

Planning Justification Report

**165 Melody Bay Road, Buckhorn
Municipality of Trent Lakes
County of Peterborough**

Zoning By-law Amendment Application

D.M. Wills Project Number 23-85385



D.M. Wills Associates Limited

Partners in Engineering,
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Peterborough

February 2024

**Prepared for:
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Table of Contents

1.0	Introduction and Objectives.....	1
1.1	Project Objectives and Proposed Amendment	1
1.2	Purpose of Planning Justification Report	1
2.0	Property Description	2
2.1	Site Location	2
2.2	Surrounding Land Uses.....	3
3.0	Supporting Studies	6
3.1	Environmental Impact Study.....	6
3.2	Flood Evaluation.....	6
3.3	Archaeological Assessment.....	7
4.0	Policy Framework	8
4.1	Provincial Policy Statement, 2020 (PPS)	8
4.2	Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan)	10
4.3	County of Peterborough Official Plan, 1994 (COP).....	14
4.4	Municipality of Trent Lakes Official Plan, 2011 (TLOP)	16
4.5	Municipality of Trent Lakes Comprehensive Zoning By-law 2014-070	14
5.0	Proposed Zoning By-law Amendment.....	14
6.0	Planning Rationale	19
7.0	Closing	21

Figures

Figure 1 – Key Map

Figure 2 – Surrounding Land Uses

Figure 3 – Excerpt from Schedule A1 - Land Use and Transportation Plan (Harvey)

Figure 4 – Excerpt from Schedule A to Bylaw No. B2014-070 - Map 6

Figure 5 – Draft Zoning By-law Schedule Amending Map 6

Appendices

Appendix A – Photographic Log

Appendix B – Record of Pre-consultation

1.0 Introduction and Objectives

D.M. Wills Associates Limited (Wills) has been retained by Christine Malchelosse and Dale Ekin (Property Owners) to prepare this Planning Justification Report (Report) in support of a zoning by-law amendment (ZBA) to allow for the construction of a replacement dwelling and detached garage on the lands municipally known as 165 Melody Bay Road (Subject Property) in the Municipality of Trent Lakes (Municipality), within the County of Peterborough (County).

1.1 Project Objectives and Proposed Amendment

The proposed ZBA will establish a site-specific zone on the Subject Property to recognize a legal non-complying seasonal dwelling located within the 30 metre water yard setback of Buckhorn Lake with a ground floor area of 73.33 square metres and permit a replacement dwelling with site-specific zoning provisions to avoid construction within a floodplain. The proposed replacement dwelling will have a ground floor area 171.5 square metres, which is larger than the 50% increase permitted by the expansion and replacement provisions in the CZBL. In addition, the replacement dwelling will need relief from the side yard setback in order to shift the footprint outside of the floodplain. Furthermore, in order to accommodate the construction of an accessory structure so that it is located outside the floodplain, relief from the setback to a wetland is required.

The proposed replacement dwelling is intended improve the existing conditions on the Subject Property by increasing the current water yard setback to the existing dwelling and enhance the functionality and enjoyment of the dwelling for primary residential use. The ZBA requests relief from the following sections of the Shoreline Residential (SR) Zone in the Municipality of Trent Lakes Comprehensive Zoning Bylaw 2014-070:

Shoreline Residential (SR) Zone	Required	Proposed
Water Yard Setback	30.0 m	22.8 m & 23.0 m
Side Yard Setback	4.5 m	2.3 m
Setback to Wetland/Watercourse	30.0 m	1.4 m

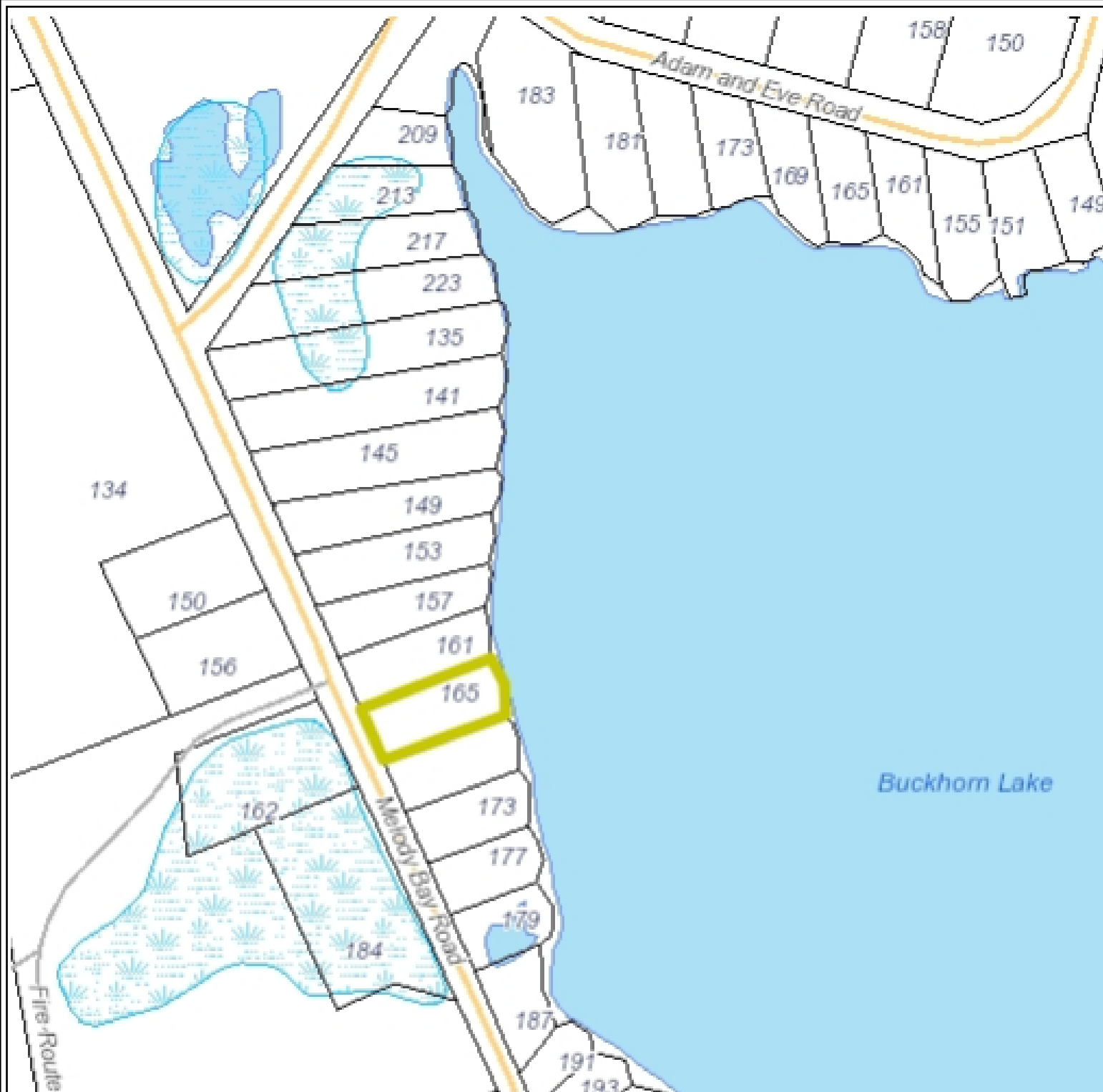
1.2 Purpose of Planning Justification Report

The purpose of this report is to outline the nature of the proposed ZBA and evaluate the application in the context of provincial and municipal policy including the Provincial Policy Statement, 2020 (PPS), the Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan), the County of Peterborough Official Plan, 1994 (COP), the Municipality of Trent Lakes Official Plan, 2011 (TLOP) and the Municipality of Trent Lakes Comprehensive Zoning By-law 2014-070 (CZBL).

2.0 Property Description

2.1 Site Location

The lands subject to this application are municipally addressed as 165 Melody Bay Road, Trent Lakes (Subject Property) and are legally described as Part of Lot 7, Concession 9, in the former geographic Township of Harvey, now in the Municipality of Trent Lakes, in the County of Peterborough. The Subject Property is located along the northeast shoreline of Buckhorn Lake. The Subject Property has an approximate area of 0.2 hectares (0.5 acres) with approximately 30 metres of frontage along the shoreline of Buckhorn Lake and 30 metres of frontage on Melody Bay Road. The Subject Property is currently developed for seasonal residential use in the form of a recreational cottage accompanied by a boathouse and accessory storage shed. The property is accessed by a year-round municipally maintained road known as Melody Bay Road. Refer to **Figure 1 – Key Map**.




LOCATION MAP

165 Melody Bay Rd, Trent Lakes
Part Lot 7, Concession 9 (Harvey)
Municipality of Trent Lakes
County of Peterborough

Figure 1

Legend

 Subject Property

Data Sources
County of Peterborough Public Online GIS



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Map Date:	2024-01-29
Project Number:	85385
Map File Number:	



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2.2 Surrounding Land Uses

The surrounding land uses include primarily a mix of seasonal and permanent residential uses, with some recreational residential lands. To the north and south there are several properties developed along the shoreline with seasonal and permanent residential dwellings having frontage on Buckhorn Lake. These properties are generally similar in area, and both road and shoreline frontages. The lands west of the Subject land are developed with several seasonal and permanent residential uses, however the majority of these lands are comprised of a recreational commercial resort known as Melody Bay Upper Buckhorn Cottage Resort. In addition, an aggregate pit known as Buckhorn Sand and Gravel is located to the northwest. Buckhorn Lake is situated to the immediate east of the Subject Property. There are some natural heritage features identified on the lands adjacent to the Subject Property, such unevaluated wetlands, watercourses, and woodlands. Refer to **Figure 2 – Surrounding Land Uses**.



SURROUNDING LAND USES

165 Melody Bay Rd, Trent Lakes
Part Lot 7, Concession 9 (Harvey)
Municipality of Trent Lakes
County of Peterborough

Figure 2

Legend

- Subject Property
- Unevaluated Wetland
- Lakes - Local Scale



Data Sources

County of Peterborough, Maxar

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3.0 Supporting Studies

Through pre-consultation on October 27, 2022 and August 3, 2023, municipal staff requested the completion of the following reports and information in support of the ZBA application:

- Planning Justification Report
- Environmental Impact Study
- Floodplain Evaluation
- Archaeological Assessment (Stage 1 & 2)

The following sections of the report serve to provide a brief overview of the findings and/or conclusions of each report. Refer to Appendix B.

3.1 Environmental Impact Study

D.M. Wills Associates Limited (Wills) was retained by the property owners to address the requirements for an Environmental Impact Study (EIS) in support of a proposed cottage expansion and garage construction. A number of natural heritage features were identified on the Subject Property and adjacent lands including an unevaluated wetland, suitable turtle nesting habitat (including for special concern Snapping Turtles) and endangered Black Ash trees within the identified wetland. Potential impacts on the existing natural heritage features and associated wildlife, including Species at Risk, were evaluated based on a review of publicly available resources, agency consultation, as well as on-site field investigations.

The report concludes that Wills does not anticipate any significant negative environmental impacts associated with the Project provided the environmental mitigation measures described in the report are implemented throughout the construction period. Mitigation measures include wetland setbacks and a vegetation planting plan, shoreline setbacks from Buckhorn Lake, erosion and sediment control measures, breeding bird timing windows, and a health assessment of species at risk trees (i.e. black ash).

3.2 Flood Evaluation

The D.M. Wills Associates Limited (Wills) was retained by the property owners to complete a lot grading and drainage plan for the proposed replacement dwelling and accessory garage construction on the Subject Property.

The lot grading and drainage plan is based on the following:

- Regulatory Floodplain elevation of 246.82 m
- Minimum finished floor elevation of 247.12 m
- Minimum safe access elevation of 246.52 m

The proposed dwelling and garage are situated outside of the Regulatory Floodplain and lot grading and drainage plan has been designed to ensure there is no placement of fill below the Regulatory Floodplain elevation of 246.82 m. Provided construction is

completed in accordance with the lot grading and drainage plan, there will be no impacts on the Regulatory Floodplain and safe access will be maintained to the residence. The lot grading and drainage plan has been stamped by a professional engineer as requested by the Municipality.

3.3 Archaeological Assessment

Northeastern Archaeological Associated Ltd. was retained by the property owners to complete a Stage 1 and Stage 2 Archaeological Assessment required by the Municipality. Stage 1 research indicated that the property is of high archaeological potential, because of its proximity to water and nearby registered archaeological sites. The assessment was conducted on October 31, 2023 and did not result in the discovery of any archaeological material. Given this result, it is the recommendation of Northeastern Archaeological Associates Limited that no further assessment be required on the subject property.

4.0 Policy Framework

The following provincial and municipal land use policy documents contain policies that relate to the proposed ZBA and future development of the Subject Property. The policy documents include the Provincial Policy Statement, 2020 (PPS), the Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan), the County of Peterborough Official Plan, 1994 (COP), the Municipality of Trent Lakes Official Plan, 2011 (TLOP), and the Municipality of Trent Lakes Zoning By-law #2014-070 (CZBL).

4.1 Provincial Policy Statement, 2020 (PPS)

The 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. Applicable policies of the PPS as they relate to the Subject Property and proposed development are provided below.

According to Section 1.1.1 of the PPS, promoting efficient development and land use patterns is crucial for maintaining healthy, livable, and safe communities. This involves sustaining the long-term financial well-being of both the province and municipalities, avoiding development and land use patterns that hinder the efficient expansion of settlement areas near existing ones, and ensuring the availability of necessary infrastructure and public service facilities to meet current and future needs.

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;*
- d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*

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

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings);*
- 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.

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.

2.1.4 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: ...

d) significant wildlife habitat; ...

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.

2.6 Cultural Heritage and Archaeology

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

3.1 Natural Hazards

3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

3.1.2 Development and site alteration shall not be permitted within:

c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach

hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and

d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.6 Where the two-zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources and Forestry.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;

b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

c) new hazards are not created and existing hazards are not aggravated; and

d) no adverse environmental impacts will result.

4.2 Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan)

The Growth Plan provides additional provincial policy for lands within one of the fastest growing regions in North America. The Growth Plan policies are intended to support growth and development while ensuring that it occurs in an orderly and well-planned fashion, in order to protect the social, economic, and environmental interests of Ontario and its residents.

The Growth Plan defines Rural Lands as “*lands which are located outside settlement areas, and which are outside prime agricultural areas.*” Accordingly, the Subject Property would be subject to the policies applicable to Rural Areas within the Growth Plan.

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:

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.

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;

iv. except for uses described in and governed by the policies in subsection 4.2.8, the disturbed area, including any buildings and structures, will not exceed 25 per cent of the total developable area, and the impervious surface will not exceed 10 per cent of the total developable area;

v. with respect to golf courses, the disturbed area will not exceed 40 per cent of the total developable area; and

vi. at least 30 per cent of the total developable area will remain or be returned to natural self-sustaining vegetation, except where specified in accordance with the policies in subsection 4.2.9.

4. Provincial mapping of the Natural Heritage System for the Growth Plan does not apply until it has been implemented in the applicable upper- or single-tier official plan. Until that time, the policies in this Plan that refer to the Natural

Heritage System for the Growth Plan will apply outside settlement areas to the natural heritage systems identified in official plans that were approved and in effect as of July 1, 2017.

5. Upper- and single-tier municipalities may refine provincial mapping of the Natural Heritage System for the Growth Plan at the time of initial implementation in their official plans. For upper-tier municipalities, the initial implementation of provincial mapping may be done separately for each lower-tier municipality. After the Natural Heritage System for the Growth Plan has been implemented in official plans, further refinements may only occur through a municipal comprehensive review.

4.2.3 Key Hydrologic Features, Key Hydrologic Areas and Key Natural Heritage Features

1. Outside of settlement areas, development or site alteration is not permitted in key natural heritage features that are part of the Natural Heritage System for the Growth Plan or in key hydrologic features, except for:

e) expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan, subject to demonstration that the use does not expand into the key hydrologic feature or key natural heritage feature or vegetative protection zone unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;

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.

5. Outside of settlement areas, in developed shoreline areas of inland lakes that are designated or zoned for concentrations of development as of July 1, 2017, infill development, redevelopment and resort development is permitted, subject to municipal and agency planning and regulatory requirements, if the development will:

a) be integrated with existing or proposed parks and trails, and will not constrain ongoing or planned stewardship and remediation efforts;

b) restore, to the maximum extent possible, the ecological features and functions in developed shoreline areas; and

c) in the case of redevelopment and resort development:

i. establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres;

ii. increase the extent of fish habitat in the littoral zone;

iii. be planned, designed, and constructed to protect hydrologic functions, minimize erosion, and avoid or mitigate sedimentation and the introduction of nutrient or other pollutants into the lake;

iv. exclude shoreline structures that will impede the natural flow of water or exacerbate algae concerns along the shoreline;

v. enhance the ability of native plants and animals to use the shoreline as both wildlife habitat and a movement corridor;

vi. use lot-level stormwater controls to reduce stormwater runoff volumes and pollutant loadings;

vii. use natural shoreline treatments, where practical, for shoreline stabilization, erosion control, or protection;

viii. meet other criteria and direction set out in applicable watershed planning and subwatershed plans;

ix. be serviced by sewage works which reduce nutrient inputs to groundwater and the lake from baseline levels; and

x. demonstrate available capacity in the receiving water body based on inputs from existing and approved development.

4.3 County of Peterborough Official Plan, 1994 (COP)

The Subject Property is described as 'Shoreland Areas and the Waterfront' in the COP, with the development and site alteration proposed located entirely within the portion of the property described as 'Shoreland Areas and the Waterfront'. Relevant policies of the 'Shoreland Areas and the Waterfront' destination from the COP are as follows:

4.4 Shoreland Areas and the Waterfront

4.4.3 Policies

- *The character of Shoreland Areas is linked to the natural and built form associated with the lakes and rivers in the County. For the most part, the natural form includes vegetated shorelines with thin soils over bedrock. The built form includes predominantly residential development interspersed with some commercial developments including resorts and marinas. The Shoreland Areas are generally associated with leisure, recreation, water supply, support for fisheries and wildlife habitat. As such, development occurring in the Shoreland Areas should enhance and protect, where possible, those qualities that contribute to the area's character. ...*
- *Tree cover and vegetation is encouraged to be retained along the shoreline to uphold the visual and environmental integrity of waterfront areas. Where development is proposed along shoreline areas, local official plans should contain policies relating to the incorporation of a natural undisturbed buffer between the water's edge and the development. Any such buffer shall be stipulated as being a specific depth from the water's edge and be represented as a percentage of the water frontage.*
- *Local municipalities may authorize minor variances from the 30 metre setback requirement, without the variance being considered to be inconsistent with the general intent and purpose of the local plan, in the following situations: ...*
 - *on a lot existing on the date this Official Plan Amendment No. 3 comes into effect;*
- *A local municipality may require where it deems appropriate an environmental analysis as described in Section 4.1.3.1 for any proposed shoreland development that does not require an environmental impact assessment;*
- *Local municipalities shall ensure that waterfront lots are of sufficient size to accommodate the proposed use and related structural and servicing requirements, as determined by the Ministry of the Environment, Health Unit or County as well as recognize environmental influences such as soil,*

terrain, water quality and waterbody constraints as determined by the appropriate authority;

- 2.4 *When this Plan or any part thereof takes effect, every local zoning by-law shall be amended by the local municipalities to conform with this Plan pursuant to the Planning Act. The Amendments to the zoning by-laws should occur after the local Official Plan has been amended to conform to this Plan.*

Notwithstanding the above, this Plan is not intended to prevent the continuation, expansion, or enlargement of uses which do not conform to the designations and provisions of this Plan. At their sole discretion, Councils of the local municipalities may zone to permit the continuation, expansion or enlargement of legally existing uses, or variations to similar uses, provided that such uses:

- a) have no adverse effect on present uses of surrounding lands or the implementation of the provisions of this Plan;*
- b) have regard for Minimum Distance Separation I and II as prescribed by the Ministry of Agriculture and Food, if applicable;*
- c) have regard to the Trent Source Protection Plan;*
- d) are subject to any conditions that may be contained in a local official plan.*

The Subject Property also belongs to the natural heritage system, given the presence of containing an unevaluated wetland and woodland features. Relevant policies pertaining to the natural environment of the COP are as follows:

4.1 Natural Environment

The County recognizes the important contribution that natural systems, natural heritage features and natural resources make to the social, economic and environmental health of local municipalities. In this regard, the County has identified the following areas to ensure that the appropriate land use and resource management protection policies are applied to them: ...wetlands, wildlife habitat, woodlands, and water resources...

4.1.3. Policies

4.1.3.1 General

... development or site alteration such as filling, grading and excavating may be permitted within or adjacent to the remaining natural heritages features listed in Section 4.1 if this Plan, provided that it has been demonstrated by an Environmental Impact Assessment that there will be

no negative impacts on the natural features or ecological functions for which the area is identified.

- *An environmental impact assessment for proposed development in or adjacent to a significant natural heritage feature will include as its study area the natural heritage feature as well as the area surrounding that type of feature, as follows:*
 - *significant wetlands - all lands within 120 metres;*
 - *significant portions of the habitat of endangered and threatened species - all lands within 50 metres;*
 - *fish habitat - all lands within 30 metres of the high water mark of all watercourses;*
 - *significant wildlife habitat - all lands within 50 metres;*

4.1.3.2 Flood Plain

- *Areas which are either:*
 - a) rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, and/or dynamic beach hazards (unless it has been demonstrated that the area has safe access that is appropriate for the nature of the development and the natural hazard); or*
 - b) located in a floodway, regardless of whether the area of inundation contains high points of land not subject to flooding; will be precluded from new development in local plans, in recognition of potential threats to life and property.*
- *Where a development proposal contains or abuts a steep slope, watercourse or shoreline in an area where no detailed floodplain mapping exists and where erosion hazard limits have not been defined, development will be subject to the establishment of flooding and erosion hazard limits by the appropriate Conservation Authority or the Ministry of Natural Resources in consultation with the local municipality;*

4.4 Municipality of Trent Lakes Official Plan, 2011 (TLOP)

The Subject Property is designated as 'Recreational Dwelling Area' (RDA) on Schedule 'A1' – Land Use and Transportation Plan (Harvey) in the TLOP. The development and site alteration are proposed to occur wholly within the portion of the property designated RDA. Refer to **Figure 3 – Excerpt from Schedule A1 - Land Use and Transportation Plan (Harvey)**.

Relevant policies of the 'Residential Dwelling Area' designation from the TLOP are as follows:

5.4 Recreational Dwelling Area

The Recreational Dwelling Area land use designation primarily applies to those lands along or in close proximity to the shoreline of water bodies used for limited service and seasonal residential purposes, and permanent residential purposes.

The natural recreational resources associated with the shoreline have attracted a significant level of residential development. It is the intent of this Plan to recognize the development of the shoreline areas for limited service and seasonal residential and permanent residential purposes, while maintaining and/or enhancing the environmental integrity of the waterfront.

5.4.1 Permitted Uses

Permitted uses shall include single unit permanent dwellings, single unit recreational dwellings, existing local commercial uses which are compatible with the surrounding area, the conversion of recreational dwellings to permanent dwellings where appropriate, and parkland.

5.4.3 Services

All recreational dwelling lots shall be serviced by an adequate supply of potable water and an effective method of waste disposal as determined by the Ministry of Environment and/or the Peterborough County/City Health Unit in accordance with subsection 5.1.23 of this Plan.

5.1.10 Protection of the Environment

.... Environmentally Sensitive Areas may also possess any one of the following characteristics: flood susceptibility, poor drainage, organic soils, erosion prone soils or steep slopes. In some instances, the environmental values and/or hazards associated with such areas may make them unsuitable for development. ...

Environmentally Sensitive Areas are important elements of the Municipality's ecosystem, which require proper conservation and management in order to maintain the environmental health of the community. Owners of lands that contain Environmentally Sensitive Areas will be encouraged to be good land stewards. It is intended that Environmentally Sensitive Areas be conserved and protected to the greatest extent possible, including public ownership, if feasible.

5.1.10.1 Natural Environmental Features

The Municipality recognizes the need to develop policies that will protect and where possible enhance the significant natural environmental features within the Township of Galway-Cavendish and Harvey. As such this Plan recognizes the following natural environmental features and their functions:

- a) Flood Plains*
- d) Significant Wetlands and Other Wetlands*

- e) Fish Habitat
- f) Significant Wildlife Habitat
- i) Significant Habitat of Endangered Species and Threatened Species

5.1.10.3 General Policies

a) Decisions made by the Township Council affecting planning matters shall be consistent with the provisions of Section 2.1 of the Provincial Policy Statement, the Natural Heritage policies.

b) Where determined by the Municipality, in consultation with the local Conservation Authority, the Ministry of Natural Resources or the County of Peterborough, the Municipality shall require the developer to prepare an Environmental Impact Study (EIS) as part of any proposal for development or site alteration, where potential exists for a negative impact on the natural environmental features, functions and/or adjacent lands.

c) The scope of an EIS report, required by subsection ii) above, shall be determined by the Municipality. With the exception of proposals that have little potential for negative impacts, the EIS report will be completed by a qualified professional, approved by the Municipality.

5.1.10.9 Warm Water Lakes

Warm water lakes include all lakes in the Township that are not classified as Coldwater Lake Trout Lakes.

New development adjacent to warm water lakes will be evaluated having regard to all applicable policies of this Plan, particularly with respect to the protection of water quality, fish habitat and other natural heritage features.

5.1.10.11 Water Setbacks

New development shall be set back sufficiently from any water body or watercourse to promote the protection of water quality and natural stream and valley lands.

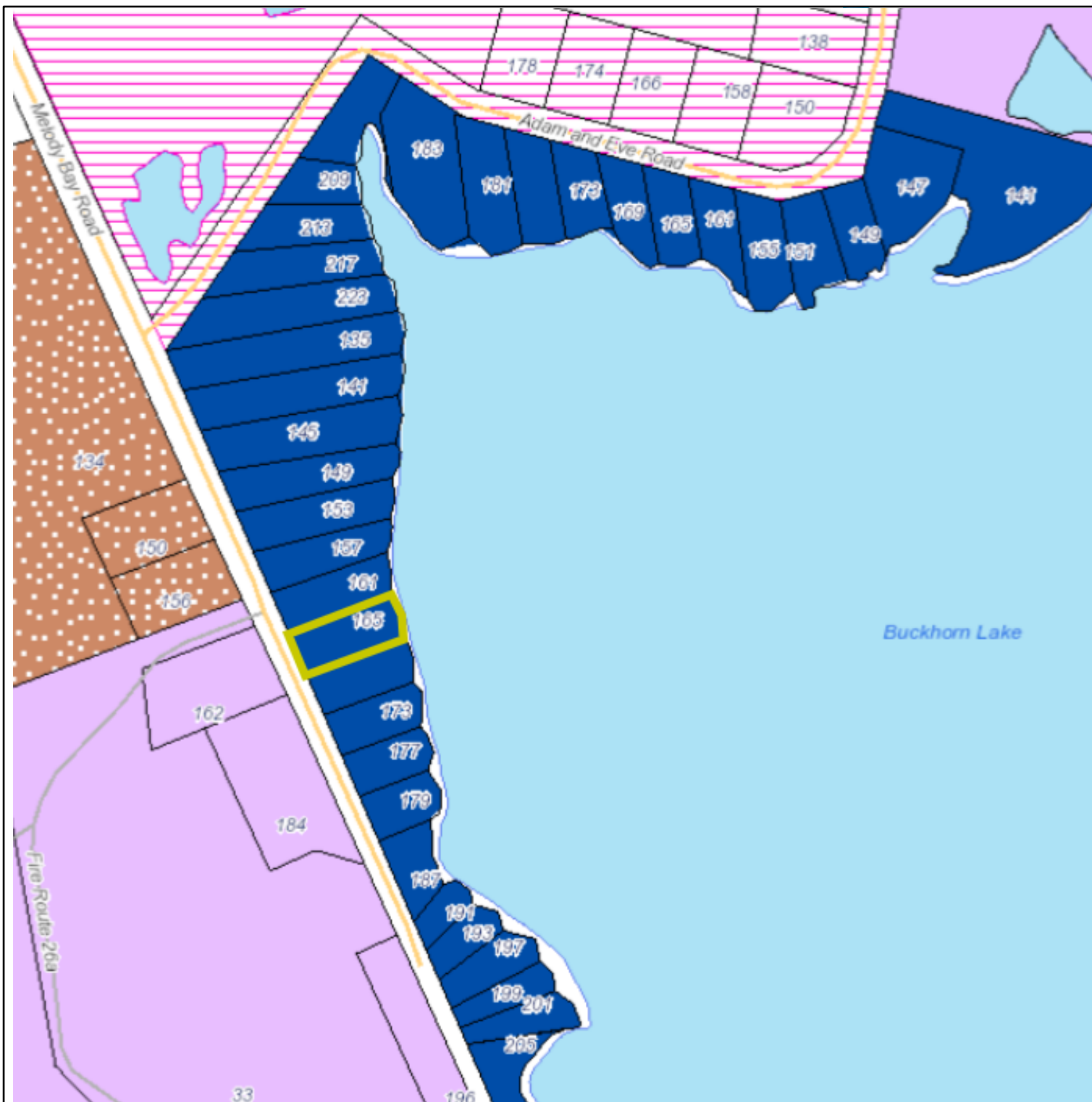
Shoreline development inclusive of sewage system leaching beds shall be set back from the high water mark of water bodies and watercourses to encourage minimal adverse impacts on both the shoreline and water body/watercourse.

For the purpose of this Plan and the implementing Zoning By-law, all new development on a lot shall be set back a minimum of 30 metres from the established high water mark of water bodies and watercourses.

Notwithstanding anything in this section to the contrary, structures such as septic tanks, pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the 30-metre setback without a minor

variance provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction over the waterway, that it does not negatively affect the waterfront environment. If addressed in the Zoning By-law, applicable standards must be met (i.e., deck width, area, etc.).

Structures legally existing as of October 22, 2008 that do not comply with the required setback provision that require replacement due to structural defects or destruction by fire or other natural causes, or demolished by permit, will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of the Zoning By-law, and where the enlargement does not further encroach into the 30-metre setback.




EXCERPT FROM SCHEDULE 'A1'- LAND USE PLAN & TRANSPORTATION PLAN (HARVEY)












**165 Melody Bay Rd, Trent Lakes
Part Lot 7, Concession 9 (Harvey)
Municipality of Trent Lakes
County of Peterborough**

Figure 3

Legend

 Subject Property

Land Use Designations

-  Aggregate Resource Extraction
-  Closed Landfill Site
-  Commercial
-  Crown Land
-  Environmental Protection
-  Estate Residential
-  Former Landfill Site
-  Hamlet
-  Industrial
-  Landfill Site - Area of Influence
-  Provincial Park
-  Provincially Significant Wetlands
-  Recreational Dwelling Area

Data Sources

County of Peterborough Public Online GIS



Created In:	ArcGIS Pro
Drawn By:	MS
Checked By:	AT
Map Date:	2024-01-29
Project Number:	85385
Map File Number:	



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4.5 Municipality of Trent Lakes Comprehensive Zoning By-law 2014-070

The Subject Property is zoned 'Shoreline Residential' (SR) on Map 6 of the CZBL. Refer to **Figure 4 – Excerpt from Schedule A to Bylaw No. B2014-070 - Map 6**. In accordance with Section 8.1, permitted uses include both single detached dwellings and seasonal dwellings, among others.

Regulations for the uses permitted on lands zoned 'Shoreline Residential' are as follows:

<i>Section</i>	<i>Regulation</i>	<i>Required</i>
8.2.1	<i>Minimum Lot Area</i>	0.4 ha (1.0 ac.)
8.2.2	<i>Minimum Lot Frontage</i>	45.0 m (147.6 ft.)
8.2.3	<i>Minimum Shoreline Frontage</i>	45.0 m (147.6 ft.)
8.2.4	<i>Minimum Front Yard Depth</i>	12.0 m (39.4 ft.)
8.2.5	<i>Minimum Exterior Side Yard Width</i>	6.0 m (19.7 ft.)
8.2.6	<i>Minimum Interior Side Yard Width</i>	4.5 m (14.8 ft.)
8.2.7	<i>Minimum Rear Yard Depth</i>	9.0 m (29.5 ft.)
8.2.8	<i>Minimum Water Yard</i>	30.0 m (98.4 ft.)
8.2.9	<i>Minimum Dwelling Unit Area</i>	1 storey: 83.5 sq. m (898.8 sq. ft.) 1.5 or 2 storeys: 116.0 sq. m (1250 sq. ft.)
8.2.10	<i>Maximum Height</i>	11.0 m (36.0 ft.)
8.2.11	<i>Maximum Lot Coverage of All Building</i>	20%
8.2.12	<i>Maximum Number of Single Detached or Seasonal Dwellings Per Lot</i>	1 only
8.2.13	<i>Maximum Number of Dwelling Units Per Lot</i>	1 only

The following general provisions from the CZBL are also applicable:

4.2 Accessory Buildings, Structures And Uses

4.2.1 Permitted Uses

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, but shall not include the following:

- a) any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or*
- b) any building used for human habitation except in accordance with this By-law, as is specifically permitted.*

4.2.2.1 Location in Residential Zone

Except as otherwise provided herein, in any Residential zone category, any accessory building or structure which is not part of the main building shall be erected:

- a) with a minimum rear yard depth of 1.5 metres (4.9 ft.);*
- b) with a minimum side yard width of 1.5 metres (4.9 ft.)*

4.2.5 Lot Coverage and Height

Except as otherwise provided herein, the total lot coverage of all accessory buildings and structures of a lot, except swimming pools, shall not exceed ten (10) percent of the lot area and shall be considered in addition to any other lot coverage regulations as specified in this By-law. Except as otherwise provided herein, the height of any accessory building or structure shall not exceed 7.5 metres (24.6 ft.) in the Rural (RU) Zone and 4.9 metres (16.0 ft.) in any other zone.

4.2.8 Garages

Notwithstanding the yard and setback provisions of this By-law to the contrary, a detached private garage may be located in accordance with Section 4.2.2 herein.

4.9 Existing Buildings, Structures And Uses

4.9.1 Non-Conforming

4.9.1.1 Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any use prohibited by this By-law if such lot, building or structure

was lawfully used for such purpose on the date of passing of this Bylaw, provided it continues to be used for that same purpose.

4.9.1.2 Non-Conforming Buildings or Structures

The exterior of any building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for the purposes permitted within such zone, and complies with all requirements of this By-law for such Zone.

4.9.2 Non-Complying Buildings or Structures

Nothing in this By-law shall prevent the enlargement, extension, reconstruction, renovation, repair or alteration of a building or structure, which existed at the date of passing of this By-law, which is used for a purpose specifically permitted within the Zone in which such building or structure is located, where such building or structure does not comply with the setback of one or more yards that is or are less than required under the provisions of this By-law provided that the setback or yard or yards that is or are less than required are not further reduced and that all other provisions of this By-law are complied with.

4.10 Existing Undersized Lots

Where a lot having a lesser lot area and/or lot frontage than required by this Bylaw is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Title Office, at the date of passing of By-law 85-94, or where such a lot is created as a result of an expropriation, such smaller lot may be used for a use permitted in the applicable Zone provided that:

- a) the use complies with all other provisions of this By-law; and*
- b) the use of any existing undersized lot shall be permitted only if the lot can be provided with an adequate supply of potable water, and all relevant sewage disposal requirements under the Ontario Building Code are complied with.*

4.30 Setbacks From Water Bodies, Watercourses And Wetlands

4.30.1 General Setback Provisions

Except as otherwise specifically provided for herein, no new building or structure, or new sewage system leaching bed, shall be erected within 30.0 metres (98.4 feet) of the normal high water mark of any water body and/or watercourse. This setback distance shall be applied horizontally from the high-water mark.

4.30.7 Wetlands

New development within 30 metres (98.4 feet) of the boundary of a wetland either within the Environmental Protection (EP) Zone or in any other zone category shall only be permitted with the approval of Council, or the local Conservation Authority, where applicable. An approved Environmental Impact Study (EIS) may require a greater setback."

Section 4.30.3 Expansions to Existing Buildings, of the Zoning By-law was repealed and replaced with No. B2015-085 which provides the following provisions applicable to Expansions to Existing Structures;

Notwithstanding Section 4.30.1, expansions to or replacement of an existing dwelling located within the required 30 metre setback from high water mark shall be permitted subject to the following provisions:

a) Where the ground floor area of an existing dwelling is 112 square metres or greater, the expansion or replacement building shall not result in an increase to the existing ground floor area of more than 25%;

b) Where the ground floor area of an existing dwelling is less than 112 square metres, the expansion or replacement building shall not result in an increase to the existing ground floor area of more than 50%;

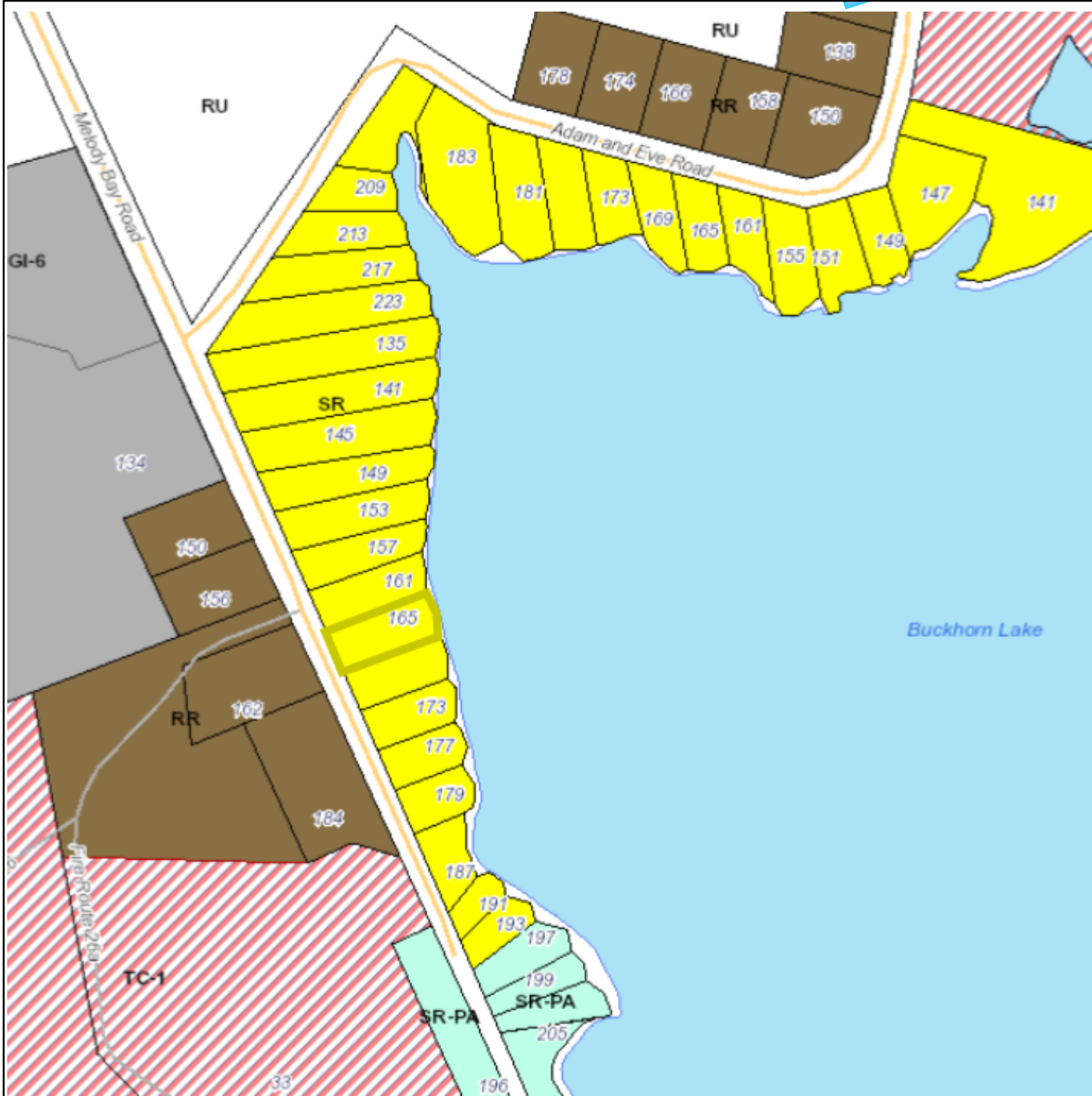
c) In no case shall any expanded or replacement dwelling cause a further reduction to the existing setback from the high water mark. For the purpose of this provision the existing setback shall be the furthest distance between the high water mark and the exterior wall of the dwelling;

d) Where a dwelling is located within 10 metres of the high water mark, the height of the expanded or replacement dwelling shall not increase by more than 1.22 metres;

e) The building footprint of a replacement or relocated dwelling shall occupy the majority of the existing building footprint;

f) This section shall not apply to any other building or structure located within the setback from high water mark, with the exception that any existing dwelling located in the setback from high water mark may be permitted to construct or expand an attached deck provided the entire dwelling is a minimum of 10 metres from the high water mark, the new or expanded attached deck, including any stair does not project more than 3 metres from the exterior wall of the dwelling; and

g) This section shall only accommodate one expansion or replacement to an existing dwelling located in the shoreline setback that existed prior to the passage of this By-law and further such existing dwelling shall not have been the subject of any previous variance or zoning bylaw amendment to permit expansion.



**EXCERPT FROM SCHEDULE A
ZONING BYLAW 2014-070
MAP 6**

**165 Melody Bay Rd, Trent Lakes
Part Lot 7, Concession 9 (Harvey)
Municipality of Trent Lakes
County of Peterborough**
















Figure 4

Legend



Subject Property

Land Use Designations

-  Rural Residential Zone
-  Rural Residential-Private Access
-  Shoreline Residential Zone
-  Shoreline Residential-Private Access
-  Hamlet Residential Zone
-  Island Residential Zone
-  Community Facility Zone
-  Tourist Commercial Zone
-  Hamlet Commercial Zone
-  General Commercial Zone
-  General Industrial Zone
-  Extractive Industrial Zone
-  Disposal Industrial Zone
-  Environmental Protection Zone
-  Rural Zone

Data Sources

County of Peterborough Public Online GIS



Created In:	ArcGIS Pro
Drawn By:	MS
Checked By:	AT
Map Date:	2024-01-29
Project Number:	85385
Map File Number:	



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5.0 Proposed Zoning By-law Amendment

The following table provides a summary of the required, existing and proposed zoning regulations under the Shoreline Residential (SR) Zone for the proposed replacement dwelling and accessory detached garage. The proposed ZBA will provide relief from the minimum side yard setback and minimum water yard setback as bolded below. The amendment will read:

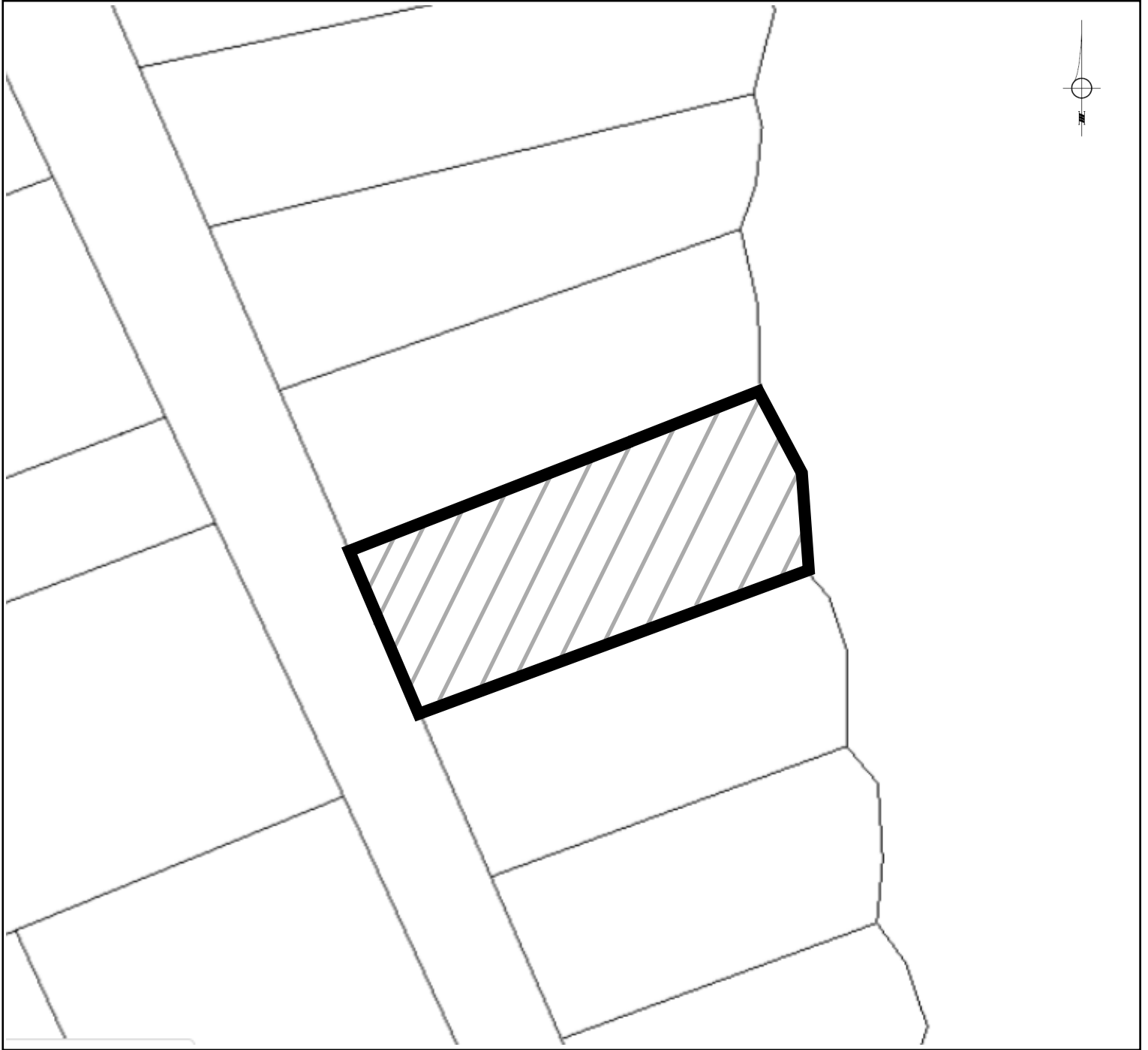
- Rezone the Subject Property from the Shoreline Residential (SR) Zone to Shoreline Residential - Exception XX (SR-XX) Zone to permit a reduced water yard setback, reduced interior side yard setback and a reduced wetland setback to allow for the construction of a replacement dwelling and accessory detached garage.

Refer to **Figure 5 – Draft Zoning By-law Schedule Amending Map 6** illustrating the proposed amendment.



Zone Category: Shoreline Residential – XX (SR-XX)			
Regulation	Required	Existing	Proposed
Minimum Lot Area	0.4 ha (1.0 ac.)	0.2 ha	0.2 ha
Minimum Lot Frontage	45.0 m (147.6 ft.)	30.5 m	30.5 m
Minimum Shoreline Frontage	45.0 m (147.6 ft.)	30.7 m	30.7 m
Minimum Front Yard Depth (Dwelling)	12.0 m (39.4 ft.)	44.2 m	39.1 m
Minimum Interior Side Yard Width (Dwelling)	4.5 m (14.8 ft.)	14.8 m	9.5 m
Minimum Interior Side Yard Width (Dwelling)	4.5 m (14.8 ft.)	4.9 m	2.3 m
Minimum Water Yard	30.0 m (98.4 ft.)	21.8 m	23.3 m
Maximum Building Height (Dwelling)	11.0 m (36.0 ft.)	4.5 m	5.5 m
Maximum Lot Coverage of All Building (Dwelling)	20%	3.4%	8.1%
Minimum Rear Yard Depth (Accessory Building)	1.5 m	-	10.3 m
Minimum Side Yard Width (Accessory Building)	1.5 m	-	5.6 m
Maximum Height (Accessory Building)	4.9 m	-	4.9 m
Maximum Lot Coverage (Accessory Building)	10%	-	1.2%

DRAFT ZONING BY-LAW SCHEDULE

.....%*) 'A 9@ 8M65MFC 58'



Legend

-  Lands to be rezoned to a Site Specific G\c fy`j bY`FYgX YbhU` (GR-XX) Zone
-  Subject Property

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Figure)

Data Sources
County of DYH`fVcfc i [\
Scale: N.T.S.

6.0 Planning Rationale

The proposed ZBA to recognize an existing legal non-complying dwelling located in the water yard and permit the construction of a replacement dwelling and accessory detached garage at a further setback conforms to the applicable provincial and municipal policies for rural land and shoreline development as outlined above and summarized below.

Provincial policy allows for locally appropriate residential development on rural lands provided the development does not create any environmental or public health and safety concerns. Due to the presence of various natural heritage features on and within 120 metres of the Subject Property, which include an unevaluated wetlands, unevaluated woodlands and fish habitat (all lands within 30 metres of the high water mark of all watercourses), an EIS was prepared to support the proposed ZBA.

Provincial policy does not allow for development within the required vegetation protection zone (VPZ) of Key Hydrologic Features and Key Natural Heritage Features with the exception of shoreline development in the form of redevelopment, infill, resort development and the expansion of existing buildings and structures. The proposed rezoning will provide relief to allow for the redevelopment and expansion of the existing seasonal dwelling on the Subject Property. An increase in the water yard setback from Buckhorn Lake to the existing dwelling is being proposed through the redevelopment, which will improve the protection of the shoreline and bring the existing conditions on the property more into conformity with the provincial policy. The EIS completed in support of the ZBA also found that provided the mitigation measures are implemented, no negative impact to Buckhorn Lake is anticipated as a result of the project.

Furthermore, provincial policies require development to be directed away from hazardous lands and sites including lands susceptible to flooding and erosion hazards. Development and site alteration is not permitted in areas that would be rendered inaccessible during times of flooding hazards or erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard. The existing seasonal dwelling and accessory structures are located within the floodplain of Buckhorn Lake as identified by the Municipality. The proposed replacement dwelling, associated sewage disposal system and the accessory garage have all been located outside the flood line. The proposed site design will reduce any potential risk of flooding, improve access and ensure public safety on the site. Furthermore, the proposed replacement dwelling and garage have been designed by a professional engineer, in accordance with provincial floodproofing guidelines, protection works standards, and access standards as outlined in the Flood Evaluation Study submitted in support of the application.

With respect to the proposed accessory structure, this location was the only area outside of the floodplain that could accommodate the construction of a single story, single-car garage. The EIS completed in support of the ZBA found a marginal wetland located adjacent to the proposed garage location. Wetlands typically require a 30 metre VPZ in accordance with provincial and municipal policy, however, relief from the VPZ requirements is being sought given the physical constraints on the lot. The EIS completed

in support of the proposed ZBA found proposed garage location within 1.5 metres to the impacted wetland was acceptable given the lack of ecological integrity and value. Further, a planting plan and other mitigation measures were recommended to protect the more significant wetland on the opposite side of the lot.

The County of Peterborough Official Plan requires that all new development within the shoreland and waterfront area be setback 30 metres from the high-water mark of all waterbodies. The Subject Property is an existing lot of record and therefore the Plan allows local municipalities the authority to allow for variances from the 30 metre setback requirement, without the being considered to be inconsistent with the local plan. The County Official Plan also allows for the continuation, expansion and enlargement of existing uses and allows local municipalities the authority to zone those uses provided they do not have any negative impact on surrounding land uses.

The TLOP permits the replacement and enlargement of structures legally existing prior to October 22, 2008, that do not comply with the required setbacks provided the replacement dwelling or addition does not further encroach into the 30-metre setback. As proposed, the replacement dwelling will not further encroach into the 30-metre setback as outlined in the TLOP and will result in an improved water yard setback. In addition, the design and location of individual on-site water supply and sewage disposal systems are proposed to be located outside of the required setbacks, further improving the existing conditions on the site. Therefore, the proposed zoning bylaw amendment to permit a replacement dwelling at a further setback from the lake conforms to the expansion and replacement policies for existing lots of record in the COP and TLOP. The proposed residential dwelling is a permitted use in accordance with the 'Shoreline Residential (SR)' Zone in the CZBL. The Subject Property is deficient in meeting the minimum lot area and frontage as well as the water yard setback, however, is considered legal non-complying. The existing seasonal residential dwelling is located in the floodplain of Buckhorn Lake and any reconstruction on the same footprint should not be permitted in accordance with natural hazard policies. However, provincial and municipal policies permit the expansion of legal non-conforming uses and legal-non-complying structures. Specifically, the CZBL outlines specific criteria for expansions and replacement dwellings, particularly within the water yard setback.

As proposed, the replacement dwelling will have a water yard setback of 23.0 metres (northeast corner) and 22.8 metres (southeast corner). The CZBL allows for the expansion of existing legal non-complying building or structures within the 30 metre high water mark setback but requires a ZBA where the expansion exceeds 50% of the existing ground floor area. The existing dwelling has a ground floor area of 73.33 square metres and the proposed replacement dwelling will have a floor area of 171.5 square metres. Although the proposed ground floor area exceeds the 50% as-of-right expansion threshold, it does not exceed the maximum permitted coverage of 20% on the Subject Property and represents a modest sized built form.

Furthermore, in order to locate the proposed dwelling outside of the floodplain, a reduced side yard setback from 4.5 metres to 2.3 metres is required. Given the intent to improve public safety on the Subject Property by locating the dwelling outside the floodplain, the requested relief is a considered minor and any impacts on the

neighbouring property owner are mitigated by a well-treed property line and modest sized construction of the replacement dwelling.

Accessory structures are permitted within Shoreline Residential (SR) Zone in accordance with the CZBL. With the exception of the relief from wetland setback outlined above, the proposed accessory structure meets the general provisions of the CZBL including side yard setback, rear yard setbacks and height requirements. Relief is being sought through the site-specific zone provisions to reduce the 30 metre setback required to wetlands and watercourses, to permit the construction of an accessory structure with a 1.4 metre setback to the impacted wetland in order to ensure the garage is built outside the identified floodplain. As mentioned above, the EIS concluded that the proposed garage location would not have any impact on the marginal wetland provided the other mitigation measures are implemented to protect the more ecologically significant wetland on the opposite side of the lot.

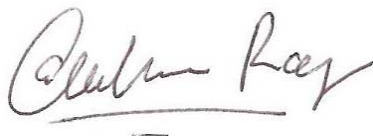
7.0 Closing

This report has been prepared in support of the Zoning By-law Amendment to facilitate the replacement of an existing non-complying seasonal residential dwelling with an expanded residential dwelling and proposed accessory detached garage. The report provides an analysis of the applicable provincial and local policy documents in the context of the Zoning By-law Amendment.

It is our opinion that the proposed replacement dwelling and accessory detached garage are modest in nature and intended to improve the functionality of the existing seasonal dwelling to support the continuation of this permitted use. The proposed location of the replacement dwelling will increase the water yard setback of the existing dwelling in an effort to maintain the environmental integrity of the shoreline and wetland features identified on the Subject Property. The footprint and built form of the proposed dwelling is reasonable in size for the Subject Property and will not dominate over the natural environment or impact the character of the surrounding land uses.

Based on the background information, the physical constraints on site and the forgoing review of the relevant policies, it is our opinion that the proposed Zoning By-law Amendment is consistent with and conforms to provincial and municipal policies and constitutes as good planning.

Respectfully Submitted,



Aishwarya Roy, B.URPL.
Junior Land Use Planner

Reviewed by:



Marnie Saunders
Senior Land Use Planner

AR/MS/AT

Appendix A

Photographic Log



Client Name: Christine Malchelosse	Site Location: 165 Melody Bay Rd, Municipality of Trent Lakes
--	---

Number:	1
Date:	Dec 18, 2023
Direction:	North east
Description:	Proposed location of accessory detached garage.



Number:	2
Date:	Dec 18, 2023
Direction:	North
Description:	Existing seasonal dwelling



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Client Name: Christine Malchelosse	Site Location: 165 Melody Bay Rd, Municipality of Trent Lakes
--	---

Number:	3
Date:	Dec 18, 2024
Direction:	West
Description:	Existing boat house



Number:	4
Date:	Dec 18, 2023
Direction:	North
Description:	Shoreline



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P. 705.742.2297 F. 705.748.9944 E. wills@dmwills.com

Client Name: Christine Malchelosse	Site Location: 165 Melody Bay Rd, Municipality of Trent Lakes
--	---

Number:	5
Date:	Dec 18, 2023
Direction:	South
Description:	Shoreline and boat ramp



Number:	6
Date:	Dec 18, 2023
Direction:	West
Description:	Mature vegetation along north property line.



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Appendix B

Record of Pre-consultation





For use by Junior Planner

Planning Act Application(s) Required:

- ☒ Zoning By-Law Amendment Application ☐ Minor Variance Application
☐ Site Plan Control Application ☐ Official Plan Amendment Application
☐ Other: _____

Supporting Document(s) Required:

- ☐ Planning Justification Report ☐ Market Analysis/Justification Study
☐ Storm Water Management Plan ☐ Archaeological Study
☐ Traffic Study ☐ Noise Impact Study
☐ Hydrogeological Study ☐ Agricultural Land Usage Justification
☐ Servicing Options Report ☐ Environmental Impact Study
☐ Natural Resource Analysis (aggregates, mineral non-aggregates, forests, ect...)
☐ Review of Impact on Municipal/Other Services (fire, waste disposal, school bussing, road conditions, ect...)
☐ Phase 1 Environmental Site Assessment (generally for lands previously used for commercial and industrial uses)
☒ Other: Revised site plan done by a qualified designer or surveyor.

Recommended Key Contacts:

- ☐ Kawartha Region Conservation Authority: (705) 328-2271
☒ Trent Severn Waterway: (705) 750-4516
☒ Peterborough Public Health: (705) 743-1000
☒ Municipality of Trent Lakes: (705) 738-3800
☐ County of Peterborough: (705) 743-0380
☐ Other: _____



For use by Junior Planner

Please note that all recommendations and requirements, as outlined by the Junior Planner, relate to the Site Plan submitted to him/her. Should the Site Plan change, a second Pre-Consultation may be necessary, and the previous recommendations and requirements set out by the Junior Planner may be subject to change.

Notes:

- The proposed dwelling aims to increase the overall building footprint by 126.96%, which does not comply with Section 4.30.3(b) of the Comprehensive Zoning By-law, which permits a 50% expansion to dwellings in the water yard under 112 sq. m.
- Parts of the dwelling, and the entire detached garage are proposed to be located in the floodplain, which is generally not permitted. This triggers the requirement for a Flood Evaluation Study, which may be peer-reviewed, at the applicant's expense, to determine the overall impact and recommendations of a qualified professional.
- The Flood Evaluation Study will be circulated to the Kawartha Region Conservation Authority once received by the applicant. The study will be reviewed by the KRCA, at the applicant's expense, and additional comments/recommendations will be provided.
- The applicants must consult Peterborough Public Health to determine if a new septic system is required. As a complete submission requirement, we will require PPH approval in the form of a letter.
- The Municipality will require an Environmental Impact Study to address the Growth Plan for the Greater Golden Horseshoe. The document outlining exactly what the Municipality is looking for is attached to the letter.
- All studies and agency correspondence must be received and reviewed by the Municipality before the applicants submit an application. An incomplete submission will not be accepted.

Property Reviewed By:

Sarah Dilamarter, Junior Planner

Date:

2022-10-27

For use by Junior Planner

Planning Act Application(s) Required:

- ☒ Zoning By-Law Amendment Application ☐ Minor Variance Application
- ☐ Site Plan Control Application ☐ Official Plan Amendment Application
- ☐ Other: _____

Supporting Document(s) Required:

- ☐ Planning Justification Report ☐ Market Analysis/Justification Study
- ☐ Storm Water Management Plan ☐ Archaeological Study
- ☐ Traffic Study ☐ Noise Impact Study
- ☐ Hydrogeological Study ☐ Agricultural Land Usage Justification
- ☐ Servicing Options Report ☐ Environmental Impact Study
- ☐ Natural Resource Analysis (aggregates, mineral non-aggregates, forests, ect...)
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- ☒ Other: Revised site plan done by a qualified designer or surveyor.

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- ☐ County of Peterborough: (705) 743-0380
- ☐ Other: _____



For use by Junior Planner

Please note that all recommendations and requirements, as outlined by the Junior Planner, relate to the Site Plan submitted to him/her. Should the Site Plan change, a second Pre-Consultation may be necessary, and the previous recommendations and requirements set out by the Junior Planner may be subject to change.

Notes:

- The property is not in the KRCA-regulated area.
- Last met with the property owners in October of 2022, where it was advised that the property owners obtain an Environmental Impact Study and Flood Evaluation Study, Both have since been provided.
- We still require a revised site plan with all the required setbacks as requested in the October Pre-Con. This will help staff determine how close the proposal is getting to the high water mark.
- The recommendations of both the Environmental Impact Study and Flood Evaluation Study will be implemented in a Development Agreement, which will be registered on Title at the expense of the applicant. (\$300 + lawyer charge for physical registration).
- Due to the nature of the file (i.e. occurring in a regulated flood area), this proposal cannot be considered Minor in nature. A Zoning By-law Amendment (ZBA) will be required.
- An electronic copy of the Environmental Impact Study must be submitted to Staff.
- We still require some form of recent correspondence concerning the proposal with Peterborough Public Health before Staff can accept a complete ZBA application submission. We will also require the proposed and existing septic systems illustrated on the revised site plan, along with the existing and proposed well.
- Rough drawings of the proposal (garage and replacement dwelling) would be useful.
- The external Planning Consultant will need to be circulated all of the items mentioned above before we can officially deem the application to be "complete".

Property Reviewed By:

Sarah Dilamarter, Junior Planner

Date:

2023-08-03