

Planning Justification Report

**Part of Lot 14 Concession 3, Dummer
as described in R673425,
Township of Douro Dummer
County of Peterborough**

Consent Application

D.M. Wills Project Number 20-85104



D.M. Wills Associates Limited

Peterborough
Bancroft

December 2021

**Prepared for:
Peter Smith**

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1.0 Introduction

D.M. Wills Associates Limited (Wills) has been retained by Peter & Wendy Smith (Client) to prepare this Planning Justification Report (Report) in support of the creation of one (1) new residential lot via Consent to Sever (Consent) application. The Consent applies to the land known municipally as 1090 Fourth Line Road South, Dummer (Subject Property) and legally described as Lot 14, Concession 3, in the Township of Douro-Dummer (Township) in the County of Peterborough (County).

1.1 Purpose of Planning Justification Report

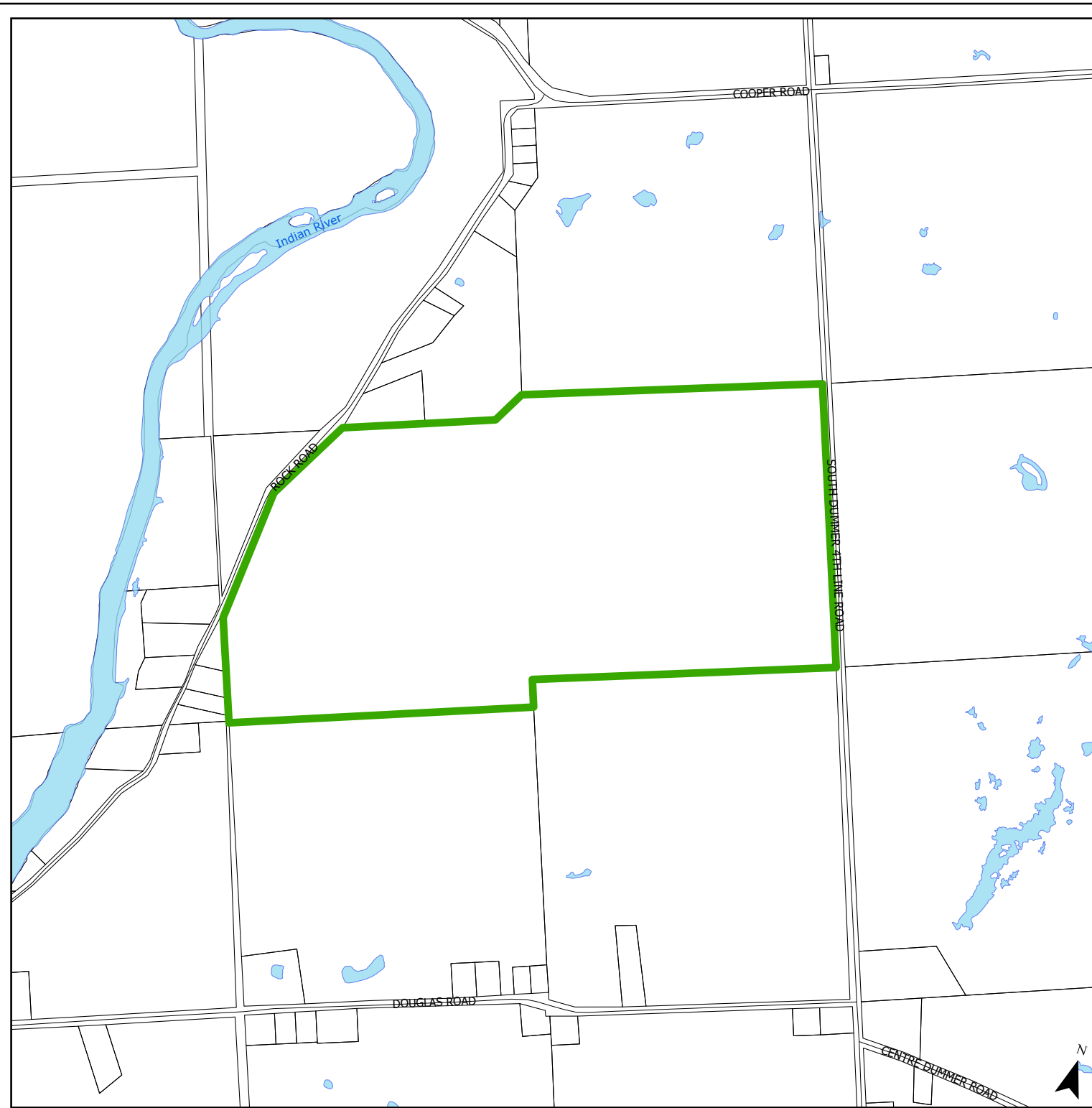
The purpose of this Report is to provide a review and analysis of the proposed Consent in the context of both provincial and municipal planning policies. This Report is submitted in support of the above referenced formal Consent Application.

2.0 Property Description

2.1 Property Location and Surrounding Land Uses

The Subject Property is located between Fourth Line Road South (Dummer) and Rock Road, and south of Cooper Road. Refer to **Figure 1**. The Subject Property has approximately 630m of frontage along Fourth Line South (Dummer) and approximately 520m of frontage along Rock Road, with a total area of 76.9 hectares (190.0 acres).

The Subject Property is located northeast of the settlement area of Warsaw in the Township of Douro-Dummer and east of the Indian River. The surrounding land uses consist of a mix of agricultural, rural residential and natural heritage features. Lands west of the Subject Property consists of seven (7) rural residential Properties with the remainder of the land undeveloped due to the natural heritage features, including a provincially significant Wetland, unevaluated wetland and a section of the Indian River, known as Quarry Lake. Unevaluated wetlands are also located to the south and scattered to the east, among the unevaluated wetlands is a provincially significant wetlands located southeast of the Subject Property. Land located to the east and north of the Subject Property consists of pockets of land in agricultural production in various crop rotations. The undeveloped lands surrounding the Subject Property consist of natural heritage features including an unevaluated wetlands and woodlands. Refer to **Figure 2**.



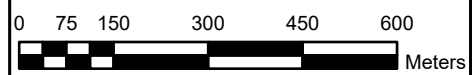
Key Map
 1090 Fourth Line
 Part of Lot 14, Con cession 3 (Dummer)
 Township if Douro-Dummer
 County of Peterborough

Figure 1

Legend

 Subject Property

Scale: 1:12,000



NAD 1983 UTM Zone 17N

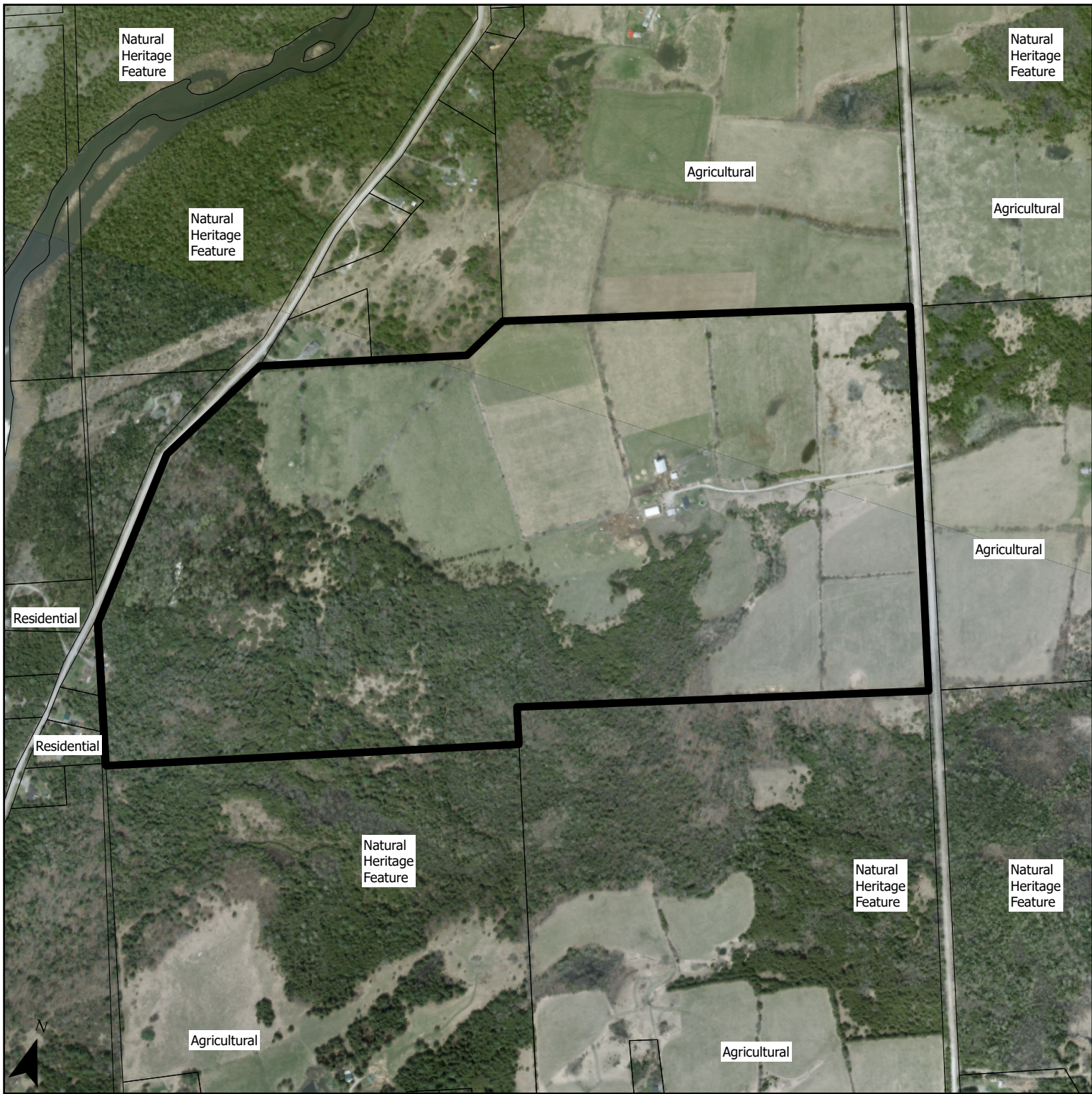
Data Sources

County of Peterborough Online GIS

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Project Number:	85104
Map Number:	1



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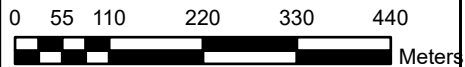
Surrounding Land Use
 1090 Fourth Line Road South
 Part of Lot 14, Con cession 3 (Dummer)
 Township if Douro-Dummer
 County of Peterborough

Figure 2

Legend

 Subject Property


Scale: 1:8,856



NAD 1983 UTM Zone 17N

Data Sources
 City of Peterborough Open Data
 County of Peterborough Online GIS
 Maxar Aerial Basemap

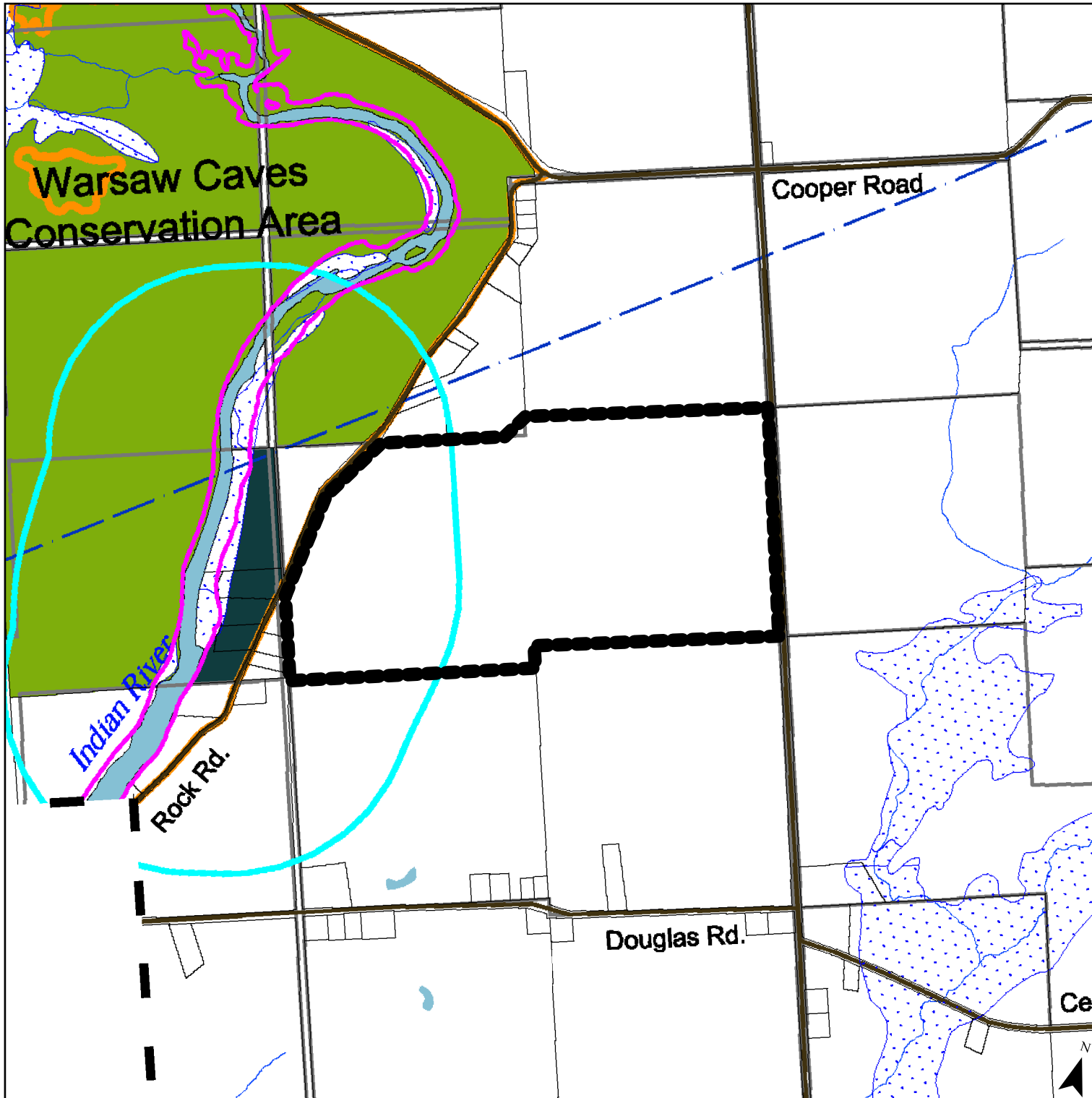
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Excerpt from Schedule 'A4-2'- Land Use and Transportation of the Township of Douro-Dummer Official Plan 1090 Fourth Line Road South Part of Lot 14, Con cession 3 (Dummer) Township of Douro-Dummer County of Peterborough

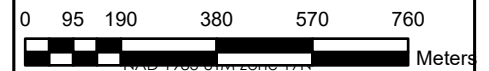
Figure 3



Legend

-  Subject Property
- Land Use**
-  Agricultural
-  Rural
-  Recreational Open Space
-  Waste Management Area (Former Site)
-  Environmental Constraint
-  ANSI Earth Science

Scale: 1:15,000



Data Sources

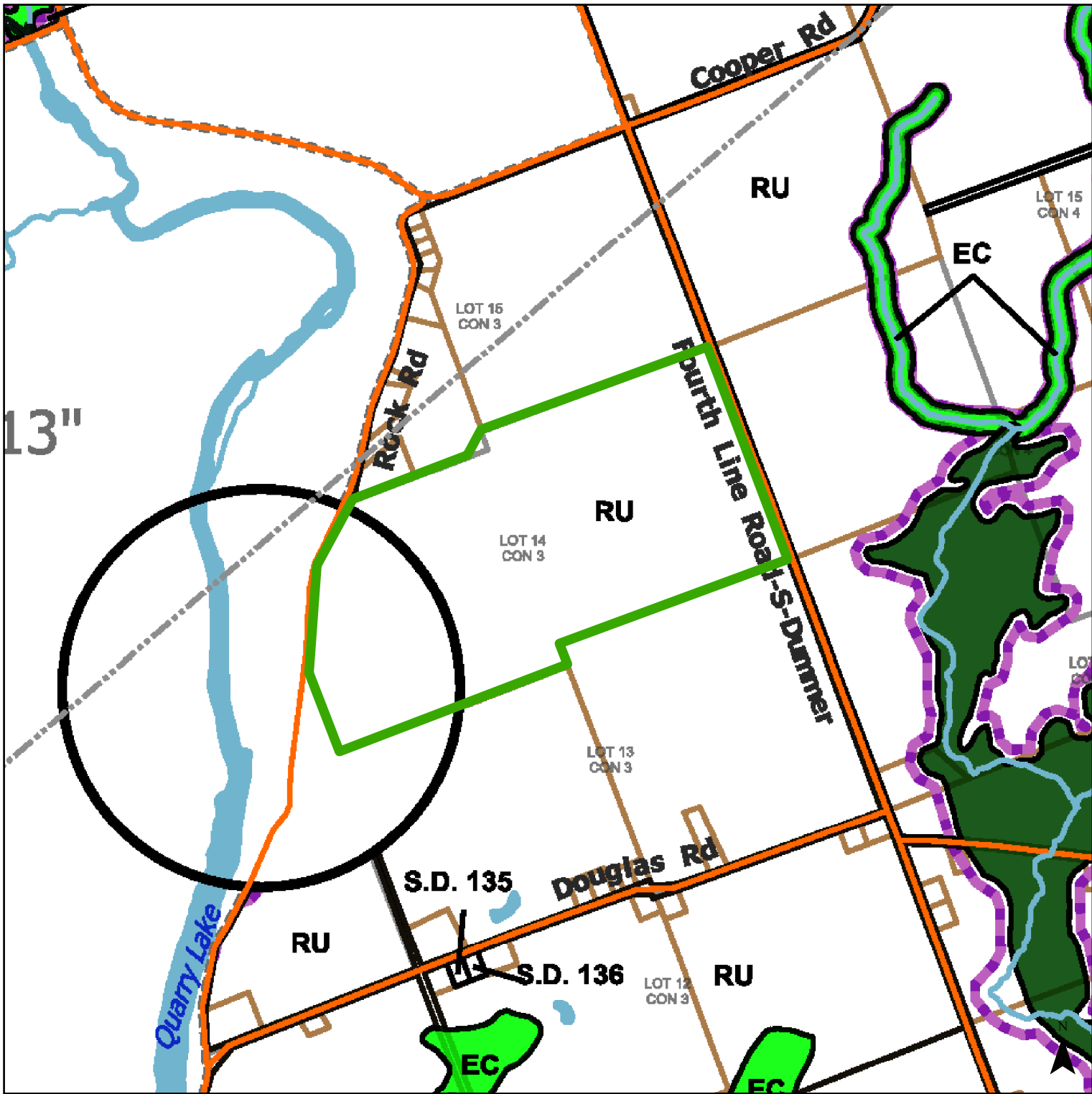
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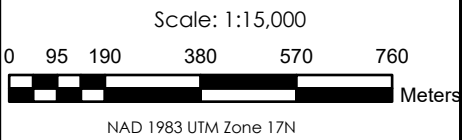
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Excerpt from Schedule 'A2'- of the
 Township of Douro-Dummer
 Zoning By-law 2010-55
 1090 Fourth Line Road South
 Part of Lot 14, Con cession 3 (Dummer)
 Township of Douro-Dummer
 County of Peterborough

Figure 4

- Legend**
- Subject Property
- Zoning Description**
- EC Environmental Constraint
 - RU Rural
 - SD Special District



Data Sources
 County of Peterborough Online GIS

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Project Number:	85104
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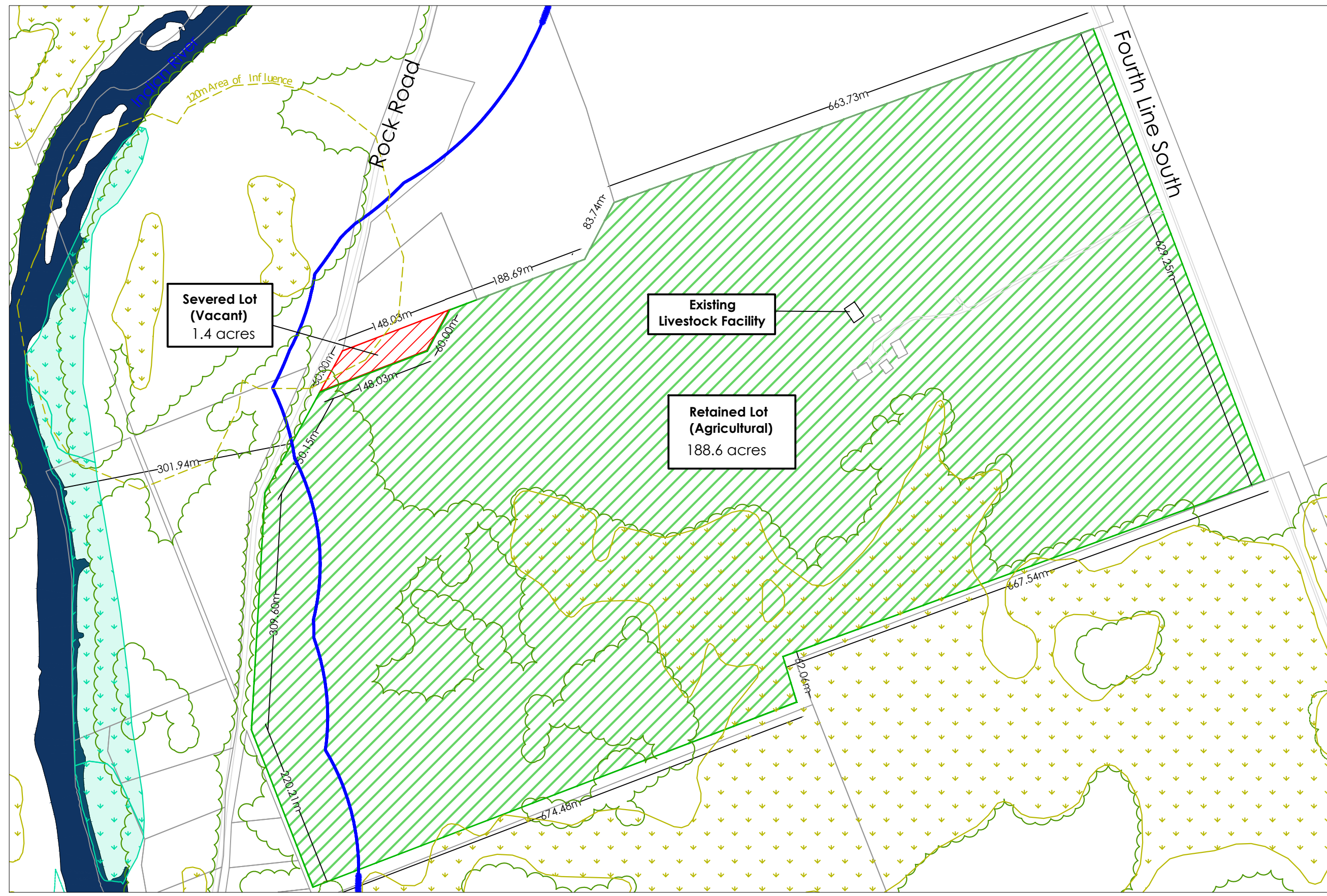
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13"

2.2 Existing & Proposed Development and Uses

The Subject Property currently contains a residence, a barn, two (2) sheds/garages, a Quonset hut and some additional outdoor storage and will make up the proposed retained parcel. The remainder of the Subject Property is cultivated fields, undeveloped woodlands, and an unevaluated wetland. The proposed development includes the creation of one (1) severed lot with frontage on Rock Road and one (1) retained lot on the Subject Property maintaining the existing frontage on Fourth Line Road S (Dummer). Refer to **Figure 5**.



CONSENT SKETCH
 1090 FOURTH LINE ROAD SOUTH
 LOT 14, CONCESSION 3
 TOWNSHIP OF DOURO-DUMMER
 COUNTY OF PETERBOROUGH

Figure 5

Legend

- Subject Property
- Existing Treeline
- Lands to be Severed (1.04ac/.42ha)
- Lands to be Retained (46.7 ac/ 18.90ha)

Legend

- Non-evaluated Wetland
- 120m Area of Influence Buffer
- Provincially Significant Wetland
- 300m River Setback

Note: Cramahe and Alnwick/Haldimand Boundary Line located approximately 431m to the West (as the crow flies)

Scale 1:1500m

NAD 1983 UTM Zone 17N

Data Sources:
 MNR GIS: <https://maps.mnr.gov.on.ca/halcsp/arcgis/>

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Project Number:	85118
Map File Number	4 of 4



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3.0 Support Technical Studies

3.1 Species at Risk Evaluation

A preliminary analysis to identify potential Species at Risk (SAR) on the Subject Property was conducted in the spring and summer of 2021 by D.M. Wills Associates Limited. The analysis included a desktop review of information available from LIO, Birds Ontario, eBird, iNaturalist, NHIC, Global Biodiversity Information Facility and information made available from the Government of Canada. As well, communications with the owner of the Subject Property informed existing uses and development on the property. Based on a review of available information, it was concluded that the area of the proposed severed lot contained dense ground cover vegetation, representative of a pasture for grazing cattle. No Eastern Meadowlark or Bobolink were observed at the time of the Breeding Bird Surveys, indicating that they do not utilize the agricultural fields for breeding and nesting purposes. No other SAR were observed at the proposed severed lot at the time of the field investigations and Breeding Bird Surveys.

In order to ensure no bird species are impacted during future construction, it is required that any vegetation removal must take place outside of the breeding bird-timing window of April 15 to July 31. If work cannot be done outside of the timing window, a professional biologist should complete a nest sweep of the property prior to any vegetation removal. Refer to for SAR correspondence included with the application.

3.2 Land Use Compatibility Study

A preliminary analysis of the Subject Property and surrounding area identified a Former Waste Management Area within 500m of the area subject to the proposed severance. The Land Use Compatibility Study was completed to satisfy the policies in Section 6.2.18.3 (e) of the Township of Douro-Dummer Official Plan. The Land Use Compatibility Study was conducted on the basis of the Township of Douro-Dummer Policy No. D-1, Development of Lands in Proximity to Closed Landfill Sites and the Ministry of the Environment, Conservation and Parks (MECP) Guideline D-4, Land Use on or Near Landfills and Dumps.

Wills Study included a background review, site reconnaissance, and two (2) groundwater and landfill gas monitoring events that were conducted in the Spring and Fall of 2021. Documentation of the historic waste disposal site (WDS) were not available from the MECP or the Township that would indicate formal waste disposal at the WDS (i.e. Annual Monitoring Reports, Operations Records, etc.). During the site reconnaissance, isolated waste materials were identified at surface in the west-central area of the WDS footprint, and included automobile bodies, cans, drums, appliances,

and other metal waste materials. Waste materials were located approximately 500 meters southwest of the proposed severed parcel.

Groundwater samples collected in Spring and Fall 2021 from an Ontario Regulation (O. Reg.) 903 water supply well located on the proposed severed parcel indicated good groundwater quality with respect to the Ontario Drinking Water Quality Standards. Exceedances for hardness, turbidity, and iron were observed during both sampling events, however, are not indicative of landfill leachate and are commonly encountered in wells that are constructed within limestone bedrock formations. Landfill gas monitoring conducted during both monitoring events showed no significant concentrations of landfill gases on the proposed severed parcel. Results of an O. Reg. 903 water well record search in the vicinity of the Subject Property suggests local groundwater flow is to the south/south-west towards Quarry Lake, and the Subject Property and proposed severed parcel are situated hydraulically up-gradient from the WDS footprint.

Wills concludes that the Study satisfies the relevant policies in Section 6.2.18.3 (e) of the Township of Douro-Dummer Official Plan, and that no impacts are anticipated on the proposed severed parcel as a result of the historic down-gradient WDS.

3.3 Environmental Impact Opinion Letter

The Otonabee Region Conservation Authority (ORCA) requested an Opinion Letter for the proposed severance due to the presence of natural heritage features within 120 m of the Subject Property. D.M. Wills Associates Limited (Wills) was retained by the Client to undertake an Opinion Letter to address any potential environmental impacts associated with a proposed lot severance (Project) at 1090 4th Line Road South, Lot 14, and Concession 3, in the Township of Douro-Dummer (Subject Property).

The purpose of the Opinion Letter is to identify environmental constraints, develop appropriate setbacks, consult with regulatory agencies and identify the activities required to address project compliance with Provincial and Federal statutes and policies including but not limited to: the Planning Act (R.S.O. 1995), the Conservation Authorities Act (R.S.O. 1990), the Endangered Species Act (R.O. 2007), the Provincial Policy Statement (2020), and A Place to Grow: Growth plan for the Greater Golden Horseshoe (2020) (Growth Plan). Wills' biologists undertook two (2) field investigations to collect information on existing conditions.

Given the results of the background review and on-site investigations, long-term adverse impacts to natural heritage features, associated habitat, and local wildlife populations are not anticipated to be resultant from the Project and any potential future development. Appropriate implementation of the above will ensure that the proposed severance does not conflict with the natural heritage policies set out by

the Province of Ontario (Provincial Policy Statement, 2020) or the Growth Plan (2020). Refer to the full Environmental Impact Opinion Letter included with the application.

3.4 Minimum Distance Separation

Minimum Distance Separation calculations were completed for the Subject Property and proposed development. The MDS investigation employed a 750-metre investigation distance to identify nearby livestock operations, consistent with Guidelines #33 and #35 of the MDS Document, produced by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). In total, one (1) farms was identified with potential livestock facilities within the required investigation distance. The proposed development is located outside of the required MDS setbacks. Refer to **Appendix A** for MDS Calculation.

4.0 Policy Framework

The Subject Property is governed by the following policy and regulatory documents:

1. Provincial Policy Statement (PPS) (2020)
2. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (consolidated 2020)
3. County of Peterborough Official Plan (March 2020 Office Consolidation)
4. Township of Douro-Dummer Comprehensive Zoning By-law (December 2010)

4.1 Provincial

4.1.1 Provincial Policy Statement (2020)

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. *Section 3 of the Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. In general, the PPS seeks to promote the development of communities that are socially, economically, and environmentally resilient.

Given the Subject Property's use and features identified onsite by the Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR) Natural Heritage Area Mapping, Sections 1.1.4, 1.1.5, 1.2.6, 2.1 of the PPS apply.

1.1.4 Rural Areas in Municipalities

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;*

- 1.1.4.3 *When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.*
- 1.1.4.4 *Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.*

1.1.5 Rural Lands in Municipalities

- 1.1.5.1 *When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*
- 1.1.5.2 *On rural lands located in municipalities, permitted uses are:*
- c) residential development, including lot creation, that is locally appropriate;*
- 1.1.5.4 *Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*
- 1.1.5.5 *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.*
- 1.1.5.8 *New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*

1.2.6 Land Use Compatibility

- 1.2.6.1 *Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*

2.1 Natural Heritage

- 2.1.1 *Natural features and areas shall be protected for the long term.*
- 2.1.2 *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages*

between and among natural heritage features and areas, surface water features and ground water features.

2.1.3 *Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.*

2.1.4 *Development and site alteration shall not be permitted in:*

a) significant wetlands in Ecoregions 5E, 6E and 7E1

2.1.5 *Development and site alteration shall not be permitted in:*

a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

2.1.6 *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*

2.1.7 *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*

2.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

4.1.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides additional Provincial policy for lands within one (1) of the fastest growing regions in North America. Its policies are intended to support growth and development while ensuring that it occurs in an orderly and well-planned fashion, so as to protect the social, economic, and environmental interests of Ontario and its residents.

Section 1.2.3 Relationship with the Provincial Policy Statement (PPS)

The PPS provides overall policy directions on matters of provincial interest related to land use and development in Ontario, and applies to the GGH, except where this Plan or another provincial plan provides otherwise.

Like other provincial plans, this Plan builds upon the policy foundation provided by the PPS and provides additional and more specific land use planning policies to address issues facing specific geographic areas in Ontario. This Plan is to be read

in conjunction with the PPS. The policies of this Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. Where the policies of this Plan address the same, similar, related, or overlapping matters as policies in the PPS, applying the more specific policies of this Plan satisfies the requirements of the more general policies in the PPS. In contrast, where matters addressed in the PPS do not overlap with policies in this Plan, those PPS policies must be independently satisfied.

As provided for in the Places to Grow Act, 2005, this Plan prevails where there is a conflict between this Plan and the PPS. The only exception is where the conflict is between policies relating to the natural environment or human health. In that case, the direction that provides more protection to the natural environment or human health prevails.

Section 2.2.9 Rural Areas

3. *Subject to the policies in Section 4, development outside of settlement areas may be permitted on rural lands for:*
 - a) *the management or use of resources;*
 - b) *resource-based recreational uses; and*
 - c) *other rural land uses that are not appropriate in settlement areas provided they:*
 - i. *are compatible with the rural landscape and surrounding local land uses;*
 - ii. *will be sustained by rural service levels; and,*
 - iii. *will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.*
6. *New multiple lots or units for residential development will be directed to settlement areas, but may be allowed on rural lands in site-specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006.*

Section 4.2 Policies for Protecting What is Valuable

4.2.2 Natural Heritage System

3. *Within the Natural Heritage System for the Growth Plan:*
 - a) *new development or site alteration will demonstrate that:*
 - i. *there are no negative impacts on key natural heritage features or key hydrologic features or their functions;*

- ii. *connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;*
- iii. *the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;*

4.2.4 Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features

1. *Outside settlement areas, a proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System for the Growth Plan or a key hydrologic feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation protection zone, which:*
 - a) *is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;*
 - b) *is established to achieve and be maintained as natural self-sustaining vegetation; and,*
 - c) *for key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.*
2. *Evaluations undertaken in accordance with policy 4.2.4.1 will identify any additional restrictions to be applied before, during, and after development to protect the hydrologic functions and ecological functions of the feature.*
3. *Development or site alteration is not permitted in the vegetation protection zone, with the exception of that described in policy 4.2.3.1 or shoreline development as permitted in accordance with policy 4.2.4.5.*

4.2.6 Agricultural System

3. *Where agricultural uses and non-agricultural uses interface outside of settlement areas, land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System...*

4.2 Municipal

4.2.1 County of Peterborough Official Plan (March 2020 Consolidation)

The Subject Property is described as Rural and Cultural Landscape under the COP. Section 4.3 of the COP states that the intent of the Rural and Cultural Landscape policy is to “preserve and enhance the rural character of the County as a cultural resource and ensure the viability of the agricultural industry.” Section 4.3.3.1, provides general policy applicable to Rural lands and allows for “New land uses, including the creation of lots, and new or expanding land use facilities, shall comply with the minimum distance separation formulae and the Source Water Protection policies of Section 5.7 where applicable.”

Further, section 4.3.3.1 states that *“Rural areas will generally be the focus of resource activity, resource based recreational activity and other rural land uses. The County, recognizing the need for growth on a limited basis, will permit non-agricultural related uses in the rural community outside prime agricultural areas and other agricultural areas designated in local plans in accordance with Section 4.3.3.2 which reflect the cultural and rural character of the area, promote a variety of living and employment opportunities for the rural community and do not negatively impact on the natural environment that cannot be located in settlement areas.”*

Section 2.6.3 Division of Land, provides general policies for the creation of new lots and states the following;

“A plan of subdivision may not be required under the following circumstances:

A) notwithstanding Section 1) above, infilling of up to 4 lots (4 new lots plus the retained lot) having frontage on a public road in areas serviced municipally by water and sanitary sewer systems

B) each of the severed and retained parcels from a land holding which generally represent natural Township lots in most cases being about 40 hectares in area, although they may be smaller due to municipal boundaries, shorelines and other natural features and having public road frontage.”

Section 6 and 7 of the County of Peterborough's Official Plan provides Local Plan Policies for the Township of Douro-Dummer's Official Plan. As illustrated on Schedule 'A4-2'- Land Use and Transportation Plan Dummer Ward in the Township of Douro-Dummer Official Plan, the Subject Property is designated Rural. The eastern portion of the Subject Property is also identified as being within a Waste Management 500m Buffer Overlay for a former Waste Management Area. Schedule 'B'- Roads Plan in the Township of Douro-Dummer Official Plan identifies Fourth Line Road South (Dummer) and Rock Road as Township Roads.

6.2 Local Planning Policies - Rural Component

6.2.2 Rural

6.2.2.1 - General Principles

The Rural designation applies to areas where Class 4, 5, 6 and 7 and Organic soils under the Canada Land Inventory Soil Capability for Agriculture predominate and areas where previous non-farm development has effectively limited the future of intensive farm activity.

6.2.2.2 - Permitted Uses

The predominant use of land within the Rural designation may include all agricultural uses outlined in Section 6.2.1 of this Plan. Other permitted uses shall include forestry, passive outdoor recreation uses and activities connected with the conservation of soil and wildlife. Development by consent will be permitted within the Rural designation, although that development shall be limited and will be subject to the following policies.

A very limited amount of small-scale commercial uses, or farm-related commercial/industrial uses will also be permitted. Commercial and industrial uses shall be subject to site plan control, and shall require a site-specific amendment to the implementing Zoning By-law, as part of the approval process. Low density residential development as defined by the Policies of Section 6.2.2.3, home occupations and home industries shall be permitted

6.2.2.5 – Residential Consents

a) A consent may be granted within the Rural designation provided that the consent policies in Section 7.12 and the following policies are addressed.

d) In Douro-Dummer, two consents to create new lots may be granted on a lot as it existed as per Section 6.1.1 provided that the following criteria are met and all other relevant policies of this plan are complied with:

- i) The applicant has owned the property for a minimum of 5 years; and
- ii) The size of a new lot created by severance specifically and exclusively for a residential use shall not exceed 1 hectare in area. The area may exceed 1 hectare if there are other rural uses in addition to, or separate from, the residential use (i.e. hobby farms, recreational uses). The maximum lot area in such instances will be stipulated in the Zoning By-Law.

e) *The lot shall be located so that it does not interfere with the efficient operation of a neighbouring farm unit. Rural residential uses shall be in conformity with the Minimum Distance Separation requirements of the Provincial Policy Statement (PPS).*

6.2.18 Waste Management Area

6.2.18.3 - Waste Management Area Policies

c) *Within Waste Management Areas, as designated on Schedule "A", the construction of buildings, structures and hard surface paving shall only be permitted subject to the following policies and in accordance with the underlying land use designation.*

- i) *studies to investigate, among other things, gas leachate and hydrogeology have been carried out to the satisfaction of the Township and the Ministry of the Environment and those studies shall indicate that development can safely take place;*
- ii) *the Township shall be satisfied with the required studies with respect to any matter regarding structural stability, safety and the integrity of any structure.*
- iii) *written approval has been received from the Township;*
- iv) *the studies shall be carried out by a qualified engineer.*

e) *Within 500 metres of waste management footprints, only land uses compatible with the potential impacts or their engineered controls shall be permitted and may have to be determined by Official Plan amendment as a result of studies under Section 6.2.18.3 c). MOE recommends that the 500 metre assessment area be used as a study area to determine the impact of the landfill on land use proposals in accordance with MOE Guideline D-4: Land Use on or Near Landfills and Dumps.*

7.12 Criteria for Assessing Consent Applications

Land development, particularly residential, shall wherever possible and practical, occur by registered plan of subdivision. Where a plan of subdivision is not necessary for proper and orderly development, an application for consent to a land severance may be considered by the consent granting authority in accordance with the Planning Act and the policies of this Plan. In assessing the suitability of an application for a consent, the consent granting authority, being the County of Peterborough, shall have regard for the following considerations:

7.12.16 *One application for consent shall not create more than two lots; those being the severed and the retained lots. The lot to be severed shall be an existing lot of record that existed in:*

Douro-Dummer: A parcel of land will be eligible for consent if it has been recorded as a separate parcel in the Land Registry Office for a minimum of 25 years prior to the date of severance application.

4.2.3 Township of Douro-Dummer Comprehensive Zoning (December 2010)

As illustrated on Schedule 'B13' of the Township of Douro-Dummer Comprehensive Zoning By-law (December 2010), the Subject Property is zoned Rural (RU) with a Development (D2) Zone located on approximately a quarter of the east side of the parcel where the Subject Property has frontage on Rock Road. Refer to **Figure 4**.

20.2 Permitted Uses - D2 Zone

20.2.1 An existing permanent dwelling

20.2.2 An existing agricultural use or farm

20.2.3 Existing uses in addition to or other than those listed above.

20.3.1 Regulations for Uses Permitted in Sections 20.1 and 20.2

- a) Minimum Lot Area: as existing*
- b) Minimum Lot Frontage: as existing*
- c) Minimum Front Yard: 15 m*
- d) Minimum Interior Side: Yard 6 m*
- e) Minimum Exterior Side: Yard 15 m*
- f) Minimum Rear Yard: 15 m*
- g) Minimum Water Yard: 30 m*
- h) Minimum Floor Area: 100 m²*
- i) Minimum First Storey Floor Area: 60 m²*
- j) Maximum Lot Coverage: 15%*
- k) Maximum Building Height: 9 m*
- l) Maximum Number of Dwellings per Lot: 1*

5.0 Planning Rationale

The proposed Consent application is consistent with the aforementioned applicable provincial and municipal policies as outlined in **Section 4.0**, with the exception of the Zoning By-law Sections 20.2 "Permitted Uses – D2 Zone" and 20.3 "Regulations for Uses Permitted". Therefore, as a condition of approval, it is expected that a Zoning By-law Amendment application will be required in order to meet the requirements of the Townships Zoning By-law.

The proposed new lot is consistent with *Section 1.1.5* of the PPS, as lot creation for the purpose of residential development is a permitted use on rural lands within municipalities, where it is locally appropriate and that it "*is compatible with the rural landscape and can be sustained by rural service levels*". With respect to *Section*

1.1.5.8 where the creation of lots shall comply with minimum distance separation (MDS), it was determined that the proposed lots meet the minimum distance separation requirements determined through the MDS calculation included in **Appendix A.**

The relevant policies of the Growth Plan relate to the protection of key hydrologic features. The identified unevaluated wetland on the northern side of Pipeline Road is considered a key hydrologic feature as defined in Growth Plan. For development or site alteration proposed within 120 metres of any key hydrologic feature anywhere in the Growth Plan area, a hydrologic evaluation by a qualified professional to identify a vegetation protection zone (VPZ) is required. As per Growth Plan definitions, a vegetation protection zone means "a vegetated buffer area surrounding a key natural heritage or key hydrologic feature". This zone is to be established to achieve and be maintained as natural self-sustaining vegetation.

A Township road separates the key hydrologic feature and the proposed severed lot. Further, the additional key hydrologic features that exist on the southern portion of the Subject Property and on the adjacent properties are well outside the 120 metres of the proposed lots.

Section 4.2.4 of the Growth Plan requires a hydrologic evaluation to ensure proper and adequate buffering between new development and key heritage features. Given the location of the existing road and its interference with the key heritage feature in proximity to the proposed lot, the need for a hydrologic evaluation is not required and the impact already established. A letter written on behalf of a qualified biologist accompanied by a constraints map has been completed to demonstrate the proposed severance will not impact the key feature.

With respect to the relevant local policy, the proposed Consent application is consistent with the County Official Plan. *Section 6.2.6.3 d), applies to Rural Lands in Douro Dummer and allows for the creation of a maximum of two new lots facilitated by Consent applications, on lands that have been owned by the current owner for a period of at least 5 years. Section 7.12.16 provides a criteria for consents and provides that in Douro Dummer "A parcel of land will be eligible for consent if it has been recorded as a separate parcel in the Land Registry Office for a minimum of 25 years prior to the date of severance application". The permitted uses under Section 6.2 Rural allow for "permanent single detached dwellings". With regard to the Waste Management Area located within 500m of the Subject Property, a Land Use Compatibility Study was completed to determine that only land uses compatible with the potential impacts or their engineered controls shall be permitted and may have to be determined by Official Plan amendment as a result of studies under Section 6.2.18.3.*

Section 20, of the Township of Douro Dummer Comprehensive Zoning By-law, identifies Existing Single Detached Dwellings as a permitted under the Development

D Zone. However, the site specific Development D2 Zone only permits existing Single Detached Dwellings. Therefore, as a condition of approval, a Zoning By-law Amendment Application will be submitted as a condition of approval of provisions of consent in order to meet the requirements of the Townships Zoning By-law.

6.0 Closing

This Planning Justification Report has been prepared in support of the Consent to Sever application to permit the creation of one (1) residential lot from the Subject Property. This report has provided an analysis of the applicable provincial and municipal policy documents in the context of the proposed development.

Based on the background information, the features on site and the forgoing review of the relevant policies, it is our opinion that the proposed Consent is consistent with and conform to provincial and municipal policies and constitutes as good planning.

Respectfully Submitted,

Written By:



Marnie Saunders, B.E.S., CPT.
Land Use Planner

Reviewed By:



Diana Keay, MCIP RPP
Manager, Planning Services

MS/DK/hd

Appendix A

Minimum Distance Separation Calculation

Minimum Distance Separation I

Worksheet 1

Prepared By: Katherine Howes, Land Use Planner, D.M. Wills Associates Ltd.

Description: 1090 4th Line Road South, Douro-Dummer

Application Date: Wednesday, September 23, 2020

Municipal File Number:

Proposed Application: Lot creation for a maximum of three non-agricultural use lots
Type A Land Use

Applicant Contact Information

Peter Smith
Phone #1: 705-933-2269

Location of Subject Lands

County of Peterborough, Township of Douro-Dummer
DUMMER, Concession: 3, Lot: 14
Roll Number: 152202000332401

Calculation Name: *Farm 1*

Description: 1090 Fourth Line Road South, Douro-Dummer

Farm Contact Information

Peter Smith

Location of existing livestock facility or anaerobic digester

County of Peterborough, Township of Douro-Dummer
DUMMER, Concession: 3, Lot: 14
Roll Number: 152202000332401
Total Lot Size: 199 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	12	12.0	56 m ²
Solid	Chickens, Layer hens (for eating eggs; after transfer from pullet barn), floor run	99	0.7	9 m ²
Solid	Sheep, Ewes & rams (for meat lambs; includes unweaned offspring & replacements), Outside Access	10	1.3	14 m ²
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	4	4.0	93 m ²

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 17.9

Potential Design Capacity (NU): 53.7

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X	267.46	X		144 m (473 ft)	553 m (1814 ft)
		0.7	X	1.1		
					144 m (473 ft)	553 m (1814 ft)

Storage Base Distance 'S'
(minimum distance from manure storage) (actual distance from manure storage)



Minimum Distance Separation I

Worksheet 1

Prepared By: Katherine Howes, Land Use Planner, D.M. Wills Associates Ltd.

Preparer Information

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Signature of Preparer: _____

Katherine Howes, Land Use Planner

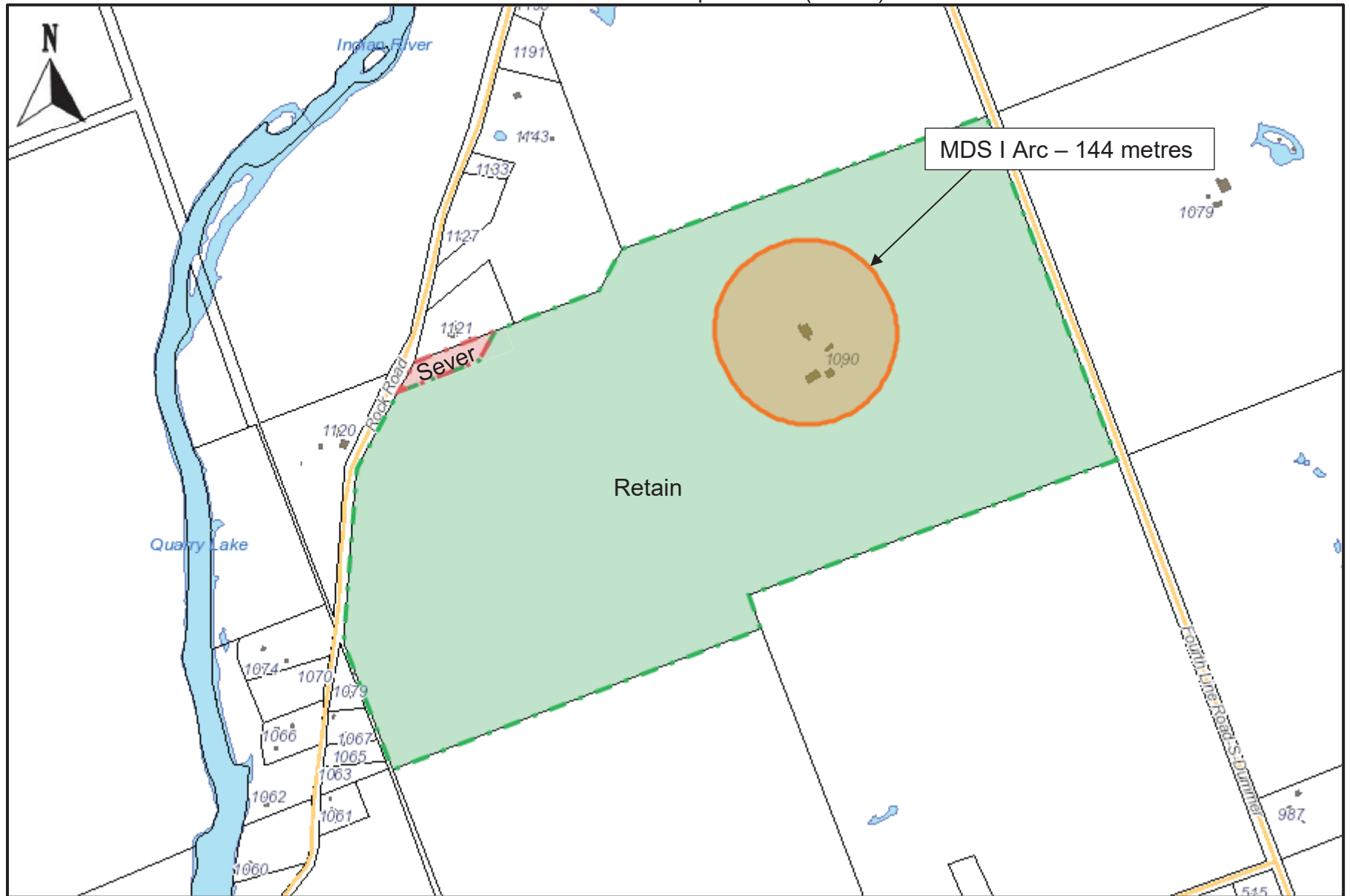
Date: _____

September 28th 2020

NOTE TO THE USER:

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

Roll # 1522-020-003-32401
Part Lot 14, Concession 3 (Dummer)
(Smith)
Minimum Distance Separation I (MDS I)



1:9600(1"=800')