



PLANNING JUSTIFICATION REPORT

PREPARED FOR:

**Zoning By-Law Amendment
Rod and Nancy Kingdon**
Part Lot 28, Concession 8, Township
of Galway, County of Peterborough
(Roll # 154202020034940).
File no. 25161A

05 February 2026

Your Vision

Designed | Planned | Realized

MacNaughton Hermsen Britton Clarkson Limited
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PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

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1.0 Introduction

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) has been retained by Nancy and Rod Kingdon (the Owners) to review the planning merits of and prepare a Planning Justification Report (the Report) for an application for a Zoning By-law Amendment (ZBA) to permit the construction of a residential dwelling on their property (the Subject Lands), located in the Municipality of Trent Lakes, and legally described as Part Lot 28, Concession 8, Township of Galway, County of Peterborough (Roll # 154202020034940).

The Subject Lands are currently zoned Rural (RU) in the Municipality's Zoning By-law, and the Rural (RU) Zone restricts development on lands which do not have frontage on a municipal public road that is maintained year-round. The Zoning By-law Amendment proposes to amend the zoning on the Subject Lands to the Shoreline Residential - Private Access (SR-PA) Zone to permit the construction of a residential dwelling on a private road. Pre-consultation was conducted with the Municipality in June 2025, and staff confirmed application requirements as well as a subsequent Site Plan Agreement.

Generally, the limitations in the Zoning By-law that require future development to only be permitted on lots with access to a municipally maintained road exist to ensure that dwelling locations can be legally accessed and to ensure that they can be safely accessed by current and future residents, as well as by emergency service vehicles. A letter from the Owners' solicitor, Mack Lawyers (Mack Professional Corporation), is included in **Appendix 3** outlining how access is granted, and is detailed further in this report.

A fundamental component of the proposed application is to zone the subject lands to permit access by an existing Fire Access Road. The development proposal also contains the requirement for the Owners to enter into a Site Plan Agreement with the Municipality to recognize that decreased levels of service will exist for the future development and to ensure that minimum maintenance standards are adhered to for the Fire Access Road in order to ensure safe access for residents and emergency service vehicles.

2.0 Site Description and Surrounding Land Uses

The Subject Lands are located on Fire Access Road (no municipal address) in the Municipality of Trent Lakes, as shown in **Figure 1**. The Subject Lands are currently vacant and have a lot area of 6.5 hectares (16.2 acres) with a shoreline frontage of 480 metres. The Subject Lands are vacant and predominantly consist of woodlands, a private warmwater lake, and undulating topography. Access is granted from the Fire Access Road that is partially owned by the Municipality and traverses through Crown Land, and the Subject Lands are not currently serviced. An aerial overview is shown in **Figure 2**.

Surrounding land uses include the following:

North: Woodlands, unevaluated wetlands, and Loom Lake, beyond which is Crystal Lake Road and shoreline residential dwellings on Crystal Lake. Lands designated Rural and Crown Land, and zoned Rural (RU) and Crown Land (CL).

East: Woodlands and unevaluated wetlands. Lands designated Crown Land, and zoned Crown Land (CL).

South: Woodlands and unevaluated wetlands. Lands designated Rural and Crown Land, and zoned Rural (RU) and Crown Land (CL).

West: Woodlands, unevaluated wetlands, and Fire Access Road. Lands designated Rural (RU) and Environmental Protection, and zoned Rural (RU) and Environmental Protection (EP).

Figure 1: Location of the Subject Lands

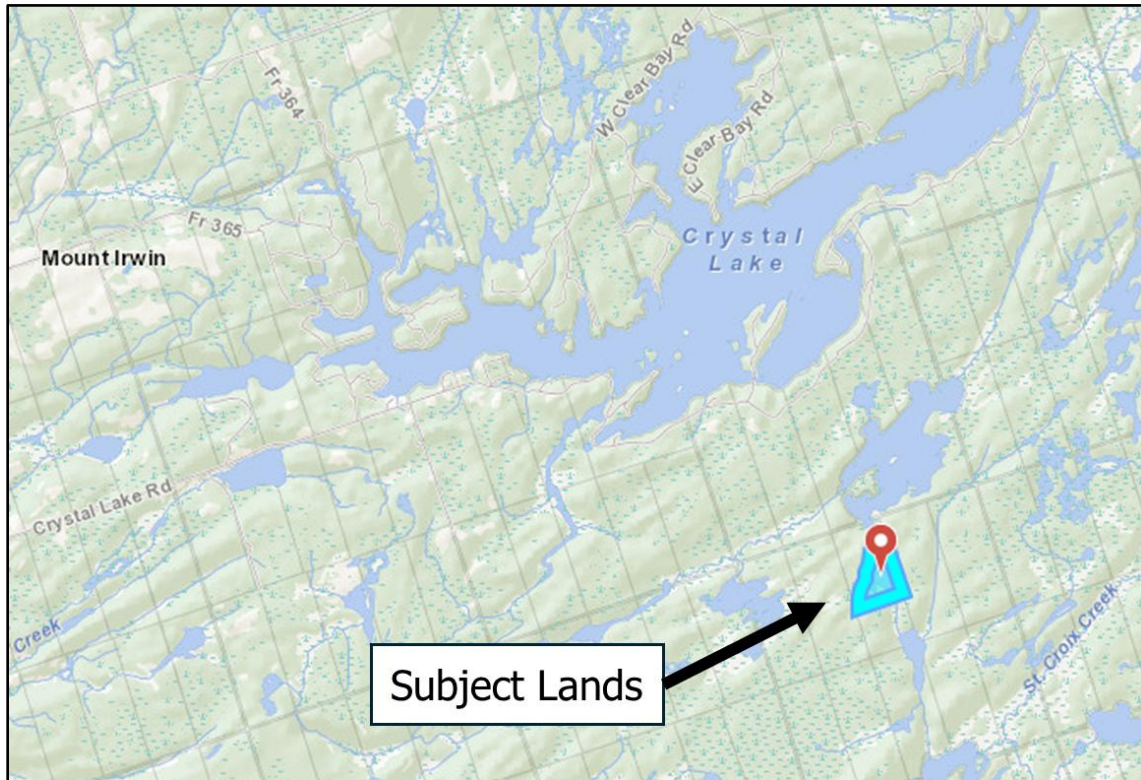
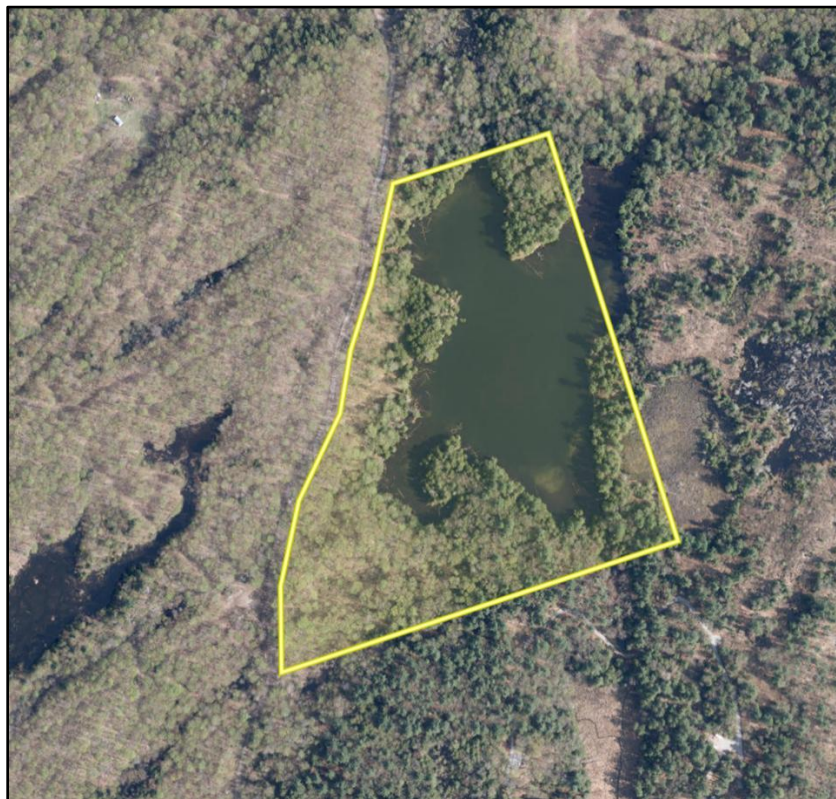


Figure 2: Aerial Overview of the Subject Lands



3.0 Proposal

3.1 Zoning By-law Amendment

The Subject Lands are currently zoned Rural (RU). While a residential dwelling is permitted in the RU Zone, Section 4.12 Frontage Requirements of the Zoning By-law does not permit the construction of a building or structure on a lot that does not have frontage on a public road that is maintained year-round.

A Zoning By-law Amendment is required to rezone the Subject Lands to the Shoreline Residential - Private Access (SR-PA) Zone to permit the construction of a residential dwelling on a private road. Additionally, portions of the Subject Lands will be zoned Environmental Protection Exception XX (EP-XX) to provide sufficient setback from the shoreline while permitting a walking path and dock. A Draft By-law has been included as **Appendix 1**. Subsequently, the Owners will be required to enter into a Site Plan Agreement with the Municipality.

4.0 Planning Analysis

This section describes the existing land use context, including the current policy and regulatory framework. This includes a discussion of applicable planning policies and regulations and how they apply to or affect the Subject Lands, including the Provincial Planning Statement, the County of Peterborough Official Plan, the Municipality of Trent Lakes Official Plan, and the Municipality of Trent Lakes Zoning By-law.

4.1 Provincial Planning Statement (2024)

The Provincial Planning Statement (the "PPS") is the statement of the Provincial government's policies on land use planning and is intended to provide policy direction on land use matters which are in the Provincial interest. All land use planning decisions are required to be consistent with the PPS. The PPS provides a variety of general policies aimed at sustaining healthy, liveable and safe communities. These policies include promoting efficient development and land use patterns, accommodating an appropriate range of residential and other uses, and promoting cost-effective development patterns and standards.

The Subject Lands are located outside of a settlement area and are considered rural lands in the context of the PPS. Section 2.6 outlines policies for rural lands in municipalities, and residential development where site conditions are suitable for the provision of appropriate sewage and water services is permitted.

Section 3.6 establishes policies for sewage, water, and stormwater. Where municipal sewage services and municipal 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. The Subject Lands are of sufficient size to support individual on-site sewage services and individual on-site water services.

Section 4.1 outlines policies for natural heritage. The Subject Lands are located outside of a settlement area and are not located in or adjacent to any provincially significant natural heritage features, as shown in Provincial mapping and Municipality of Trent Lakes Official Plan mapping. An Environmental Impact Study was completed by Aster Environmental Services Ltd. (dated October 14, 2025) and is included under separate cover. Based on a review of the Subject Lands, there will be no negative impacts on natural heritage features or their functions, provided that the recommended mitigation measures are implemented. This report is reviewed in further detail in Section 5.0 of this Report.

Section 4.6 outlines policies on cultural heritage and archaeology and requires that built heritage resources and cultural heritage landscapes shall be conserved. 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. A Stage 1 and 2 Archaeological Assessment was completed by Irvin Heritage Inc. (dated December 28, 2025) and is included under separate cover. No archaeological resources were encountered, and it is recommended that no further archaeological assessment is required. This report is reviewed in further detail in Section 5.0 of this Report.

Based on a review of the proposal and applicable policies of the PPS, the proposed Zoning By-law Amendment is consistent with the PPS.

4.2 County of Peterborough Official Plan (1994)

The County of Peterborough Official Plan (the "County OP") is designed to guide land use planning in the County over the next 20 years. The County OP contains general development policies that apply across the County as a whole, including policies related to growth, transportation, and the subdivision of land, among other considerations. The Townships of Asphodel-Norwood, Douro-Dummer, North Kawartha and Selwyn have included their local policies in the County OP. However, the Municipality of Trent Lakes maintains its own separate Official Plan with specific land use designations and policies.

Section 4.1 of the County OP contains policies on the natural environment. Development in or adjacent to natural heritage features is not permitted, provided that it has been demonstrated by an Environmental Impact Study that there will be no negative impacts on the natural features or ecological functions. An Environmental Impact Study was completed by Aster Environmental Services Ltd. (dated October 14, 2025) and is included under separate cover. Based on a review of the Subject Lands, there will be no negative impacts on natural heritage features or their functions, provided that the recommended mitigation measures are implemented. This report is reviewed in further detail in Section 5.0 of this Report.

Section 5.1 of the County OP outlines policies on housing, and the County's goal is to provide opportunities for a range of housing types and densities to be built throughout the County. Shoreland Areas outside Settlement Areas are recognized to consist of a constantly changing mix of dwellings suitable for seasonal and year-round use, and of summer, extended seasonal, and permanent residency. The right of dwelling owners to reside year-round is recognized, and local plans and by-laws must permit this.

Section 5.2 of the County OP outlines policies on heritage and archaeology and encourages the protection of archaeological resources. Development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation or preservation on site. A Stage 1 and 2 Archaeological Assessment was completed by Irvin Heritage Inc. (dated December 28, 2025) and is included under separate cover. No archaeological resources were encountered, and it is recommended that no further archaeological assessment is required. This report is reviewed in further detail in Section 5.0 of this Report.

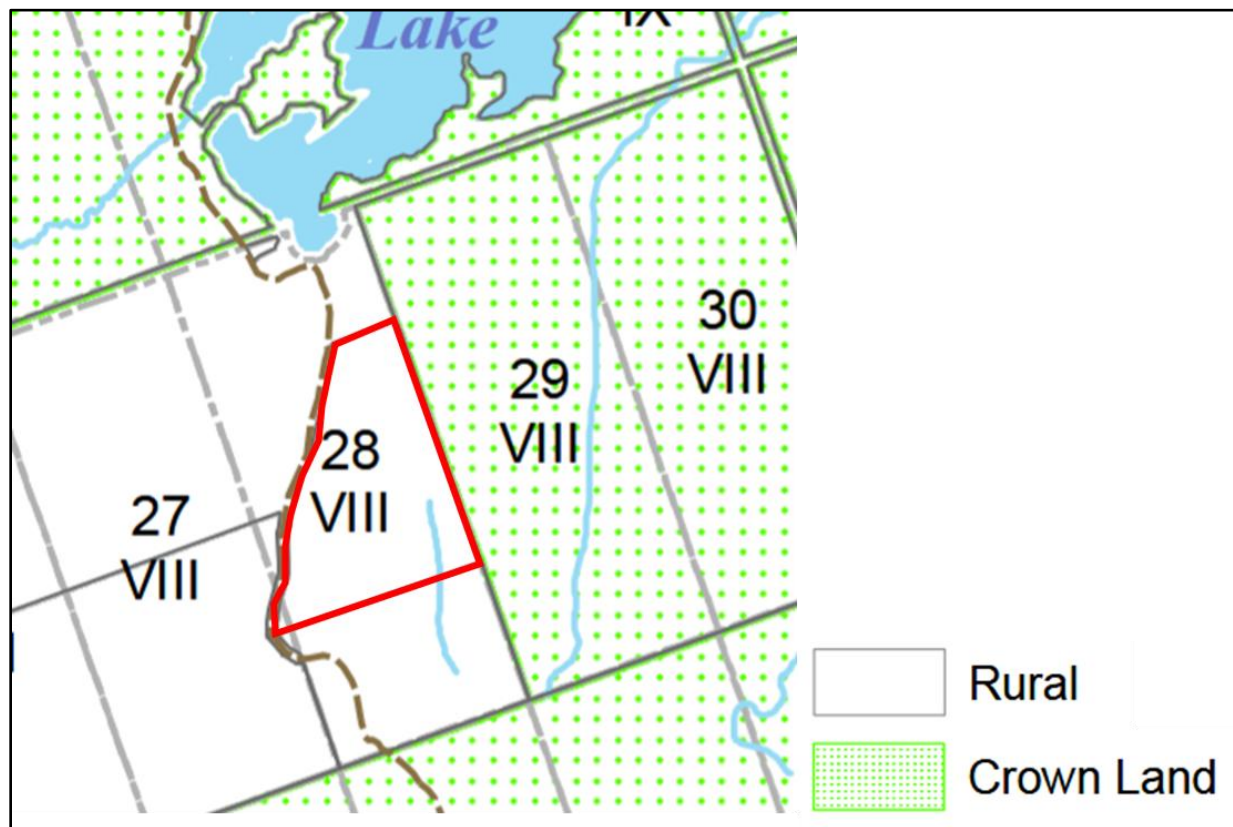
Based on a review of the proposal and applicable policies of the County of Peterborough Official Plan, the proposed Zoning By-law Amendment conforms to the County Official Plan.

4.3 Municipality of Trent Lakes Official Plan (2013)

The Municipality of Trent Lakes Official Plan (the "Municipal OP") guides planning and zoning decisions for the Municipality over a 20-year period. The Subject Lands are designated Rural in Schedule A2 of the Municipal OP, as shown in **Figure 3**. Section 5.2 of the Municipal OP outlines policies for the Rural

designation. Permitted uses in the Rural designation include limited permanent and recreational dwellings at a very low density.

Figure 3: Land Use Designation



Section 5.1.10 of the Municipal OP outlines policies for the protection of the environment, including setbacks from waterbodies or watercourses, and that natural features and areas shall be protected for the long term. Shoreline development shall be set back a minimum of 30 metres from the established high-water mark. Although no natural features are mapped on or adjacent to the Subject Lands in Municipal OP mapping, the Subject Lands contain a waterbody, including fish habitat, and an unevaluated wetland. The proposed development envelope is set back a minimum of 30 metres from the established high-water mark and provides a 30-metre buffer to the shoreline wetland feature. A Scoped Environmental Impact Study (EIS) was completed by Aster Environmental Services Ltd. (dated October 14, 2025) and is included under separate cover. Based on a review of the Subject Lands, the EIS concludes that there will be no negative impacts on natural heritage features or their functions, provided that the recommended mitigation measures are implemented. This report is reviewed in further detail in Section 5.0 of this Report.

Section 5.1.16 of the Municipal OP outlines policies for forest resources, and in lands designated Rural, landowners shall be encouraged to recognize forest resources as an important agent in providing essential soil and water conservation benefits. Landowners will be encouraged to retain existing tree cover, insofar as it is practical. The proposed development envelope will require a minimal removal of tree cover and will ensure a 30-metre buffer from the wetland and unnamed lake on the Subject Lands.

Section 5.1.23 of the Municipal OP outlines policies for servicing, and that individual on-site sewage and water services shall be used for private residences where municipal sewage and water services are unavailable and where site conditions are suitable for the long-term provision of such services. The proposed residential dwelling will be serviced by individual on-site sewage and water services, and the Subject Lands are large enough to accommodate these services.

Section 5.1.25 of the Municipal OP outlines policies for heritage resource conservation, and that all new development permitted shall have regard for heritage resources and shall, whenever possible, incorporate these resources into any plans which may be prepared for such new development. A Stage 1 and 2 Archaeological Assessment was completed by Irvin Heritage Inc. (dated December 28, 2025) and is included under separate cover. No archaeological resources were encountered, and it is recommended that no further archaeological assessment is required. This report is reviewed in further detail in Section 5.0 of this Report.

Section 5.1.27 of the Municipal OP outlines policies for stormwater management, and states that stormwater runoff shall be controlled and the potential impact on the natural environment shall be minimized. Residential development on an existing lot of record will generally not require the preparation of a stormwater management plan. Prior to the issuance of a building permit, Council must be satisfied that drainage from the development will not adversely affect adjacent properties or an existing watercourse. A 30-metre development setback from the wetland feature and unnamed lake on the Subject Lands has been included in the Draft By-law to ensure that stormwater runoff is minimized.

Section 5.4.5 of the Municipal OP outlines policies for limited service residential development and zoning. A separate zone category may be used for existing residential lots that front onto a private road that is not maintained by the Municipality or any other public road authority. A "limited service residential zone" may be applied to permit non-permanent dwellings, permanent dwellings, and compatible accessory uses. The development or redevelopment of an existing lot for a non-permanent dwelling or a permanent dwelling, or the conversion of a non-permanent dwelling, shall comply with all applicable provisions of the Comprehensive Zoning By-law. Compliance with the Municipality's Comprehensive Zoning By-law is detailed in the Zoning By-law Section of this Report.

Section 8.3 of the Official Plan contains policies that apply to existing lots of record. The Subject Lands are an existing lot of record that does not have access to a municipal road that is maintained year-round. Section 8.3 states,

"Where a lot having a lesser lot area, lot depth and/or lot frontage than that required herein, or a lot lacking frontage on a public road, or a lot which is deficient in any other way according to the policies of this Plan, is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of adoption of this Plan, or where such a lot is created as a result of an expropriation, such deficient lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that the owner complies with all other requirements of this Plan, subject to the following:

a) The lot has a frontage on an existing public road maintained year-round by the municipality and developed to a standard that meets the requirements of the Ministry of Transportation for subsidy purposes; or,

b) The owner of said lot can provide to the municipality at the time of application for a building permit proof that there is a registered right-of-way for the lot giving access to an existing public road maintained year-round by the municipality and developed to a standard acceptable to the Ministry of Transportation for subsidy purposes, in which case only a seasonal use building shall be permitted.”

The intent of this section of the Official Plan is to provide an opportunity for existing lots of record to obtain building permits, provided suitable access is available. In this instance, suitable legal access is provided via the existing Fire Access Road. A letter from the Owners’ solicitor, Mack Lawyers (Mack Professional Corporation), is included in **Appendix 3**. It outlines that the portion of Fire Access Road directly adjacent to the Subject Lands is owned by the Corporation of the United Townships of Galway and Cavendish (now the Municipality of Trent Lakes). A separate Application for Crown Land has been submitted to the Ministry of Natural Resources for the portion of Fire Access Road that traverses Crown Land. Our Owners’ solicitor also highlights that access is permitted, regardless of ownership, under the *Ontario Road Access Act*. On this basis, the proposed Zoning By-law amendment would conform to Section 8.3 of the Official Plan.

Based on a review of the proposal and applicable policies of the Municipality of Trent Lakes Official Plan, the proposed Zoning By-law Amendment conforms to the Municipal Official Plan.

4.4 Municipality of Trent Lakes Zoning By-law (2014)

The Subject Lands are currently zoned Rural (RU) in the Municipality of Trent Lakes Zoning By-law, as shown in **Figure 4**. Section 4.12 Frontage Requirements of the Zoning By-law does not permit buildings and structures unless they front upon an improved public street. As such, a Zoning By-law Amendment is required to zone the Subject Lands to the Shoreline Residential - Private Access (SR-PA) Zone. The intent of the SR-PA Zone is to recognize residential development having frontage on a water body and is accessible by a private right-of-way, or where there is water access only. A concept plan has been included as **Appendix 2**, and a zoning compliance table has been included as **Table 1**. The proposed residential dwelling complies with the zone standards of the SR-PA Zone. Additionally, portions of the Subject Lands will be zoned Environmental Protection Exception XX (EP-XX) to provide sufficient setback from the shoreline while permitting a walking path and dock. A Draft By-law has been included as **Appendix 1**.

Subject to the approval of a Zoning By-law Amendment to rezone Subject Lands, the proposed development would comply with the Township Zoning By-law and would conform to the Township Official Plan.

Figure 4: Existing Zoning of the Subject Lands

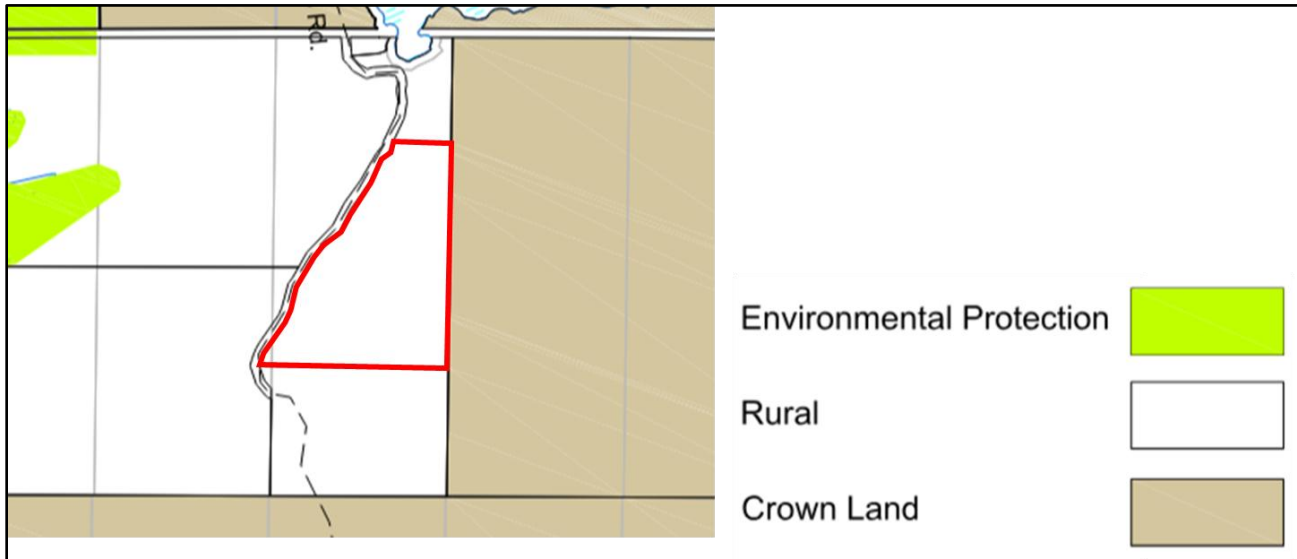


Table 1: Zoning Compliance Table

Shoreline Residential - Private Access (SR-PA) Zone Standards	Required	Proposed	Compliance
Minimum Lot Area	0.4 ha	6.7 ha	Yes
Minimum Lot Frontage	45 m	387 m	Yes
Minimum Shoreline Frontage	45 m	450 m +	Yes
Minimum Front Yard Depth (Shoreline)	12 m	33 m	Yes
Minimum Interior Side Yard	4.5 m	200 m +	Yes
Minimum Rear Yard Depth	4.5 m	12 m	Yes
Maximum Lot Coverage	20%	0.5%	Yes
Minimum Water Yard	30 m	33 m	Yes
9.4 Setbacks for Waterfront Lots on Private Roads	12 m	12 m	Yes

5.0 Technical Reports

5.1 Archaeological Assessment

A Stage 1 and 2 Archaeological Assessment was completed by Irvin Heritage Inc. (dated December 28, 2025) and is included under separate cover. A summary of their findings is as follows:

- The Stage 2 assessment of the identified areas of archaeological potential did not result in the identification of any archaeological materials.
- No further archaeological assessment of the project area is recommended.

Subsequently, the Stage 1-2 Archaeological Assessment was submitted to the Ministry of Tourism, Culture and Sport for entry into the Ontario Public Register of Archaeological Reports.

Based on the results of the completed Archaeological Assessment, the proposal conforms to the cultural heritage policies of the PPS, County OP, and Municipal OP.

5.2 Environmental Impact Study

An Environmental Impact Study was completed by Aster Environmental Services Ltd. (dated October 14, 2025) and is included under separate cover. Based on a review of the Subject Lands, there will be no negative impacts on natural heritage features or their functions, provided that the recommended mitigation measures are implemented. A summary of their recommendations is as follows:

- Future development should maintain a minimum 30 m distance from the delineated limits of wetlands and the lake shoreline.
- Any future construction of shoreline amenities (e.g., dock, boathouse) must ensure regard for *Fisheries Act* compliance.
- Any future shoreline access infrastructure (e.g., stairs, pathway) should select an alignment that avoids or minimizes tree and vegetation removal within the 30 m shoreline setback. The design should incorporate the existing grade and be limited to a width required for single-person passage.
- Where feasible, any future site grading/filling, as required, should occur after the spring 'freshet' window to minimize the potential for sediment migration toward the lake.
- Future development should be supported by a construction mitigation plan.
- To maximize tree retention, tree removal limits should be flagged or otherwise marked in the field prior to start of construction. Trees should be removed in advance of construction implementation, and all trees being retained (adjacent to working areas) should be clearly marked (e.g., with fluorescent flagging tape). Individual trees that do not conflict with structural footprints should be retained throughout the disturbance envelope, where feasible.
- Post-construction landscaping should utilize native, site-appropriate species only, where applicable.
- Avoid removal of any vegetation, including residential/ornamental plantings, between April – August of any given year. If vegetation removals must occur during this period, a nest survey

should be conducted by a qualified biologist prior to commencement of construction activities to identify and locate active nests of migratory bird species covered by the *Migratory Birds Convention Act* or *Fish and Wildlife Conservation Act*. If a nest is located or evidence of breeding noted, then a mitigation plan should be developed to address any potential impacts on migratory birds or their active nests. Mitigation may require establishing appropriate buffers around active nests or delaying construction activities until the conclusion of the nesting season.

- Any tree removals required for the purposes of future development should only occur in the fall, winter, and early spring (from October 1 to April 15). This timeframe is outside of the typical bat maternal roosting period. This means that no tree clearing shall occur between April 15 - Oct 1 of any given year.
- The construction process should adhere to a standard for wildlife impact mitigation.
- Building design should explore the use of wildlife-friendly measures.

6.0 Summary and Findings

Based on the analysis outlined within this report, access to the Subject Lands has been confirmed as legal and available and conforms to the Municipality of Trent Lakes Official Plan. The conclusions of the accompanying Stage 1 and 2 Archaeological Assessment and the Environmental Impact Study demonstrate, in the opinion of the undersigned, that the proposed Zoning By-law Amendment:

- Is consistent with the Provincial Planning Statement;
- Conforms to the County of Peterborough Official Plan;
- Conforms to the Municipality of Trent Lakes Official Plan;
- The Zoning By-law Amendment also conforms to the Municipality of Trent Lakes Official Plan; and
- Represents good land use planning and is an appropriate use of the Subject Lands.

Pending approval of the proposed Zoning By-law Amendment, we anticipate the Owners entering into a Site Plan Agreement with the Municipality.

Respectfully submitted,

MHBC



Jamie Robinson, BES, MCIP, RPP
Partner



Graham Richards, CD, MES
Senior Planner

Appendix 1: Draft By-law

Appendix 2: Concept Plan

Appendix 3: Letter from Mack Lawyers (Mack Professional Corporation)

Appendices

1

Appendix 1

THE CORPORATION OF THE MUNICIPALITY OF TRENT LAKES

BY-LAW NO. 2025-XX

Being a By-law under the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, to amend By-law No. B2014-070, the Zoning By-law of the Municipality of Trent Lakes.

WHEREAS the Council of the Municipality of Trent Lakes deems it advisable to amend By-law No. B2014-070 with respect to the lands described in this By-law; and

WHEREAS Council has conducted a public meeting as required by Section 34(12) of the *Planning Act*, R.S.O. 1990, as amended; and

WHEREAS pursuant to Section 34(17) of the *Planning Act*, R.S.O., 1990, Council determines that no further notice is required in respect of the proposed By-law;

WHEREAS the matters herein are in conformity with the policies and designations contained in the Official Plans of the County of Peterborough and the Municipality of Trent Lakes as are currently in force and effect; and

NOW THEREFORE the Council of the Corporation of the Municipality of Trent Lakes hereby enacts as follows:

1. **THAT** Schedule A, Map 2, of By-law No. B2014-070 is hereby amended by changing the zone category of certain lands legally described as Part Lot 28, Concession 8, Township of Galway, County of Peterborough, from the "Rural (RU) Zone" to the "Shoreline Residential - Private Access (SR-PA) Zone" and "Environmental Protection Exception XX (EP-XX) Zone" as illustrated on Schedule A to this By-law.
2. **THAT** Section 21.5 of By-law No. B2014-070 is hereby amended by adding a new subsection 21.5.XX as follows:

Notwithstanding any provisions of Section 21.1, to the contrary, the lands zoned "Environmental Protection Exception XX (EP-XX)" shall also permit:

- a) A walking path.
- b) A dock.

Notwithstanding any provisions of Section 21.2, to the contrary, the lands zoned "Environmental Protection Exception XX (EP-XX)", Section 21.2 shall not apply.

3. **THAT** this By-Law shall become effective on the date it is passed by the Council of the Corporation of the Municipality of Trent Lakes, subject to the applicable provisions of the *Planning Act*, R.S.O. 1990, as amended.
4. **THAT** the Clerk is hereby authorized and directed to proceed with the giving of Notice under Section 34(18) of the *Planning Act*, R.S.O. 1990, as amended.

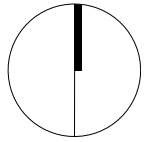
Read a first, second, and third time and finally passed this XX day of XXX, 2025.

Mayor

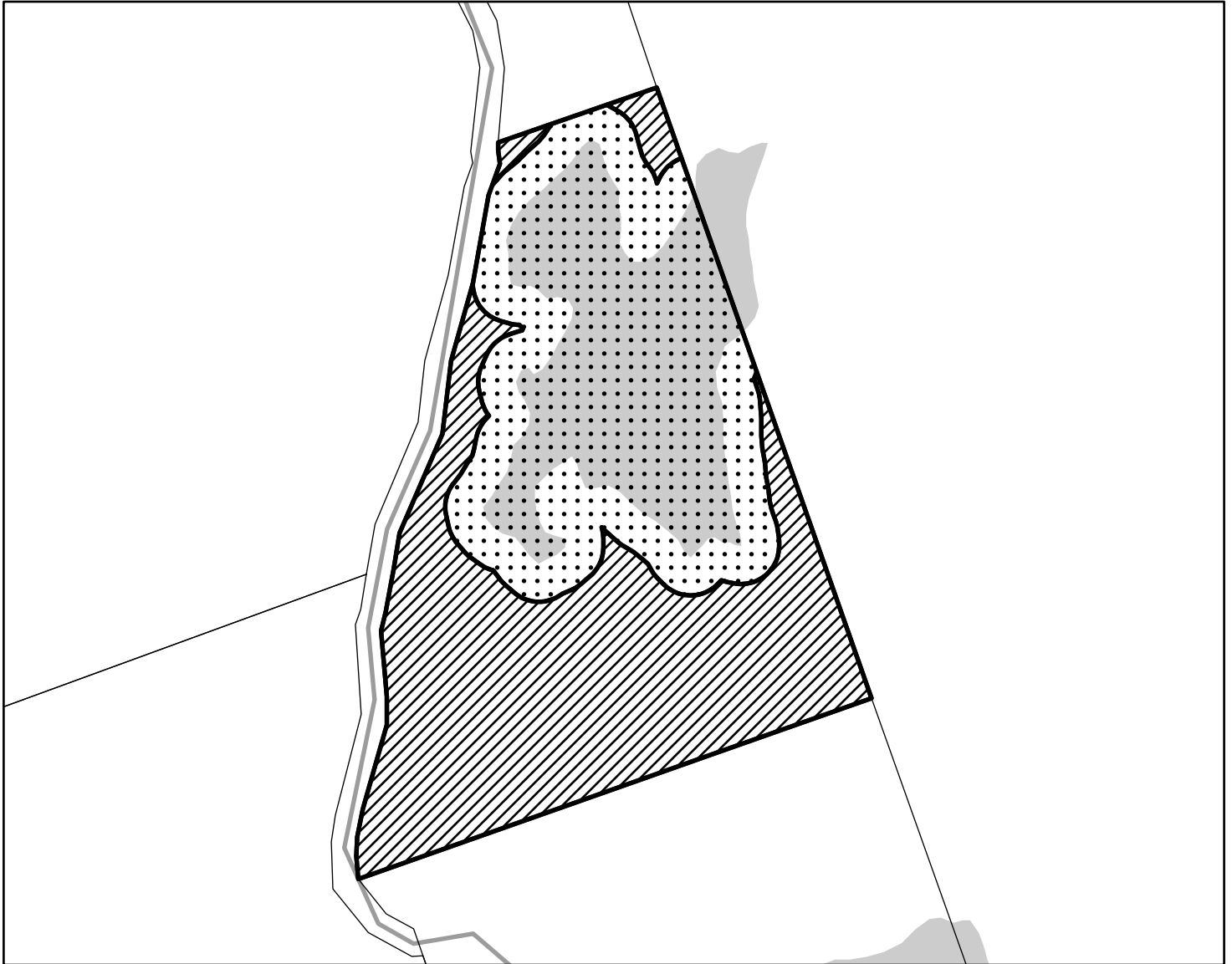
Clerk

DRAFT

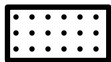
Schedule 'A'



Part of Lot 28, Concession 8
Geographic Township of Galway
Municipality of Trent Lakes
County of Peterborough



Lands to be rezoned to Shoreline Residential - Private Access (SR-PA) Zone



Lands to be rezoned to Environmental Protection Exception XX (EP-XX) Zone

This is Schedule 'A' to Zoning By-law 2014-070
Passed this ____ day of _____, 2025

Mayor

Clerk

2

Appendix 2

GENERAL NOTES:

CLIENT SIGNATURE

ROD AND NANCY KINGDON

PT LOT 6 45R39 | I
PART LOT 28 LOOM LAKE ROAD

PROPOSED SITE PLAN

APRIL 30 2025

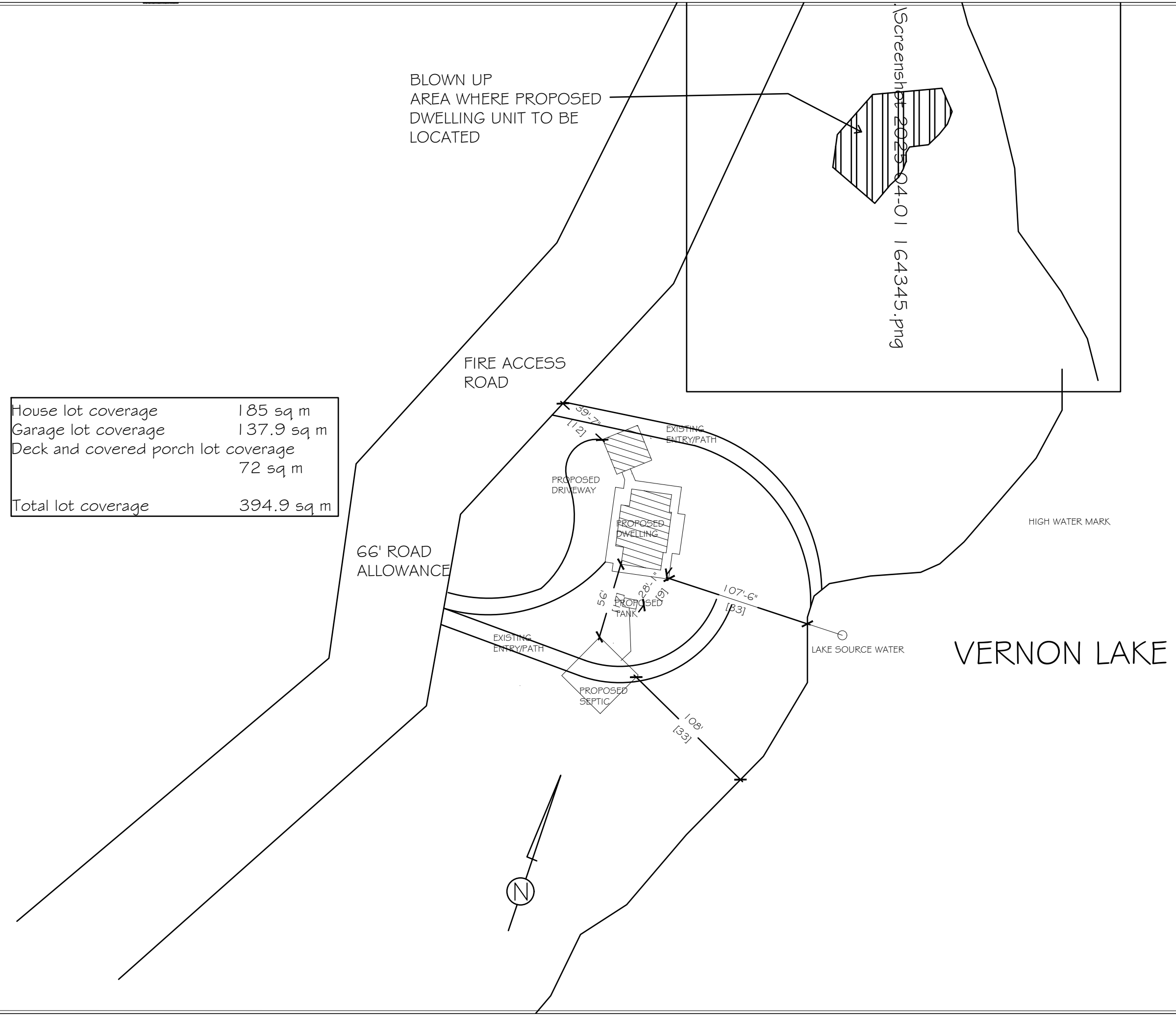
SCALE: NTS"

SHEET # 1

BLOWN UP AREA WHERE PROPOSED DWELLING UNIT TO BE LOCATED

Screenshot 2025-04-01 164345.png

House lot coverage	185 sq m
Garage lot coverage	137.9 sq m
Deck and covered porch lot coverage	72 sq m
Total lot coverage	394.9 sq m



3

Appendix 3

February 4, 2026

via email: grichards@mhbcpplan.com

MHBC
Planning Urban Design & Landscape Architecture
113 Collier Street, Barrie, ON
L4M 1H2

Attention: Graham Richards, CD MES Senior Planner

Dear Graham:

RE: Rezoning application for PT LT 28 CON 8 GALWAY PT 6 45R3911, EXCEPT MINING RIGHTS AS IN V1859 Loom Lake Road for Rod and Nancy Kingdon

Further to our recent telephone and email communications, I confirm that our Firm acted for the registered owners, Nancy and Rod Kingdon, back when they purchased the subject property on January 8, 2025 (see attached PIN 28333-0075). I understand that in order to support our clients' rezoning application, they need to demonstrate that there is, in fact, legal access to the subject property. We are of the opinion that, at the time of closing on the subject property for our clients, there was legal access to the subject property given the following:

- 1) PIN 28330073 which is attached and noted as Part 8 on the attached Reference Plan 45R3911 appears to be a road owned by the Corporation of the United Townships of Galoway and Cavendish that clearly runs adjacent to and abuts our client's subject property;
- 2) We obtained title insurance for our client when they closed on the subject property purchase and said insurance provides coverage for lack of access to and from the clients' subject property. Under the title insurance policy, coverage for lack of access runs for as long as our clients own the subject property;
- 3) As you know, even if it were established that Part 8 as noted in item 1) above is, in fact, deemed to be a private road, The Ontario Road Access Act (R.S.O. 1990, c. R.34) would prevent a landowner from arbitrarily blocking a private road that another party would use to access their own subject property. The aim of the Act is to prevent properties from becoming landlocked and preventing people from barricading roads that others require for access purposes.



Assuming that title and the associated PIN and Reference Plan noted above haven't changed, legal access to and from the subject property should continue as when our clients first purchased the subject property accordingly.

We trust the above is satisfactory and remain,

Yours very truly,

Mack Professional Corporation

A handwritten signature in black ink, appearing to be 'Jonathan Hager', written over a horizontal line.

Jonathan Hager

JH

LAND
 REGISTRY
 OFFICE #45

28333-0075 (LT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 28 CON 8 GALWAY PT 6 45R3911, EXCEPT MINING RIGHTS AS IN V1859; MUNICIPALITY OF TRENT LAKES

PROPERTY REMARKS: PLANNING ACT CONSENT AS IN R371759.

ESTATE/QUALIFIER:
 FEE SIMPLE
 LT CONVERSION QUALIFIED

RECENTLY:
 FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
 2007/06/25

OWNERS' NAMES
 KINGDON, RODNEY
 KINGDON, NANCY JUNE

CAPACITY SHARE
 JTEN
 JTEN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:						
** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *						
** AND ESCHEATS OR FORFEITURE TO THE CROWN.						
** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF						
** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY						
** CONVENTION.						
** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.						
**DATE OF CONVERSION TO LAND TITLES: 2007/06/25 **						
45R3911	1981/02/13	PLAN REFERENCE				C
R405736	1983/10/31	RELEASE				C
PE221601	2015/03/17	LR'S ORDER		LAND REGISTRAR, PETERBOROUGH		C
REMARKS: AMEND PROPERTY DESCRIPTION						
PE427875	2025/01/08	TRANSFER	\$260,000	LANG, EVA MAYA-LENA DE SZEGHEO LANG, ROBERT GEORGE	KINGDON, RODNEY KINGDON, NANCY JUNE	C
REMARKS: PLANNING ACT STATEMENTS.						

PROPERTY DESCRIPTION: PT LT 27-28 CON 8 GALWAY PT 8 45R3911; GAL-CAV AND HAR

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:

FIRST CONVERSION FROM BOOK

PIN CREATION DATE:

2007/06/25

OWNERS' NAMES

THE CORPORATION OF THE UNITED TOWNSHIPS OF GALWAY
AND CAVENDISH

CAPACITY SHARE

ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
<p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2007/06/22 **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *</p> <p>** AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF</p> <p>** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY</p> <p>** CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 2007/06/25 **</p>						
45R3911	1981/02/13	PLAN REFERENCE				C
R379624	1981/11/17	TRANSFER	\$1		THE CORPORATION OF THE UNITED TOWNSHIPS OF GALWAY AND CAVENDISH	C

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT. **PLAN 45R 3911**

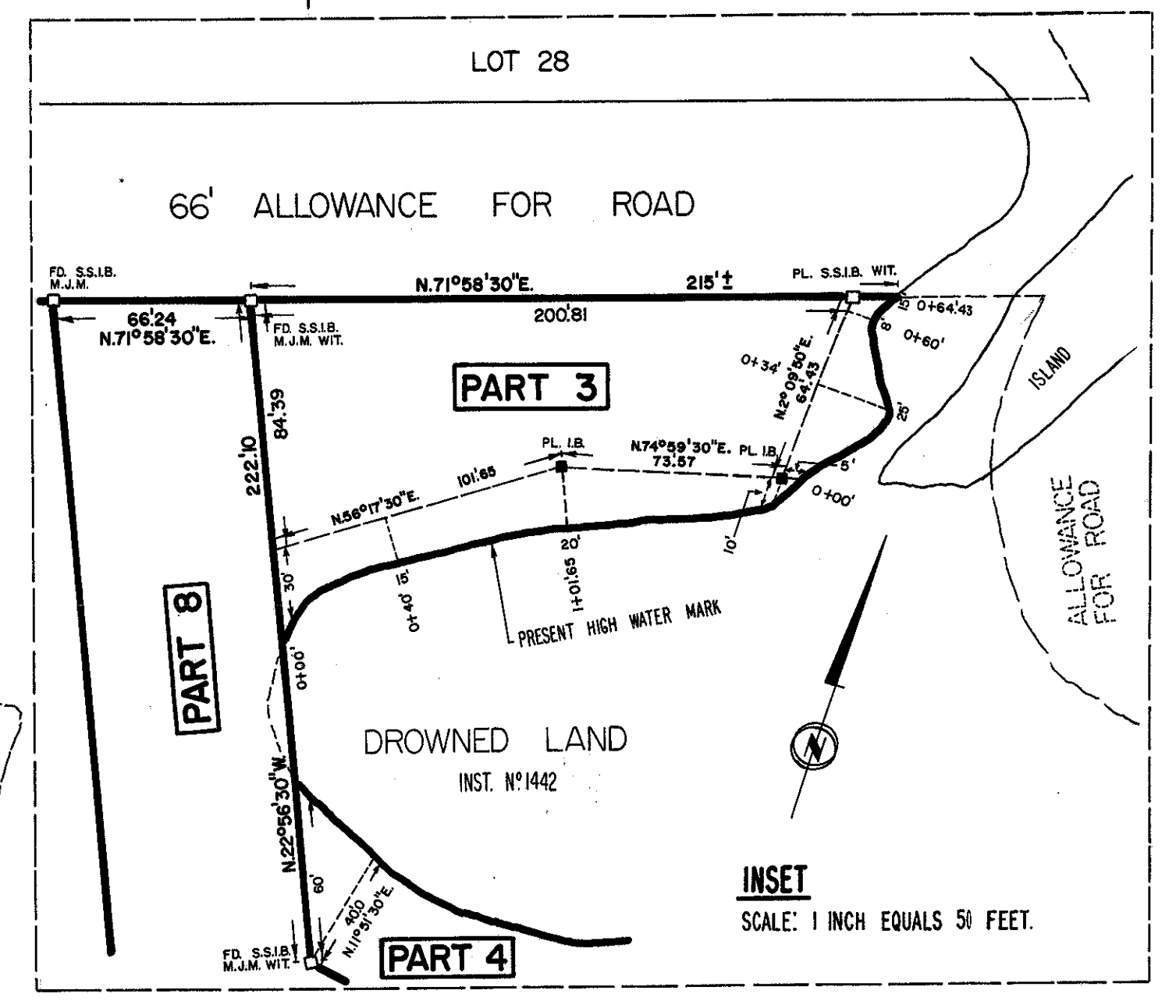
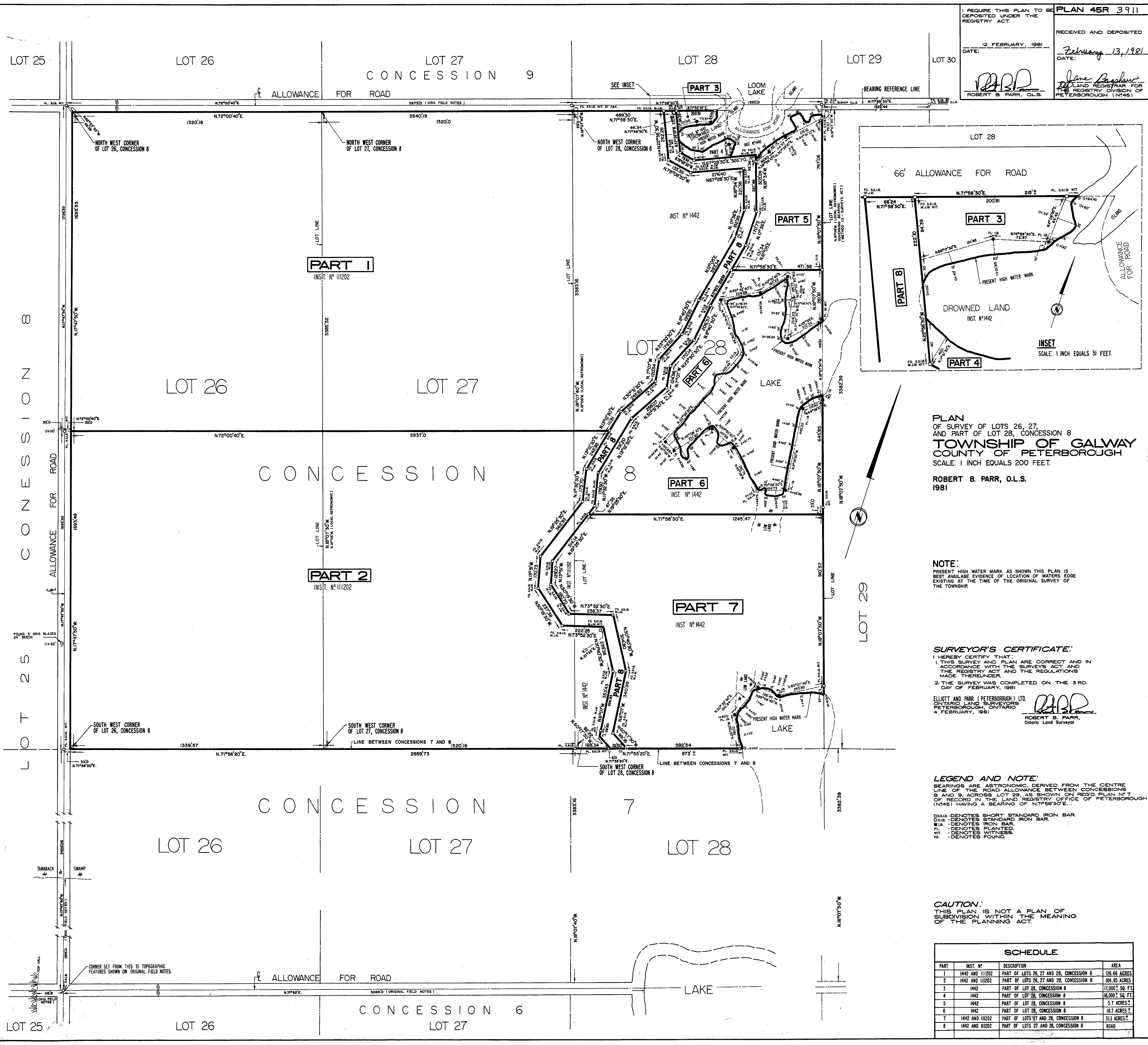
RECEIVED AND DEPOSITED

DATE: 12 FEBRUARY, 1981

DATE: February 13, 1981

RBP
ROBERT B. PARR, O.L.S.

Jane Paslaw
LAND REGISTRAR FOR THE REGISTRY DIVISION OF PETERBOROUGH (N745)



PLAN OF SURVEY OF LOTS 26, 27, AND PART OF LOT 28, CONCESSION 8 TOWNSHIP OF GALWAY COUNTY OF PETERBOROUGH SCALE: 1 INCH EQUALS 200 FEET.

ROBERT B. PARR, O.L.S. 1981

NOTE:
PRESENT HIGH WATER MARK AS SHOWN THIS PLAN IS BEST AVAILABLE EVIDENCE OF LOCATION OF WATERS EDGE EXISTING AT THE TIME OF THE ORIGINAL SURVEY OF THE TOWNSHIP.

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.
2. THE SURVEY WAS COMPLETED ON THE 3RD. DAY OF FEBRUARY, 1981.

ELLIOTT AND PARR (PETERBOROUGH) LTD.
ONTARIO LAND SURVEYORS
PETERBOROUGH, ONTARIO
4 FEBRUARY, 1981

RBP
ROBERT B. PARR,
Ontario Land Surveyor

LEGEND AND NOTE:
BEARINGS ARE ASTRONOMIC, DERIVED FROM THE CENTRE LINE OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 8 AND 9, ACROSS LOT 29, AS SHOWN ON RECD. PLAN N° 7 OF RECORD IN THE LAND REGISTRY OFFICE OF PETERBOROUGH (N745) HAVING A BEARING OF N7°58'30"E.

33818 - DENOTES SHORT STANDARD IRON BAR.
33818 - DENOTES STANDARD IRON BAR.
I.B. - DENOTES IRON BAR.
P.L. - DENOTES PLANTED.
WT. - DENOTES WITNESS.
F.D. - DENOTES FOUND.

CAUTION:
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

SCHEDULE			
PART	INST. N°	DESCRIPTION	AREA
1	1442 AND 111202	PART OF LOTS 26, 27 AND 28, CONCESSION 8	126.66 ACRES
2	1442 AND 111202	PART OF LOTS 26, 27 AND 28, CONCESSION 8	104.85 ACRES
3	1442	PART OF LOT 28, CONCESSION 8	17,000 [±] SQ. FT.
4	1442	PART OF LOT 28, CONCESSION 8	10,000 [±] SQ. FT.
5	1442	PART OF LOT 28, CONCESSION 8	5.7 ACRES [±]
6	1442	PART OF LOT 28, CONCESSION 8	16.7 ACRES [±]
7	1442 AND 111202	PART OF LOTS 27 AND 28, CONCESSION 8	313 ACRES [±]
8	1442 AND 111202	PART OF LOTS 27 AND 28, CONCESSION 8	ROAD

45 R. 3911

45 R. 3911

GALWAY 45R 3911