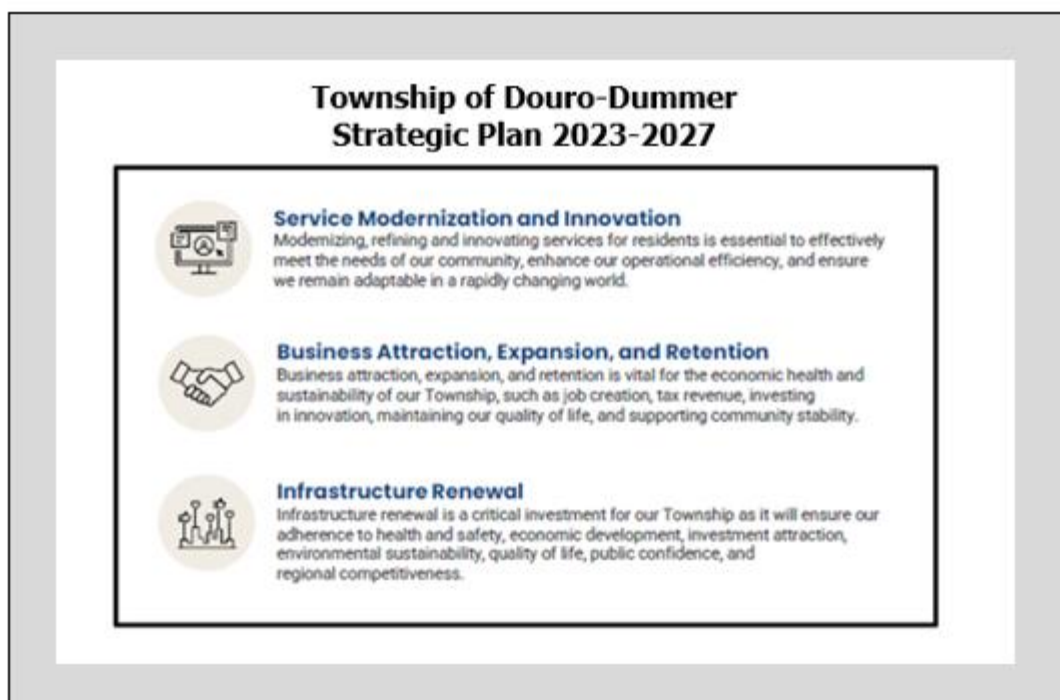
### **Financial Impact:**

None.

### **In Consultation With:**

Don Helleman, Chief Building Official

Jake Condon, Manager of Public Works



**Report Approval Details**

Document Title:	B-34-25 - Planning-2025-13.docx
Attachments:	- B-34-25 Leahy MAF.pdf - B-34-25 Application_Redacted.pdf
Final Approval Date:	Jul 31, 2025

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

Martina Chait-Hartwig

Don Helleman

Todd Davis