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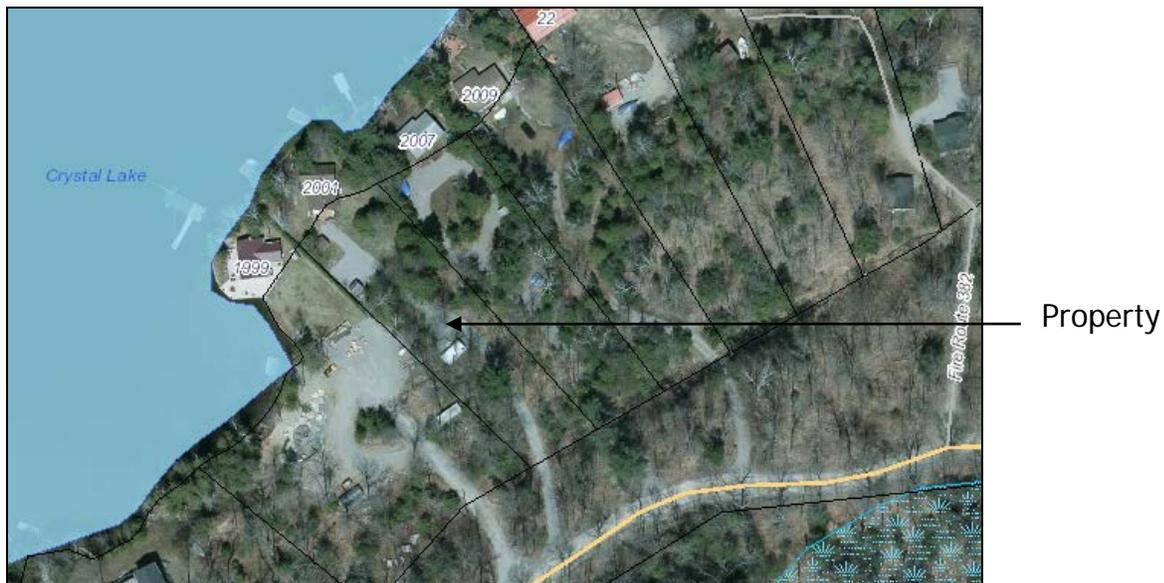


Planning Justification Report (July 9, 2024) - Zoning By-law Amendment Application 2001 Crystal Lake Road, Municipality of Trent Lakes County of Peterborough

Introduction

This Planning Justification Report (PJR) has been prepared in support of a Zoning By-law Amendment (ZBLA) Application filed with the Municipality of Trent Lakes Planning Department regarding the seasonal residential property, known municipally as 2001 Crystal Lake Road. The property has frontage on Crystal Lake and is used for seasonal residential purposes.

The Property



(Source: County of Peterborough Website, July 2024)

The ZBLA Application is required to address the residential use of the second-floor portion of the existing detached accessory structure (garage).

The concerned accessory structure (garage) was subject of a Committee of Adjustment - Minor Variance Application, which permitted an increase of the building height. The property owners introduced a plumbing and HVAC service to the second-floor portion of

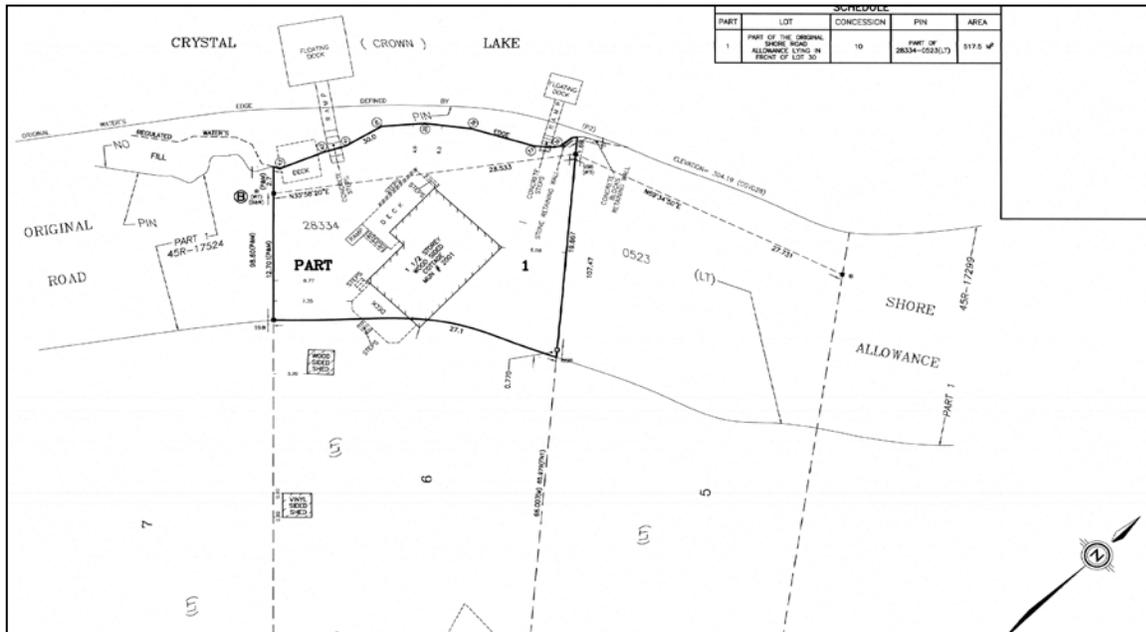
said structure, which is not permitted by the current SR – Shoreline Residential zoning of the property. The ZBLA Application follows the issuance of an enforcement order by the Municipal Building Department.

Shoreline Road Allowance Purchase

The Municipality has required that the property owners purchase that portion of the shoreline road allowance located in the front/waterfront part of the property. The existing dwelling, deck and steps leading to two (2) floating docks are located within the unopened shoreline road allowance.

A Shoreline Road Allowance Application has been filed with the Municipality concurrent with the subject ZBLA Application.

Survey - Shoreline Road Allowance



(Source: C.T Strongman Surveying Ltd, May 2023)

Pre-Consultation

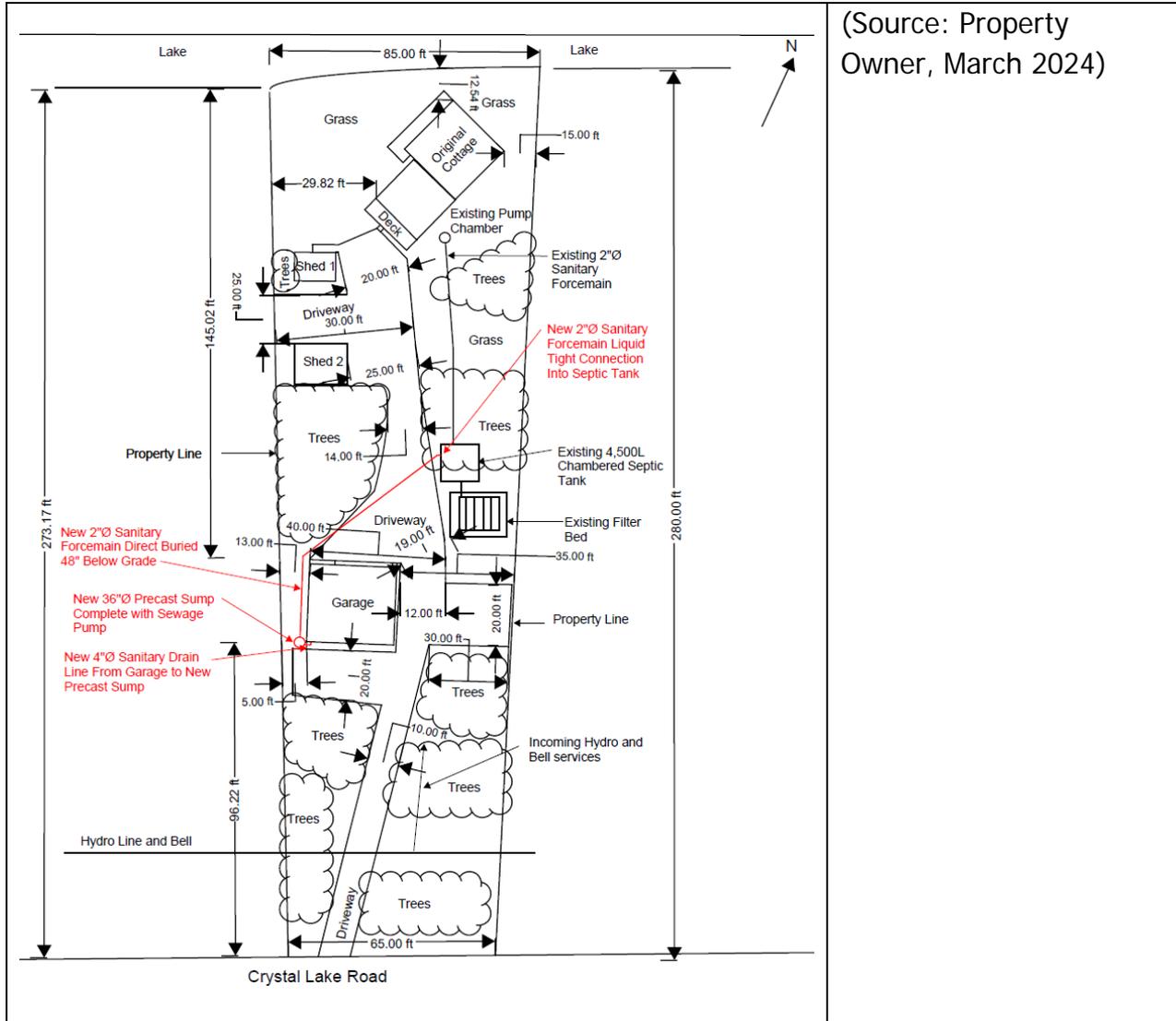
A pre-consultation meeting was held February 29, 2024 (see Attachment 'H' for details). The meeting identified ZBLA Application requirements, including:

- i. Planning Justification Report;
- ii. Application Fees; and

iii. Need for the purchase of the Shoreline Road Allowance Purchase.

It is acknowledged with the approval of the concerned ZBLA Application, that a Building Permit will be required to address the plumbing fixtures and HVAC system currently installed in the second storey portion of the accessory building.

Concept Plan



There are no changes to the location of any buildings/structures required as a result of the approval of the ZBLA Application.

Analysis

2020 Provincial Policy Statement (2020 PPS)

The 2020 PPS sets forth a series of policies that address a range of land use, planning, development, and related topics on a provincial wide basis.

With respect to the Zoning By-law Amendment Application, the following policies of the 2020 PPS are considered to have direct relevancy:

Section	Title – Comments
Part III	<p data-bbox="407 625 1036 657">How to Read the Provincial Policy Statement</p> <p data-bbox="407 701 1377 888">The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.</p> <p data-bbox="407 926 1016 957">Read the Entire Provincial Policy Statement</p> <p data-bbox="407 995 1398 1297">The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.</p> <p data-bbox="407 1335 1370 1482">While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole. There is no implied priority in the order in which the policies appear.</p> <p data-bbox="407 1514 1317 1587">Opinion: The entire document has been reviewed for the purpose of preparing this Planning Justification Report.</p>
1.0	<p data-bbox="407 1623 935 1654">Building Strong Healthy Communities</p> <p data-bbox="407 1692 1406 1843">Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on</p>

	<p>wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.</p>
<p>1.1.1</p>	<p>Healthy, liveable and safe communities are sustained by:</p> <p>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</p> <p>b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>Opinion: The use of the property for seasonal waterfront residential purposes, including the proposed use of the second-floor of the existing accessory structure for limited of residential related purposes, is in keeping with the development and land use patterns in the local area (Crystal Lake). Adjacent properties have similarly developed waterfronts.</p> <p>It is noted that the Township Council approved the rezoning of the adjacent (westerly) property – 1999 Crystal Lake Road, permitting a large accessory structure containing plumbing facilities (February 20, 2024, Council Meeting).</p>
<p>1.1.3</p>	<p>Settlement Areas</p> <p>Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic</p>

	<p>activity, diversity and intensity of land uses, service levels, and types of infrastructure available.</p> <p>Opinion: The property is not part of a Rural Settlement Area.</p>
<p>1.1.4</p>	<p>Rural Areas in Municipalities</p> <p>Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.</p> <p>Ontario’s rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario’s natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.</p> <p>Opinion: The property is considered Rural and enjoys a resource-based setting (Crystal Lake).</p>
<p>1.1.5</p>	<p>Rural Lands in Municipalities</p> <p>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.</p> <p>1.1.5.2 On rural lands located in municipalities, permitted uses are:</p> <ul style="list-style-type: none"> a) the management or use of resources; c) limited residential development; f) other rural land uses. <p>1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.</p>

	Opinion: The ZBLA Application, if approved, will permit the use of the second-floor portion of the existing accessory structure for limited residential purposes. This represents a compatible form of development in this waterfront setting (Crystal Lake). Several area properties have similar main dwelling structures and/or developed waterfronts.
1.6	Infrastructure and Public Service Facilities
1.6.6.4	<p>Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.</p> <p>Opinion: The property relies on private water and wastewater facilities. The property contains an existing 4500 L septic facility.</p>
2.1	<p>Natural Heritage</p> <p>2.1.1 Natural features and areas shall be protected for the long term.</p> <p>2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.</p> <p>Opinion: The ZBLA Application property will not have an impact on any Natural Heritage features as the ZBLA Application is limited to an existing accessory structure.</p>

It is my professional opinion that the Zoning By-law Amendment Application is consistent with the policy directives of the 2020 PPS.

2019 A Place to Grow- Growth Plan for the Greater Golden Horseshoe (2019 Growth Plan)

The 2019 Growth Plan came into effect on May 16, 2019 replacing the July 1, 2017 Growth Plan (which replaced the 2005 Growth Plan). The new 2019 Plan sets forth a series of detailed policies addressing population and employment growth and other related development, planning and land use matters for the Greater Golden Horseshoe

Area. The County of Peterborough and its eight (8) member municipalities are located within the eastern portion of the outer-ring part of the 2019 Plan.

Relative to the Zoning By-law Amendment Application, the following policies of the 2019 Growth Plan are considered to have direct relevancy:

Policy	Title - Details
1.2.1	<p data-bbox="415 512 669 541">Guiding Principles</p> <p data-bbox="415 583 1408 846">The successful realization of this vision for the GGH centres on effective collaboration amongst the Province, other levels of government, First Nations and Métis communities, residents, private and non-profit sectors across all industries, and other stakeholders. The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:</p> <ul data-bbox="415 888 1408 1829" style="list-style-type: none"> <li data-bbox="415 888 1318 999">• Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime. <li data-bbox="415 1041 1349 1152">• Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. <li data-bbox="415 1194 1398 1285">• Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors. <li data-bbox="415 1327 1395 1438">• Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households. <li data-bbox="415 1480 1375 1625">• Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government. <li data-bbox="415 1667 1375 1736">• Provide for different approaches to manage growth that recognize the diversity of communities in the GGH. <li data-bbox="415 1778 1338 1829">• Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.

	<ul style="list-style-type: none"> • Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network. • Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities. • Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions. <p>Opinion: The ZBLA Application conforms to the policies of Section 1.2.1 of the Plan. The continued use of the property for waterfront residential purposes is compatible with area land uses and does not represent an environmental hazard.</p>
1.2.2	<p>Legislative Authority</p> <p>This Plan is issued under the authority of section 7 of the Places to Grow Act, 2005. It was approved through an Order in Council under that Act to come into effect on May 16, 2019. This Plan replaces the Growth Plan for the Greater Golden Horseshoe, 2017 that took effect on July 1, 2017.</p>
	<p>Read the Entire Plan</p> <p>This Plan is to be read in its entirety and the relevant policies are to be applied to each situation. The language of each policy, including the policies in Section 5, will assist decision-makers in understanding how the policies are to be implemented.</p> <p>While some policies refer to other policies for ease of use, these cross-references do not take away from the need to read the Plan as a whole. There is no implied priority in the order in which the policies appear.</p> <p>Opinion: The entire document has been reviewed/read for the purpose of preparing this Planning Justification Report.</p>

<p>2.2</p>	<p>Policies for Where and How to Grow</p> <p>2.2.1 Managing Growth</p> <p>1. Population and employment forecasts contained in Schedule 3 will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.</p> <p>2. Forecasted growth to the horizon of this Plan will be allocated based on the following:</p> <p>a) the vast majority of growth will be directed to settlement areas that:</p> <ul style="list-style-type: none"> i. have a delineated built boundary; ii. have existing or planned municipal water and wastewater systems; and iii. can support the achievement of complete communities; <p>Opinion: The property does not form part of a designated rural settlement area.</p>
	<p>c) within settlement areas, growth will be focused in:</p> <ul style="list-style-type: none"> i. delineated built-up areas; ii. strategic growth areas; iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and iv. areas with existing or planned public service facilities; <p>d) development will be directed to settlement areas, except where the policies of this Plan permit otherwise;</p> <p>Opinion: The property does not form part of a designated rural settlement area.</p>
<p>2.2.9</p>	<p>Rural Areas</p>
<p>2.2.9.1</p>	<p>1. Municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural settlements to serve the needs of</p>

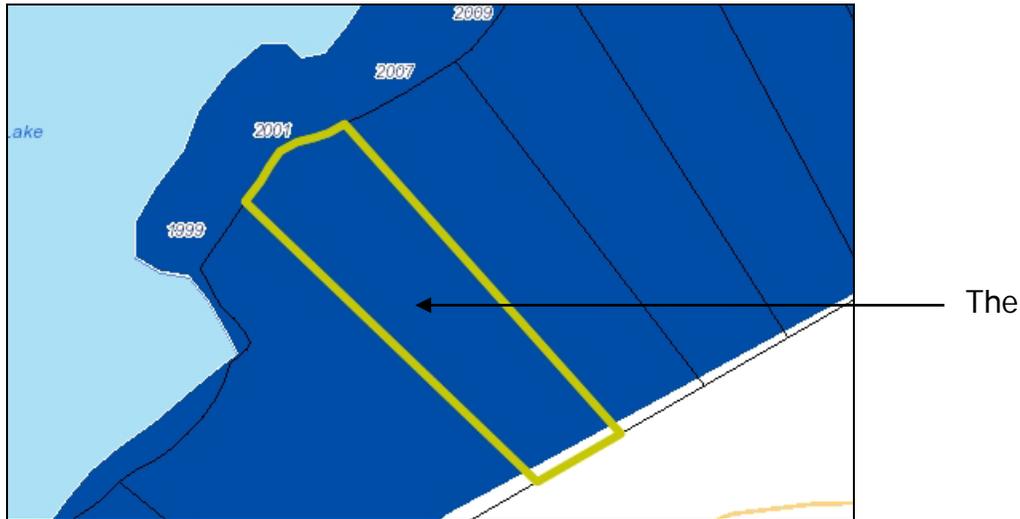
	<p>rural residents and area businesses.</p> <p>Opinion: The property does not form part of a rural settlement area, but rather, rather it forms part of a resource-based area/setting (Crystal Lake).</p>
<p>2.2.9</p>	<p>3. Subject to the policies in Section 4, development outside of settlement areas may be permitted on rural lands for:</p> <p>a) the management or use of resources;</p> <p>b) resource-based recreational uses; and</p> <p>c) other rural land uses that are not appropriate in settlement areas provided they:</p> <p>i. are compatible with the rural landscape and surrounding local land uses;</p> <p>ii. will be sustained by rural service levels; and</p> <p>iii. will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.</p> <p>Opinion: The continued use of the property for waterfront residential purposes can be sustained by rural service levels and is compatible with area properties (Crystal Lake).</p>

It is my professional planning opinion that the Zoning By-law Amendment Application is in Conformity with the policies of the 2019 Growth Plan.

County of Peterborough Official Plan (COP)

The County Official Plan (July 2022) designates the property as “Waterfront Residential”. For purposes of this Report, I considered the July 2022 version of the County of Peterborough Official Plan, acknowledging that the COP is awaiting final Provincial approval. The previous COP document (pre-July 2022) contained similar land use designations and policies permitting the existing and proposed (redevelopment) waterfront residential use of the property, and I also offer some commentary regarding same.

Official Plan Map Schedule - Details



(Source: County of Peterborough Website, July 2024)

Relative to the ZBLA Application, the following policies of the July 2022 COP are considered to have direct relevancy:

Section	Title - Comments
4.1.4	<p>Waterfront Residential</p> <p>The Waterfront Residential land use designation primarily applies to lands along the shorelines of lakes, rivers and other major waterbodies but may include historic built-up areas or subdivisions that are oriented towards the water. Typically these areas have been developed for seasonal use with changeover to permanent residences.</p> <p>Opinion: The property is and will continue to be used for waterfront/seasonal residential purposes (Crystal Lake).</p>
4.1.4.1	<p>Permitted Uses</p> <p>Permitted uses in the Waterfront Residential designation shall include single detached dwellings, as well as low intensity recreational uses such as parks, hiking trails and the like. Bed and breakfast establishments and home occupations may also be permitted in accordance with the local Municipal Zoning By-Law.</p> <p>Opinion: The ZBLA Application serves to permit the use of the</p>

	second-floor portion of the existing accessory structure for a specified residential.
4.1.4.2	<p>New Development</p> <p>d) Lands within the Waterfront Residential designation will be zoned appropriately in the local Municipal Zoning By-Law, and may be placed in a rural or Holding category until required for their ultimate development. Where lands are accessed by a private road or right-of-way, or by water access only, they may be zoned in a separate zoning category to recognize the limited means of access which may affect other municipal services such as road maintenance, snow removal, emergency vehicle access, waste removal and school bus access.</p> <p>Opinion: The ZBLA Application does not create a new residential land use.</p> <p>c) All private water supply and sewage disposal systems shall satisfy the requirements of Peterborough Public Health, the applicable approval agency, or the Province.</p> <p>Opinion: The property contains a 4500 L septic tank, which can accommodate the existing dwelling and the proposed additional residential use.</p>
9.4	<p>Shoreline Development and Setbacks</p> <p>The preservation of a naturally vegetated shoreline is encouraged in order to minimize destruction to the shoreline and littoral zone, minimize visual impact on the waterbody, maintain wildlife habitats and corridors, improve water quality, and ensure adequate protection from changes in water level and flooding.</p>
9.4.2	<p>Existing Lots</p> <p>For existing lots of record, new development and septic systems must be setback 30 metres from the high water mark of all waterbodies, if feasible. Where it has been demonstrated that the 30 metre setback cannot be achieved due to topography, environmental features or required separation from adjacent uses, new development must be set</p>

	<p>as far back from the high water mark as the lot permits. Any proposed reduction to the 30 metre minimum setback will:</p> <ul style="list-style-type: none">• be consistent with any applicable policies in the Provincial Policy Statement and related implementation guidelines;• maximize the setback through building design and orientation, and the siting of the septic system;• minimize disturbance to native soils and shoreline vegetation in accordance with other policies of this Plan; and• strengthen lake and river environments by ensuring that shorelines are enhanced and preserved. <p>Opinion: The ZBLA Application does not serve to permit a new seasonal dwelling. Rather the ZBLA Application serves to permit the use of the second-floor portion of the existing accessory structure for limited residential purposes.</p>
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It is my professional planning opinion that the proposed Zoning By-law Amendment Application is in keeping with the general purpose and intent of the policies of the July 2022 County of Peterborough Official Plan.

Municipality of Trent Lakes Official Plan

The property is designated as “Recreation Dwelling Area” by the Municipal Official Plan.

Official Plan Map Detail (Schedule A2 – Galway)



(Source: Municipality of Trent Lakes Website, July 2024)

Section	Title - Comments
4.5	<p>Shoreline</p> <p>Goal</p> <p>To preserve and protect the natural environment abutting the extensive shoreline areas of the Township for indigenous fish and wildlife habitat and recreational uses of the Township residents.</p> <p>Objectives</p> <p>i) To permit shoreline development where appropriate with the approval of the respective regulating bodies.</p> <p>ii) To permit shoreline development in the Township in accordance with good resource management practices.</p> <p>iii) To discourage any form of alterations to the natural shoreline associated with water-oriented development.</p> <p>Opinion: The ZBLA Application will not result in physical alterations of the property nor to existing buildings, with the</p>

	exception of any required internal modifications of the existing accessory structure (garage).
5.4	<p>Recreation Dwelling Area</p> <p>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.</p> <p>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.</p> <p>Opinion: The ZBLA Application will not result in physical alterations of the property nor to existing buildings, with the exception of any required internal modifications of the existing accessory structure (garage).</p>
5.4.1	<p>Permitted Uses</p> <p>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.</p> <p>Opinion: The current development of the property in in conformity with this policy.</p>
5.4.2	<p>Pattern of Development</p> <p>New development proposals within the Recreational Dwelling Area designation shall, wherever feasible, be designed to avoid a linear or strip development pattern adjacent to the shoreline. Development proposals which locate residential uses well back from the shoreline and retain the natural waterfront character and treecover, shall be encouraged. New development in the form of backlotting and secondary</p>

	<p>tier development to existing developed areas shall not be permitted.</p> <p>New development proposals in the Recreational Dwelling Area designation shall recognize the sensitivity of the shoreline in determining the land/water interface; and built structures should be screened from the lake, where possible.</p> <p>Opinion: No “development” (physical) will occur as a result of the approval of the ZBLA Application. The development of the property is in conformity with the SR – Shoreline Residential zoning with the exception of the pending use of the second-floor of the existing accessory structure.</p>
5.4.3	<p>Services</p> <p>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.</p> <p>Opinion: The property is supported by a 4500 L septic facility/service.</p>
5.4.9	<p>Zoning</p> <p>Residential uses shall be zoned in one or more separate classifications in the Township's Zoning By-law. Commercial uses shall be zoned in a separate classification in the Township's Zoning By-law.</p> <p>Opinion: The property and its adjacent properties are currently zoned SR – Shoreline Residential.</p>

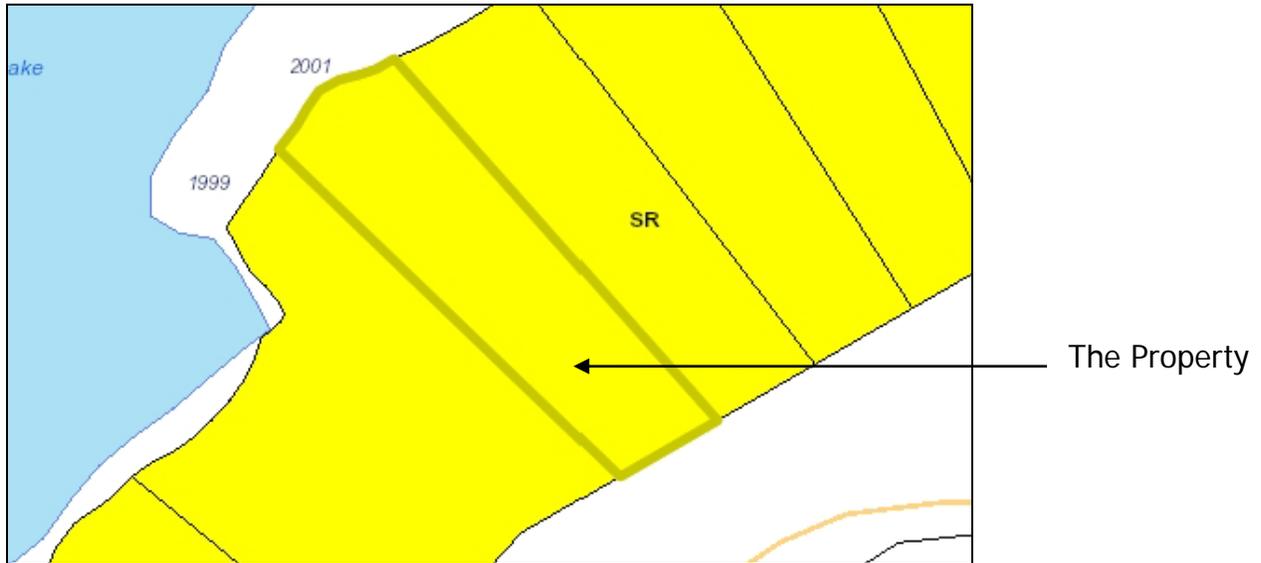
It is my Professional Planning Opinion that the ZBLA Application is in keeping with the general purpose and intent of the land use designations and related policies of the Township Official Plan.

There are no compatibility, environmental, natural heritage or associated land use issues with the requested ZBLA Application.

Municipality of Trent Lakes Zoning By-law (Zoning By-law)

The property is currently zoned 'SR – Shoreline Residential.'

Zoning Map Detail



(Source: Municipality of Trent Lakes Website, July 2024)

The ZBLA Application seeks the following amendment (By-law Exception):

Proposed By-law Exception

"Notwithstanding the provisions of Section 4.26 and the Accessory Building or Structure Definition of the By-law, residential occupancy, excluding eating kitchen facilities, shall be permitted, provided such space is limited to the second-floor portion of the existing accessory structure."

Summary

For purposes of preparing this Planning Justification Report, I undertook the following activities:

1. Conducted a site visit, including site-area digital photographs;
2. Attended a Mandatory Pre-Consultation Meeting; and
3. Reviewed all available Local, County and Provincial Planning Documents.

In summary, it is my Professional Planning Opinion that the Zoning By-law Amendment Application is, serving to permit a modest expansion to an existing seasonal dwelling, is:

- Consistent with policy directives of the 2020 PPS;
- In Conformity with the policy directives of the 2019 Growth Plan;
- In Keeping with the general purpose and intent of the land use designations and policies of the July 2022 County of Peterborough Official Plan (pending Provincial approval) and current Municipality of Trent Lakes Official Plan;
- In Keeping with the general purpose and intent of the regulatory provisions of the Municipality of Trent Lakes; and
- **Representative of Good Planning.**

Respectfully Submitted,



Kevin M. Duguay, MCIP, RPP