

**Recommendation:**

That the report Planning-2026-12, dated April 21, 2026, regarding Official Plan Amendment File 15OP-25011 and Zoning By-law Amendment File R-03-25 be received; and

That Council receive all comments related to Files 15OP-25011 and R-03-25; and

That Council direct Staff to advise the County of Peterborough that, provided the County of Peterborough Planning Department recommends the approval of Official Plan Amendment File 15OP-25011 to County Council, the Township of Douro-Dummer supports Official Plan Amendment File 15OP-25011 which represents Amendment No. 85 to the County Official Plan; and

That Council defer a decision on Zoning By-law Amendment File R-03-25 until such a time as County Council has made a decision on Official Plan Amendment File 15OP-25011.

**Overview:**

On behalf of the Owner, Kevin McKrow (WND Associates) (Agent) has filed concurrent Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications with the County of Peterborough and the Township of Douro-Dummer, respectively. The OPA application was deemed complete by the County of Peterborough on August 22, 2025, and was assigned file number 15OP-25011. This file represents OPA No. 85 to the County Official Plan. The ZBA application was deemed complete by the Township of Douro-Dummer on August 28, 2025, and was assigned File Number R-03-25. Notice of Complete OPA and ZBA applications was provided jointly by the County and the Township on September 5, 2025. A copy of the Notice of Complete Application is attached to this Report.

The property subject to the OPA and ZBA applications is located in Part of Lots 32 and 33, Concession 11, in the Dummer Ward, municipally known as 1842 South Bayshore Road East and assigned Roll Number 1522-020-005-57900. According to information provided in the applications, the subject property has an area of approximately 0.8 hectares with approximately 236 metres of shoreline frontage on Stony Lake. The subject property is located on a peninsula and is irregular in configuration. Access to the subject property is from South Bayshore Road East, being a private road.

The subject property is currently developed for recreational residential use in the form of a single detached recreational dwelling with attached open decks, boathouse, and utility sheds. The existing dwelling is non-complying due to deficient water yard setbacks. The water yard setbacks for the existing dwelling are as follows: 15.72 metres to the North, 6.43 metres to the East, and 37.2 metres to the South. The existing development is serviced by a privately owned and operated septic system and water supply is drawn from Stony Lake. The existing development is shown on the attached site plan.

The Owner wishes to demolish the existing one-storey dwelling having an area of 174.74 square metres and replace it with a new two-storey dwelling with a ground floor area of 423.6 square metres and a gross floor area of 698 square metres. The proposed water yard setbacks for the new dwelling are as follows: 12.73 metres to the North, 13.75 metres to the East, and 18.11 metres to the South. Landscaped terraces are proposed at the northeast corner and along a portion of the southern face of the new dwelling, and a covered porch is proposed at the rear. The proposed development will be serviced by a new privately owned and operated septic system and water supply will continue to be drawn from Stony Lake. The proposed septic system will be set back a minimum of 30 metres from the high-water mark in all directions. The existing utility sheds are proposed to be removed to accommodate the proposed dwelling. The proposed development is shown on the attached site plan.

The Township's Official Plan designates the property as Lakeshore Residential. The property is primarily zoned the Limited Service Residential Zone (LSR) with a portion of the property along the shoreline zoned the Environmental Conservation Provincially Significant Wetland Zone (EC(P)) corresponding to the Hull South Bay Provincially Significant Wetland (PSW). The proposed dwelling will be located within the portion of the property zoned the LSR Zone. A recreational dwelling is a permitted use in the Lakeshore Residential designation and the LSR Zone; however, the Official Plan and Zoning By-law require that all new development be located a minimum of 30 metres from the high-water mark.

The purpose of the OPA is to introduce a site-specific policy within Section 6.2.6.4 of the Official Plan which serves to permit a recreational dwelling to have a water setback less than 30 metres. A copy of Draft OPA No. 85 is attached to this Report.

The purpose of the ZBA is to rezone a portion of the property from the Limited Service Residential Zone (LSR) to the Special District 263 Holding Zone (S.D. 263 (H)) to facilitate the construction of the new dwelling as proposed. Specifically, the S.D. 263 (H) Zone will permit minimum water yard setbacks of 12.73 metres, 13.75 metres, and 18.11 metres to the North, East, and South, respectively, for the proposed dwelling whereas minimum water yard setbacks of 30 metres are otherwise required. The S.D. 263 (H) Zone will also permit a maximum building height of 9.21 metres for the proposed dwelling whereas the maximum building height otherwise permitted is 9 metres. The proposed Holding (H) Provision will require the Owner to enter into a Site Plan Agreement with the Township.

A copy of the Draft By-law is attached to this Report.

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

- Architectural Plans, prepared by Jason Cutajar Architectural Design, November 13, 2024;

- Grading and Erosion & Sedimentation Control Plan, prepared by SitePlanTech Inc., dated June 27, 2025;
- Planning Rationale Report, prepared by WND Associates, dated July 2025;
- Scoped Environmental Impact Study, prepared by Oakridge Environmental, dated July 2025; and,
- Stage 1/2 Archaeological Assessment, prepared by Northeastern Archaeological Associates Ltd., dated June 2, 2025.

Following the technical review of the applications, County and Township Planning Departments provided comments to the Agent indicating that the applications failed to provide adequate justification for the location of the proposed dwelling and further encroachment towards the waterbody. In the initial submission, the water yard setbacks for the new dwelling were proposed to be: 12.89 metres to the North, 11.81 metres to the East, and 13.07 metres to the South. The peer reviewer of the scoped Environmental Impact Study (sEIS) similarly found that the sEIS lacked a fulsome qualitative and quantitative analysis supporting the further encroachment towards the waterbody and associated PSW. The peer reviewer recommended that additional discussion be added to the sEIS regarding possible development alternatives as is required by the Official Plan.

The OPA and ZBA applications were revised, updated, and resubmitted to the County and the Township in response to comments provided by these Planning Authorities regarding the initial submission. The resubmission includes the following documents:

- Revised Architectural Plans, prepared by Jason Cutajar Architectural Design, prepared December 15, 2025;
- Renderings, prepared by WND Associates, dated December 2025;
- Revised Lot Grading and Drainage Plan, prepared by SitePlanTech Inc., dated December 6, 2025;
- Environmental Impact Study Addendum, prepared by Oakridge Environmental, dated December 16, 2025; and,
- Tree Inventory and Planting Plan, prepared by Beyond the Post, dated December 15, 2025.

Following the technical review of the applications, the County and Township determined that the comments on the initial submission had been sufficiently addressed to proceed to a public meeting.

A Notice of Public Meeting dated March 31, 2026, was provided by ordinary mail to all landowners within 120 metres of the subject property. A copy of the Notice of Public Meeting is attached to this Report. Notices were posted on the road and shoreline frontages of the subject property, as well as at the intersections of South Bayshore Road East and South Bay Road, and South Bay Road and County Road 6. The prescribed persons and public bodies were provided Notice via email, and the Notice

was made available on the County and Township websites. The notice circulation complies with the requirements of the Planning Act.

Planning Staff from the County of Peterborough are present to speak to the purpose and effect of the OPA application, the peer review of the supporting documents, Official Plan and Provincial Planning Statement conformity, to any comments received from the prescribed persons and public bodies and the next steps in the OPA process.

Senior Staff from the Township were circulated for comment on March 31, 2026. No comments or concerns were received.

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

### **Provincial Planning Statement (PPS) 2024:**

The PPS, 2024 is considered a policy statement for the purpose of Section 3 of the Planning Act. All municipal decisions, as well as comments, submissions or advice affecting planning matters, are required to be consistent with the PPS pursuant to subsections 3(5) and 3(6) of the Planning Act.

The subject property is considered Rural Lands as per Section 2.6 of the PPS. Permitted uses on Rural Lands include resource-based recreational uses, including recreational dwellings not intended as permanent residences (s. 2.6.1 b)). Development that can be sustained by rural service levels shall be promoted (s. 2.6.2) and development shall be appropriate to available or planned infrastructure (s. 2.6.3).

The existing and proposed use of the property is permitted under the policies of the PPS. Given that the applications are seeking to permit the replacement of an existing recreational dwelling and that the proposed development will be privately serviced in terms of access, water supply, and sewage disposal, no additional demands on rural service levels or municipal infrastructure are anticipated.

Section 4.1 of the PPS contains policies pertaining to Natural Heritage. Development and site alteration shall not be permitted in significant wetlands in Ecoregion 5E (s. 4.1.4 a)). Development and site alteration are similarly prohibited in fish habitat and the habitat of endangered species and threatened species, except in accordance with provincial and federal requirements (ss. 4.1.6, 4.1.7). Before development and site alteration may proceed on lands adjacent to the natural heritage features listed in policies 4.1.4, 4.1.5, and 4.1.6, the ecological function of the adjacent lands must be evaluated, and it must be demonstrated that there will be no negative impacts on the natural features or on their ecological functions (s. 4.1.8). Based on peer review comments, the sEIS and addendum appear to demonstrate that the applications are generally consistent with Section 4.1 of the PPS.

Section 4.6 of the PPS speaks to Cultural Heritage and Archaeology. Planning Authorities are prohibited from permitting development and site alteration on lands containing archaeological resources or in areas or archaeological potential unless the significant archaeological resources have been conserved (s. 4.6.2). A Stage 1/2 Archaeological Assessment was completed and submitted in support of the applications. The Stage 1 Assessment determined that the property is in an area of high archaeological potential given its proximity to water and registered archaeological sites. No archaeological resources were discovered as a result of the Stage 2 Assessment. No further archaeological assessment was recommended by the consultant.

Comments provided by Otonabee Conservation following the circulation of the resubmission provide that the application demonstrates that the proposed development will be outside of the PSW and the floodplain of Stony Lake. The application is consistent with Chapter 5 of the PPS referencing Natural Hazards.

The applications appear to be consistent with the PPS.

**Official Plan:**

The subject property is designated Lakeshore Residential as shown on Schedule 'A4-3' to the Official Plan. The permitted uses of the Lakeshore Residential designation include a single detached recreational dwelling (s. 6.2.6.2).

Policies of the Lakeshore Residential designation require that all new buildings and structures be located a minimum of 30 metres from the shoreline of any lake or major watercourse in order to minimize environmental and visual impacts to the shoreline and waterbody (s. 6.2.6.3 c)).

Structures legally existing as of October 22, 2008, which require replacement due to structural defect or destruction due to natural causes or by permission of the Township may be replaced on the same footprint and enlarged in accordance with the Zoning By-law, provided the enlargement does not further encroach into the 30-metre water setback (s. 6.2.6.3 c)). Given the substantial change to the footprint of the dwelling and that the proposed dwelling will further encroach towards the northern and southern shorelines, the proposed development no longer benefits from the above exemption and is required to meet the 30-metre water setback. The OPA application therefore proposes to permit the construction of the proposed dwelling within 30 metres of the high-water mark of Stony Lake.

The irregular shape of the lot constrains the area of the building envelope outside of the 30-metre water setback. The area outside of the 30-metre water setback has been reserved for the installation of the new septic system. While there are no significant physical constraints to locating the proposed dwelling closer towards the interior of the lot, the applications identify a limited number of mature trees which would require removal to facilitate such.

The proposed dwelling appears to be in keeping with the nature and scale of development in the surrounding area. The proposed location for the new dwelling generally aligns with the established building line of dwellings constructed prior to the introduction of the 30-metre water setback requirement. The compensatory tree plantings are anticipated to mitigate visual impacts associated with the proposed development in the long term.

Following a technical review of the resubmission, the peer reviewer determined that the addendum to the sEIS together with the Tree Inventory and Planting Plan assist with demonstrating consistency with the PPS and Official Plan and agreed with the opinion offered by Oakridge Environmental Ltd. that no net negative environmental impacts are anticipated to result from the proposed redevelopment, provided the recommended mitigation measures and other applicable provincial legislation protecting Species at Risk (SAR) are complied with.

The applications appear not to conflict with the Official Plan.

**Zoning By-law:**

The subject property is primarily zoned the Limited Service Residential Zone (LSR) as shown on Schedule B10 to By-law No. 10-1996, as amended. A portion of the property along the shoreline is zoned the Environmental Conservation Provincially Significant Wetland Zone (EC(P)) relating to the Hull South Bay PSW. The proposed development will be located on the portion of the property currently zoned the LSR Zone.

A single detached recreational dwelling is a permitted use in the LSR Zone, subject to meeting the applicable regulations of the By-law. The minimum water yard setback for buildings and structures in the LSR Zone is 30 metres. As previously noted, the water yard setbacks for the proposed dwelling are as follows: 12.73 metres to the North, 13.75 metres to the East, and 18.11 metres to the South. The maximum building height for a recreational dwelling in the LSR Zone is 9 metres. The ZBA application seeks to permit a maximum building height of 9.21 metres for the proposed dwelling. The proposed rezoning from the Limited Service Residential Zone (LSR) to the Special District 263 Holding Zone (S.D. 263 (H)) will implement the requested reduced water yard setbacks and additional building height for the proposed dwelling.

The Holding (H) Provision will require the Owner to enter into a Site Plan Agreement with the Township. The Township's Site Plan Control By-law No. 2025-09 authorizes Township Staff to apply site plan control to any project within 120 metres of a wetland or an inland lake (ss. 5.6 i) and ii)). The application of site plan control is required given the close proximity and further encroachment of the proposed development toward Stony Lake and the Hull South Bay PSW, as well as the need to implement mitigation measures recommended in the sEIS and addendum and to ensure that tree removals

and compensatory tree planting are executed in accordance with the submitted Tree Inventory and Planting Plan.

An application for Site Plan Approval was recently filed with the Township and is currently under review. If the Site Plan Approval application is deemed complete before approval of the ZBA is sought, the Holding (H) Provision may be omitted from the Draft By-law.

Given that the Zoning By-law is required to conform to the Official Plan, the proposed ZBA will not conform to the Official Plan until the proposed OPA is approved by County Council.

**Conclusion:**

OPA File 15OP-25011 (OPA No. 85) proposes to add a site-specific policy to Section 6.2.6.4 of the Official Plan which serves to permit a recreational dwelling to have a water setback less than 30 metres.

ZBA File R-03-25 proposes to rezone a portion of the subject property from the Limited Service Residential Zone (LSR) to the Special District 263 Holding Zone (S.D. 263 (H)) to permit reduced water yard setbacks and an increased maximum building height to facilitate the construction of the new dwelling as proposed.

Upon receiving all comments related to OPA File 15OP-25011 and ZBA File R-03-25; and provided that no additional information and/or concerns requiring further investigation are raised, it is recommended that Council direct Staff advise the County of Peterborough that, provided the County of Peterborough Planning Department recommends the approval of OPA File 15OP-25011 to County Council, the Township of Douro-Dummer supports proposed OPA File 15OP-25011 which represents Amendment No. 85 to the County Official Plan.

It is further recommended that Council defer a decision on ZBA File R-03-25 until such a time as County Council has made a decision on Official Plan Amendment File 15OP-25011.

Once the Public Meeting for OPA File 15OP-25011 and ZBA File R-03-25 has been completed, the County Planning Department will prepare a Report for consideration by County Council, and the Township will be advised of the date it will be considered by County Council.

**Financial Impact:**

All expenses are incurred by the applicant.

## Township of Douro-Dummer Strategic Plan 2023-2027



### **Service Modernization and Innovation**

Modernizing, refining and innovating services for residents is essential to effectively meet the needs of our community, enhance our operational efficiency, and ensure we remain adaptable in a rapidly changing world.



### **Business Attraction, Expansion, and Retention**

Business attraction, expansion, and retention is vital for the economic health and sustainability of our Township, such as job creation, tax revenue, investing in innovation, maintaining our quality of life, and supporting community stability.



### **Infrastructure Renewal**

Infrastructure renewal is a critical investment for our Township as it will ensure our adherence to health and safety, economic development, investment attraction, environmental sustainability, quality of life, public confidence, and regional competitiveness.

**Report Approval Details**

Document Title:	15OP-25011 and R-03-25 - Planning-2026-12.docx
Attachments:	<ul style="list-style-type: none"> <li>- 15OP-25011 and R-03-25 - Notice of Public Meeting.pdf</li> <li>- 15OP-25011 and R-03-25 - Notice of Complete Application.pdf</li> <li>- 15OP-25011 OPA Full Document DRAFT 14Apr26.pdf</li> <li>- R-03-25 - Draft By-law.pdf</li> <li>- Cover Letter_1842 South Bayshore Road E.pdf</li> <li>- Revised Architectural Plans_1842 South Bayshore Road E.pdf</li> <li>- Renderings_1842 South Bayshore Road E.pdf</li> <li>- Lot Grading and Drainage Plan_1842 South Bayshore Road E.pdf</li> <li>- Planning Rationale Report_1842 South Bayshore Road East.pdf</li> <li>- Scan_sEIS.pdf</li> <li>- Sacn_EIS Addendum.pdf</li> <li>- Tree Inventory and Planting Plan_1842 South Bayshore Road E.pdf</li> </ul>
Final Approval Date:	Apr 16, 2026

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

Martina Chait-Hartwig

Todd Davis