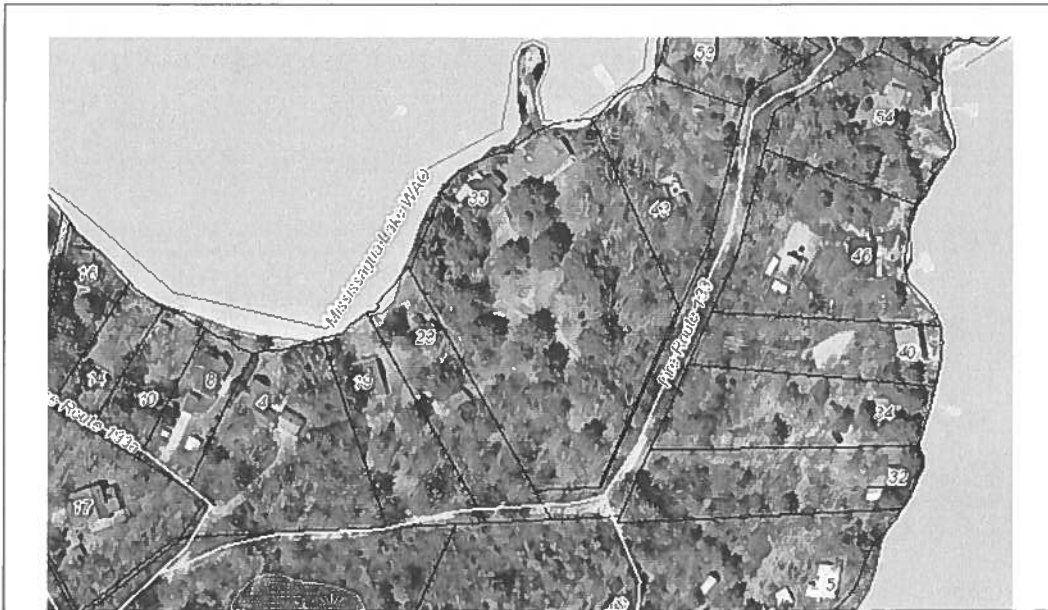




Kevin M. Duguay
Community
Planning and
Consulting Inc.



**Planning Justification Report -
Zoning By-law Amendment Application
35 Fire Route 133, Municipality of Trent Lakes**



June 5, 2025

**Prepared by Kevin M. Duguay, MCIP, RPP
KMD Planning Inc.**



Kevin M. Duguay
Community
Planning and
Consulting Inc.



560 Romaine Street Peterborough, Ontario K9J 2E3
P (705) 749-6710 C (705) 931-0975
kevin@kmdplanning.com www.kmdplanning.com

Memo

To: Planning Department
Municipality of Trent Lakes

From: Kevin M. Duguay MCIP, RPP

Date: June 2, 2025

Re: **Zoning By-law Amendment Application**
35 Fire Route 133, Municipality of Trent Lakes
KMD File 2023-62

Please find attached a print copy (binder) of the Zoning By-law Amendment Application/Planning Justification Report regarding the above-captioned.

The Application is required to permit a proposed lot addition in favour of the adjacent (westerly) waterfront residential property known municipally as 23 Fire Route 133. This proposed lot addition is subject of Provisional Consent Approval granted by the Peterborough County Land Division Committee- File B-39-24.

I will provide PDF copies of pertinent Application documents by way of email to your office.

Please contact me should you have any immediate questions or additional information be needed.

Yours truly,

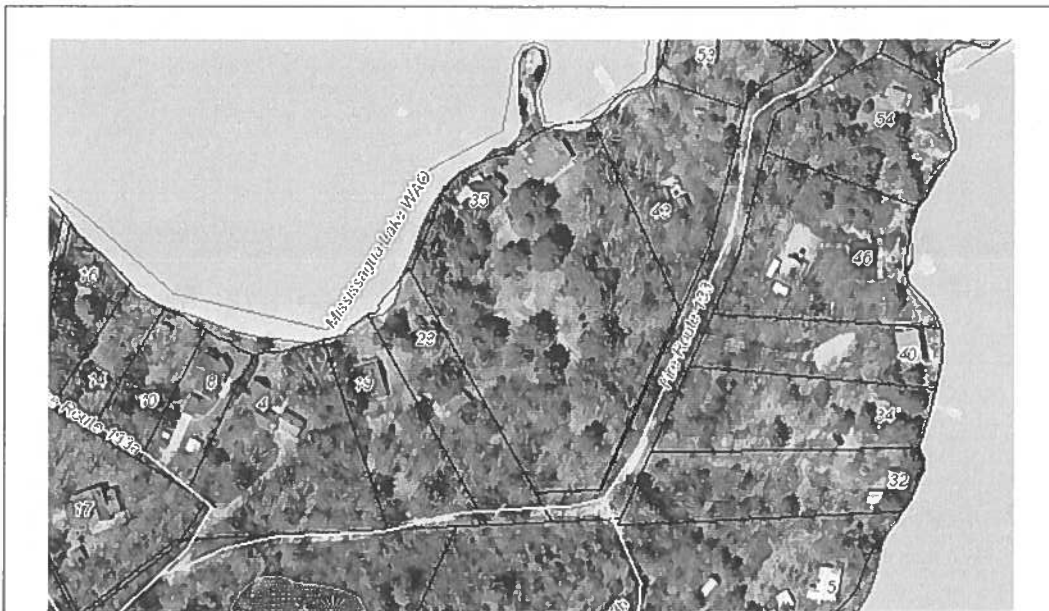
Kevin M. Duguay, MCIP, RPP



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**Planning Justification Report -
Zoning By-law Amendment Application
35 Fire Route 133, Municipality of Trent Lakes**



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**Planning Justification Report -
Zoning By-law Amendment Application
35 Fire Route 133, Municipality of Trent Lakes**

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C	Official Plan – Excerpts
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E	Surveys
F	Site-Area Photographs
G	PCLDC File 39:24



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Planning Justification Report (June 3, 2025) - Zoning By-law Amendment (ZBLA) Application Lot 32, Concession 4 (Harvey Ward) 35 Fire 133, Municipality of Trent Lakes

Introduction

This Planning Justification Report has been prepared in support of a Zoning By-law Amendment (ZBLA) Application filed with the Municipality of Trent Lakes, regarding the waterfront property known municipally as 35 Fire Route 133, Municipality of Trent Lakes.

The Property

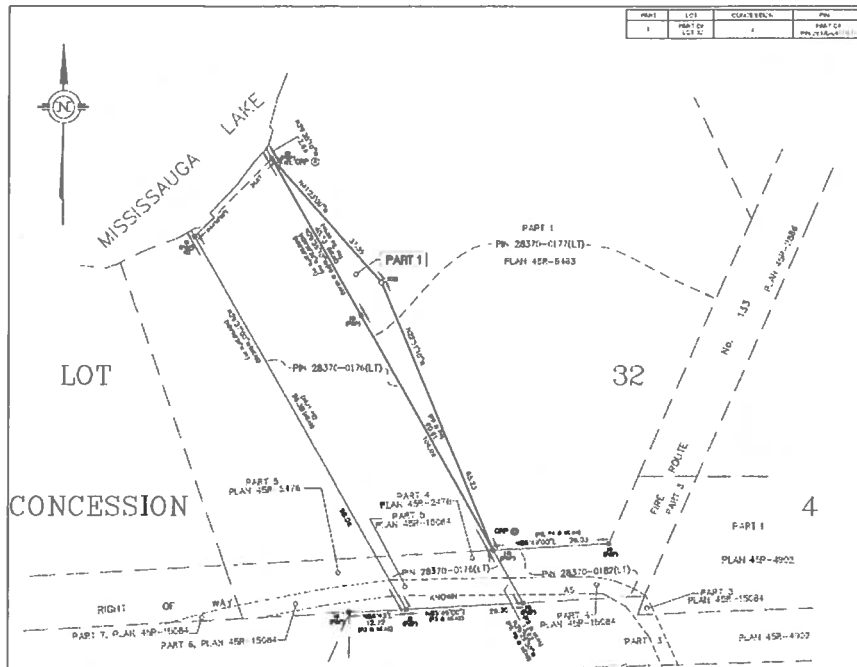


The Property

(Source: County of Peterborough GIS Website, June 2025)

The PCLDC granted provisional Consent (File B 39-24), on April 17, 2025. This Approval will permit a pending lot addition in favour of the adjacent waterfront property at 23 Fire Route 133.

The Proposed Lot Addition Plan



(Source: JBF Surveyors – August 2023)

Analysis

2024 Provincial Planning Statement (2024 PPS)

Relative to the ZBLA Application, the following Sections of the 2024 PPS are considered to have direct relevancy:

Section	Title – Comments
2.5	<p>Rural Areas in Municipalities</p> <p>1. Healthy, integrated and viable <i>rural areas</i> should be supported by:</p> <p>a) building upon rural character, and leveraging rural amenities and assets;</p> <p>Planning Opinion: The ZBLA Application, if approval will serve to permit a pending lot addition, which will maintain the general character of this waterfront area.</p>
2.6	<p>Rural Lands in Municipalities</p> <p>1. On rural lands in municipalities, permitted uses are:</p>

	<p>b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);</p> <p>c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate <i>sewage and water services</i>;</p> <p>Planning Opinion: The property at 23 Fire Route 133 is used for recreational dwelling purposes. The same applies to 35 Fire Route 133 (the property from which the lot addition parcel will be sourced).</p> <p>No new lot is being created through the approval of this Zoning By-law Amendment Application.</p>
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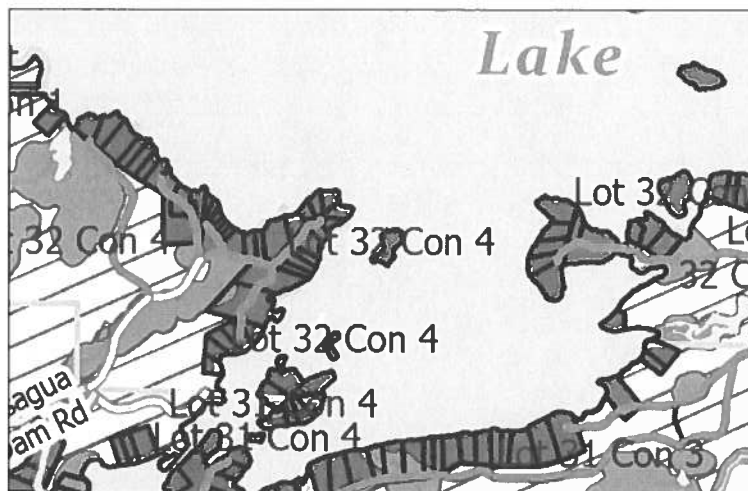
In summary, the ZBLA Application serves to fulfill a condition of the PCLDC Provisional Consent (Lot Addition) Approval (File B 39-24), in favour of 23 Fire Route 133.

It is my professional opinion that the ZBLA Application is consistent with the policy directives of the 2024 PPS.

County of Peterborough Official Plan (July 2022 Version)

The property is designated by the County Official Plan as "Shoreland Area"

Map Details



(Source: County of Peterborough GIS Website, June 2025)

For purposes of this Report, I considered the July 2022 version of the County of Peterborough Official Plan, acknowledging that said Planning remains in effect until the Province approves the pending approval of the proposed new County Official Plan:

Policy	Detail – Planning Opinion
2.3	<p data-bbox="407 430 634 464">Zoning By-Laws</p> <p data-bbox="407 499 1414 667">This Plan shall be implemented by local Municipal Comprehensive Zoning By-Laws adopted under Section 34 of the Planning Act. The implementing Zoning By-Laws shall conform with and give effect to the provisions of this Plan.</p> <p data-bbox="407 703 1406 961">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, local Municipalities may zone to permit the continuation, expansion or enlargement of legally existing uses, or variations to similar uses, provided that such uses:</p> <ul data-bbox="407 997 1211 1031" style="list-style-type: none"> • have no adverse effect on present uses of surrounding. <p data-bbox="407 1066 1386 1150">Each case will be considered on its own merits by the respective local Municipality and may be subject to site plan control.</p> <p data-bbox="407 1186 1425 1312">Opinion: The lot addition parcel needs to be rezoned to be consistent with the current Zoning of 23 Fire Route 133. Hence, the requirement for the ZBLA Application.</p>
3.5	<p data-bbox="407 1346 537 1379">Consents</p> <p data-bbox="407 1415 1341 1583">The policies in this section are to be used in the evaluation of lot creation by consent. However, policies from throughout the Plan including those of the applicable land use designation may contain additional policies governing lot creation.</p> <p data-bbox="407 1619 1425 1831">While the County does not have mandatory pre-consultation for consent applications, applicants are strongly encouraged to have proposals reviewed using the County’s Preliminary Severance Review service. The Preliminary Severance Review serves as a pre-consultation tool and intends to advise the applicant of any concerns or supporting materials</p>

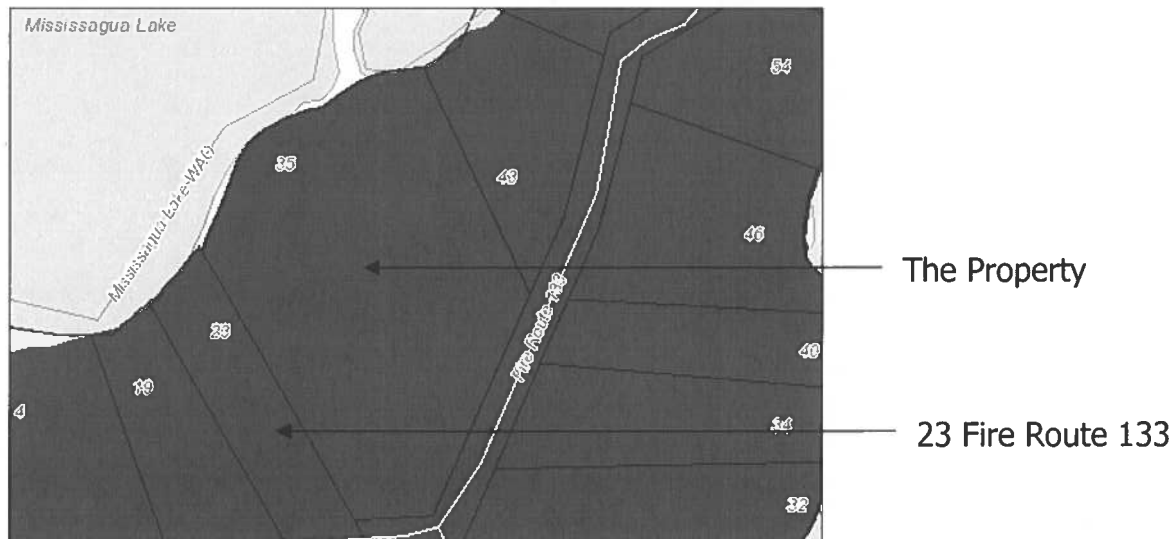
	<p>that may be necessary in the processing of a formal application.</p> <p>Opinion: The Consent (Lot Addition) Application is subject of a PCLDC Provincial Consent approval (File B-39-24).</p>
	<p>5) General Policies Applicable to all Applications</p> <p>In assessing the suitability of an application for consent, all severances shall have regard for the following criteria:</p> <p>j) All consents shall conform to the appropriate regulations for uses established in the implementing Zoning By-Law. A rezoning or minor variance may be required as a condition of consent. Applications for technical severances including easements, validation of title, long-term leases, rights-of-way and the re-creation of merged properties are not necessarily subject to the policies contained herein and shall be evaluated based on site specific considerations.</p> <p>Severances for lot additions or boundary adjustments may also be permitted provided the conveyance does not result in the creation of an additional building lot and/or create an undersized or irregularly shaped lot. Lot additions that intend to merge properties that are not abutting are generally discouraged and shall not be permitted to merge across multiple local Municipal boundaries under any circumstances.</p> <p>Opinion: The ZBLA Application is required to fulfill a condition of the PCLDC Provisional Consent Approval (File B-39-24). No new waterfront lot will be created, and neither will an irregular lot configuration occur, both the parent and befitting properties.</p>

It is my professional planning opinion that the ZBLA Application is in keeping with the land use designation and policies of the County Official Plan (July 2022).

Municipality of Trent Lakes Official Plan (MTLOP)

The property is designated as currently zoned "Recreation Dwelling Area" by the MTLOP

Map Schedule Detail



(Source: County of Peterborough GIS Website, June 2025)

With respect to the ZBLA Application, the following policies of the MTLOP are considered to have direct relevancy:

Policy	Detail – Planning Opinion
4.5	<p>Shoreline</p> <p>Goal</p> <p>To properly monitor, manage, and maintain the Township's floodplain, wetland, and environmentally sensitive/unique areas and their environs to protect and enhance the natural environment.</p> <p>Objectives</p> <ul style="list-style-type: none">i) To identify the floodplain areas within the Township and to control development so as to minimize the risk to life and property in the event of a flood.ii) To permit development in the floodplains of the Municipality only in accordance with accepted floodplain management

	<p>techniques.</p> <ul style="list-style-type: none"> iii) To identify and encourage the conservation and management of provincially and locally significant wetlands in the Township. iv) To encourage the preservation of wildlife habitat areas for those animal and bird species native to this area of the Province. v) To encourage the conservation and long term management of the woodlands in the Township. vi) To encourage development to locate on lands which are not environmentally sensitive. <p>Opinion: The proposed lot addition will not comprise the overall natural waterfront setting of the parent and benefitting properties.</p>
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>New development in the Recreational Dwelling Area designation may be considered to be a "resource-based recreational activity" in accordance with the provisions of the Provincial Policy Statement on an individual site specific basis when it can be demonstrated to the satisfaction of the applicable approval authority that the residential development is functionally linked to the shoreline resource. Residential development on its own will be limited to the creation of not more than three lots, in accordance with the Growth Plan for the Greater Golden Horseshoe except where site-specific locations already had approved zoning or designation as of June 16, 2006.</p> <p>Opinion: No new development will occur as a consequence of the approval of the ZBLA Application.</p>
5.4.1	<p>Permitted Uses</p> <p>Permitted uses shall include single unit permanent dwellings, single unit</p>

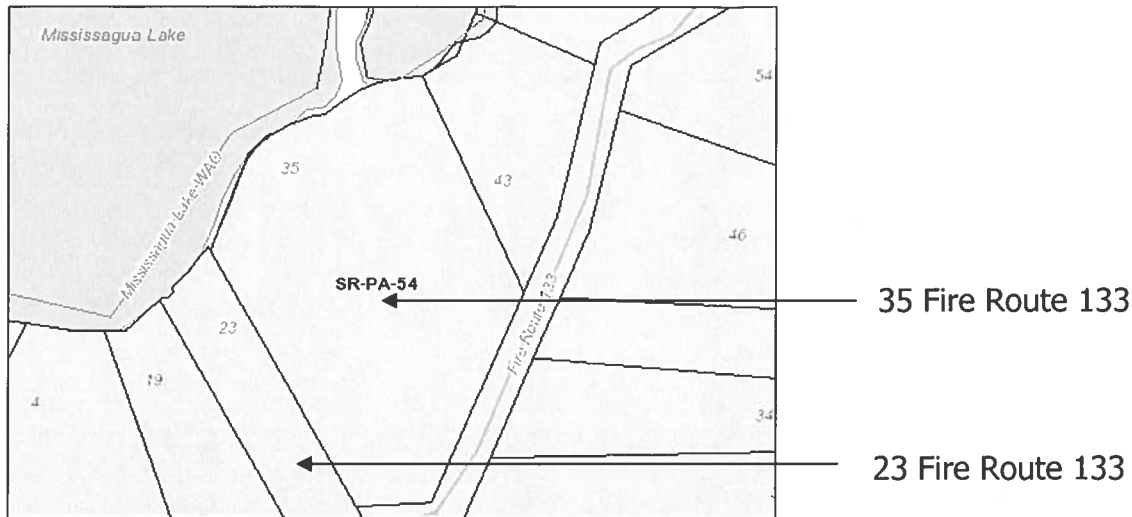
	<p>recreational dwellings, existing local commercial uses which are compatible with the surrounding area, the conversion of recreational dwellings to permanent dwellings where appropriate, and parkland.</p> <p>Opinion: Both the parent and benefitting property, are used for seasonal recreational dwelling purposes.</p>
6.2	<p>Severances</p> <p>Regard shall be had for Section 6.1 Subdivisions when determining the necessity for a plan of subdivision.</p> <p>It shall be the policy of this Plan that the Municipality and Land Division Committee shall follow the policies of this Official Plan when assessing consent to sever applications.</p> <p>Only those applications for severances which conform to the following consent policies, the General Development Policies, the specific policies of the affected designation and the provisions of the Planning Act, R.S.O. 1990, shall be considered for approval.</p>
6.2.1.13	<p>Lot Lines</p> <p>Severances which have the effect of changing lot lines and/or do not create additional or buildable lots may be evaluated on their own merits. The granting of such consent will not result in any reduction of the eligible number of severances for the property.</p> <p>Opinion: The ZBLA Application seeks to fulfill a condition of a PCLDC Provisional Consent Approval (File B-39-24).</p>

It is my professional planning opinion that the ZBLA Application is in keeping with the general purpose and intent of the Recreation Dwelling Area designation and severance policies of the MTLOP.

Municipality of Trent Lakes Zoning By-law (MTZBL)

The property (35 Fire Route 133) is zoned SR-PA-54 (Shoreline Residential – Private Access, with Exception No. 54). The benefitting property at 23 Fire Route 133 is zoned SR-PA – Shoreline Residential. The proposed lot addition parcel to be added to 23 Fire Route 133 requires rezoning approval **from SR-PA-54 to SR-PA.**

Zoning Map Detail



(Source: County of Peterborough GIS Website, June 2025)

Summary

It is my professional planning opinion that the proposed Zoning By-law Amendment Application is appropriate, serving to recognize along-standing use of land between two (2) adjoining waterfront properties:

The Zoning By-law Amendment Application is:

- Consistent with policy directives of the 2024 PPS;
- In Keeping with the general purpose and intent of the land use designations and policies of the July 2022 County of Peterborough Official Plan (awaiting Provincial approval), and the Municipality of Trent Lakes;
- In Keeping with the general purpose and intent of the regulatory provisions of the Municipality of Trent Lakes Zoning By-law; and
- Representative of Good Planning.

Respectfully submitted,

Kevin M. Duguay, MCIP, RPP



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Attachment 'A'

Zoning By-law Amendment Application

Municipality of Trent Lakes

Application for Zoning By-law Amendment

(Under Section 34 of the *Planning Act*)

Requirements for Complete Application:

It is the responsibility of the property owner or owner's agent to ensure accuracy and completeness of the application and to supply all plans necessary. No application shall be deemed complete by the Planning Technician or Council until all the prescribed information is received.

- ☒ Original of the completed application form
- ☒ Authorization form (if applicant is not the property owner)
- ☐ 1 copy of the site plan/sketch (digitally if possible, see site plan requirements for details)
- ☒ 1 copy of the survey plan or Surveyor's Real Property Report (if proposed development is located within 30 m of the high water mark)
- ☐ Any other background reports or plans as required during pre-consultation
- ☒ (Minor ZBA) \$2,500 Application Fee or (Major ZBA) \$4,300.00 + \$3,000.00 deposit (cash, debit or cheque payable to the Municipality of Trent Lakes)
- ☐ \$500 KRCA Review Fee (applicable in KRCA Regulated Area ONLY)

Applications must be completed in **dark blue or black ink only** – do not use pencil. If submitting photocopies of your application, **the original copy must also be filed.**

The following application form sets out the information that must be provided by the applicant, as prescribed in the schedules to Ontario Regulation 545/06 made under the *Planning Act*. It also sets out other information that will assist the Municipality and others in their evaluation of the application. To ensure the most complete review, this information should be submitted at the time of application. As part of the required information, a sketch is required and should be drawn in accordance with the site plan requirements contained herein. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. **If the requested information, including the applicable fees and deposit, is not provided, the Municipality will return the application or refuse to further consider the application until the information, sketch, plan and fees have been provided.**

Note to Applicants:

Pre-consultation with municipal staff to discuss your proposal is strongly recommended. In some cases, it may be appropriate to obtain professional services to assist you with the completion of your application. In this form the term "subject land" means the land that is the subject of the application for a zoning amendment or permission.

Application Fee:

After Pre-consultation, staff will determine if the application is minor or major and the fee shall be paid in accordance with the current Fee's and Charges By-law. The application fee covers all staff time and mailing costs related to the application. The deposit is to cover all related costs for professional services incurred by the Municipality associated with processing the application as well as any fees related to processing an appeal to the Ontario Land Tribunal ("OLT"). If the subject lands are under the jurisdiction of the Kawartha Region Conservation Authority, an additional **\$500** review fee is required (paid by cheque made payable to 'Kawartha Conservation').

Please make an appointment 48 hours prior to submission in order for a staff member to review your application and/or commission your signature. The Planning Technician is available on Monday through Friday during regular office hours 8:30 a.m. to 4:30 p.m. by telephone (705-738-3800 ext. 234), or by appointment.



Zoning By-law Amendment Application Process:

Section 34(1) and 34(10.1) of the Planning Act, R.S.O. 1990,c.P.13, as amended, authorizes Council to pass zoning by-laws to regulate the use of land within the municipality (e.g. use, building types, lot sizes, lot line setbacks, building heights, parking requirements, etc.) and approve applications to amend zoning by-laws, respectively. If an applicant wishes to develop a property in a manner that deviates from the current zoning provisions, they must apply for a Zoning By-law Amendment. Before making an application, you should discuss your proposal with municipal planning staff and any other appropriate agencies (e.g. Health Unit, Conservation Authority, etc) to determine if any applicable studies are required.

Once an application for a zoning by-law amendment is received, along with all supporting documents (i.e. site plans/maps, reports or technical studies), and the applicable fee, the application will be reviewed and the Planning Technician will respond within 30 days regarding the completeness of the application. A 'notice of complete application' and 'notice of public meeting' will then be posted on the subject lands by the Planning Technician at least 20 days prior to the scheduled meeting and circulated to all property owners within 120 metres of the subject lands. The notice is also circulated for comment to all applicable agencies and public bodies in accordance with the regulations under the Planning Act.

Once all comments have been received, the Municipality will hold the public meeting and the Planning Technical (or Municipal Planner) will prepare a planning report for Council with all pertinent information about the application, a summary of any correspondence received and a recommendation to approve or refuse the application. Any comments from the attending public will be heard at this time as well. If Council supports the proposed amendment, Council will pass a by-law at the next (or future) meeting of Council. A 'notice of passing' along with a copy of the by-law will be circulated within 15 days to the property owner and any interested party who submitted a written request to be notified. A 20-day appeal period is provided for, once notice of passing has been given. If not appeals are received by the end of the appeal period, the amendment is in full force and effect.

Any person or public body may appeal the decision to the Ontario Land Tribunal ("OLT") in respect of the Zoning By-law Amendment within 20 days of the decision. You must submit the notice of appeal setting out the objection to the Zoning By-law Amendment and the specific grounds for the appeal including how the decision is inconsistent/consistent with the Provincial Policy Statement, or fails to conform with or conflicts with a provincial plan or Official Plan. The notice of appeal must be accompanied by the fee required by the Ontario Land Tribunal (\$1,100.00) payable by certified cheque or money order to the Minister of Finance and a completed Appellant Form (A1) available from the Ontario Land Tribunal ("OLT") website (olt.gov.on.ca). Each appeal **must** be filed with the Clerk of the municipality either personally or by registered mail at the address listed below:

Clerk
Municipality of Trent Lakes
760 County Road 36
Trent Lakes, ON K0M 1A0



Site Plan Requirements:

The application must be accompanied by a site plan/sketch drawn to an appropriate scale showing the following (this is not an exhaustive list, for reference only):

- ☐ Boundaries and dimension of the subject lands
- ☐ Location, size and type of all existing buildings and structures
- ☐ Location, size and type of all proposed buildings and structures
- ☐ Setbacks of the buildings and structures from the front, rear and side lot lines
- ☐ Setbacks of the buildings and structures from the high water mark (if applicable)
- ☐ Approximate location of all natural and artificial features on the subject lands and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application, such as buildings, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks, tile beds, utilities (e.g. overhead hydro lines or buried cables), retaining walls
- ☐ Current uses on land that is adjacent to the subject land
- ☐ Location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- ☐ If access to the subject land is by water only, the location of the parking and docking facilities to be used
- ☐ The location and nature of any easement affecting the subject land
- ☐ All present and proposed entrances and culverts onto the subject lands
- ☐ All proposed loading and parking areas or waste disposal areas (commercial/industrial only)
- ☐ Location of any agricultural buildings capable of housing animals, if the buildings are located within 500 metres of the subject lands
- ☐ North arrow

Measurements on the sketch shall correspond to those identified in the application. Photocopies of your survey, if you have one, should be used. If no survey is available, a detailed, to-scale, hand-drawn sketch is acceptable. **In some cases, it may be appropriate to obtain professional services to determine the accuracy of your property dimensions.**

Please Note: As of April 1, 2016, the Municipality of Trent Lakes will be amending the application process for building permits, Minor Variances, and Zoning By-law Amendments by requesting a survey for any construction (not including a sewage system) within the 30 meter water yard setback. This survey is to be prepared by an Ontario Land Surveyor. If the application is to rebuild on the same footprint, the Chief Building Official may allow a Surveyor's Real Property Report in lieu of a survey. If the property is located on any body of water governed by the Trent Severn Waterway, a flood contour line is to be added to the survey.

Notice of Collection Personal information contained in this form and schedules collected will be used in the administration of the application and information contained herein may be available to the public in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Questions regarding this collection and its release under the Act should be directed to the Municipality of Trent Lakes, Attention: Clerk, 760 County Rd 36, Trent Lakes, ON K0M 1A0, telephone 705-738-3800 ext. 240 during business hours.



Pre-consultation completed

☒ Yes ☐ No

If yes, date of pre-consultation

Part of Severn Process

Type of Zoning By-law Amendment

☒ Minor ☐ Major

Date application received _____

Date fee received _____

Date application deemed complete _____

File No. _____

Roll No. _____

**APPLICATION FOR AMENDMENT TO MUNICIPALITY OF TRENT LAKES
COMPREHENSIVE ZONING BY-LAW B2014-070
(Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended)**

Name of Owner: See Forms

C/o Bryan Davies

Address: 80 John Street

Suite 4102

Toronto Ontario M5V 3X4

Telephone: 416 580 9326

Email: bdavies@sympatico.ca

Name of Applicant/Agent: Kevin M. Dubucq M.C.I.P., R.P.P.

Kevin M. Dubucq

Address: 500 Romane Street

Peterborough, Ontario

K9J 2E3

Telephone: 705 749 6710

Email: Kevin@kmdplanning.com

If known, the name(s) and address(es) of holder(s) of any mortgages, charges or other encumbrance(s) in respect of the subject land: N/A

Municipal Address of subject property 35 FireRoute 133

Legal Description of the subject land (ward, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers):

Part Lot 32, Concession 4 (Harvey)

Part 1 4SR4463 T/W R565259, Cpl-Cav and Har.

Dimensions of Subject Land (in Metric & Imperial Units):

Frontage: ± 81 Depth: 107 Area: ± 0.78 ha.

Official Plan – current designation of the subject land: Shoreland Area (County)

Explain how the application conforms to the Official Plan:

Please refer to the Planning Justification

Report for details.

Zoning – current zoning of the subject land: _____

Rezoning – Nature and extent of rezoning requested:

Please refer to the Planning Justification

Report for details.

Proposed lot addition parcel, to be added to

23 Fire Route 133, to be rezoned to SR-PA

(from SR-PA-SF)

Rezoning – Reason why rezoning requested:

To permit a proposed lot addition in favour
of 23 Fire Route 133.

See PCLDC Provisional Consent Approval, File B-3a-24

Does this application conform to the Provincial Policy Statement?

2024 DPS - Yes

Please refer to the Planning Justification
Report for details

Minimum and maximum density requirements: Are they being met? ☒

Minimum and maximum height requirements: Are they being met? ☒

Does this application propose to implement or alter a boundary of an area of settlement?

If yes, please explain the details of the Official Plan or Official Plan Amendment that deal with this matter. No

Does this application propose to remove land from an area of employment?

If yes, please explain the details of the Official Plan or Official Plan Amendment that deal with this matter. No

Is the subject land in an area where zoning conditions may apply?

If yes, please explain how the application conforms to the Official Plan policies relating to zoning with conditions. No

Access – to the subject land will be by:

☐ Municipal Road – year round

☐ County Road

☐ Provincial Highway

☐ Other public road (specify):

☒ Private Road (FR 133)
☐ Right-of-way
☐ Water

Water Access – where access to the subject land is only by water:

Docking facilities (specify)

Parking facilities (specify)

Distance from subject land

Distance from subject land

Distance from nearest public road

Distance from nearest public road

Existing Uses of subject land:

Seasonal Residential

Length of time the existing uses of the subject land have continued:

10+ years

If known, the date the subject land was acquired by current owner:

Proposed Uses of the subject land:

Seasonal Residential.

(lot addition parcel to be added to 23 FR 133)

Existing Buildings & Structures – Where there are any buildings on the subject land, provide a sketch and indicate for each (In Metric Units):

Building 1

#23 Fire Route 133 (Benefitting Property)
Type: Residential Dwelling Date Constructed: Unknown
Existing Use: Residential Date Existing Use Commenced: 40 plus years
Ground Floor Area: See Plan Gross Floor Area: See Plan
Water Yard Setback: 13.4 m Front Lot Line Setback: ≈ 70 m
Interior Side Lot Line Setback 1: 2.48 m (E) Interior Side Lot Line Setback 2: 11.06 m (W)
Exterior Side Lot Line Setback: N/A Rear Lot Line Setback: N/A
Building Height: 1 story Dimensions: Irregular Shape - See Survey
No. of Units: 1 dwelling unit Gross floor area per unit: N/A
Loading Spaces: N/A Parking Spaces: 4

(Commercial and Industrial Uses)

Building 2

Garage
Type: Accessory Date Constructed: Unknown
Existing Use: Garage Date Existing Use Commenced: 40 plus years
Ground Floor Area: See Gross Floor Area: See Plan
Water Yard Setback: ≈ 52 m Front Lot Line Setback: 42.06 m
Interior Side Lot Line Setback 1: 8.57 m (W) Interior Side Lot Line Setback 2: 4.77 (E)
Exterior Side Lot Line Setback: N/A Rear Lot Line Setback: N/A
Building Height: 1.5 Dimensions: See Plan
No. of Units: N/A Gross floor area per unit: N/A
Loading Spaces: N/A Parking Spaces: 4

(Commercial and Industrial Uses)

Proposed Buildings & Structures – where any buildings or structures are proposed to be built on the subject land, indicate for each (In Metric Units):

Building 1

No change to buildings
Type: Date Constructed:
Existing Use: Date Existing Use Commenced:
Ground Floor Area: Gross Floor Area:
Water Yard Setback: Front Lot Line Setback:
Interior Side Lot Line Setback 1: Interior Side Lot Line Setback 2:
Exterior Side Lot Line Setback: Rear Lot Line Setback:
Building Height: Dimensions:
No. of Units: Gross floor area per unit:
Loading Spaces: Parking Spaces:

(Commercial and Industrial Uses)

Building 2

Type:	Date Constructed:
Existing Use:	Date Existing Use Commenced:
Ground Floor Area:	Gross Floor Area:
Water Yard Setback:	Front Lot Line Setback:
Interior Side Lot Line Setback 1:	Interior Side Lot Line Setback 2:
Exterior Side Lot Line Setback:	Rear Lot Line Setback:
Building Height:	Dimensions:
No. of Units:	Gross floor area per unit:
Loading Spaces:	Parking Spaces:

(Commercial and Industrial Uses)

Water is provided to the subject land by:

- ☐ Privately-owned/operated individual well
☐ Publicly-owned/operated piped water system
☐ Privately-owned/operated communal well
☒ Lake or other water body

Other (specify): _____

Sewage Disposal is provided to the subject land by:

- ☒ Privately-owned/operated individual septic system
☐ Publicly-owned/operated sanitary sewage system
☐ Privately-owned/operated communal septic system
☐ Privy

Other (specify): _____

Does the application permit development on **privately-owned/operated individual or communal septic systems** and more than **4500 Litres** of effluent would be produced per day as a result of the development being completed? _____

If yes, the following are required:

- a) A servicing options report Date Received: _____
b) A hydrogeological report Date Received: _____

Storm Drainage is provided to the subject land by:

_____ Sewers _____ Ditches _____ Swales

Other (specify): Grand infiltration

Other Applications – If known, indicate if the subject land has ever been the subject of an application under the Act for:

_____ Previous minor variance (under section 17)	File # _____ Status: _____
_____ Previous rezoning (under section 34)	File # _____ Status: _____
_____ Approval of a plan of subdivision (under section 51)	File # _____ Status: _____
<input checked="" type="checkbox"/> Consent (ROW/Severance) (under section 53)	File # <u>B-39-24</u> Status: <u>Provisional Approval</u>
_____ Minister's Zoning Order	Ontario Regulation # _____

DECLARATION OF APPLICANT

I/We, Kevin M. Dugan of the City of Peterborough in the County of Peterborough make oath and say (or solemnly declare) that all the information and statements contained in this application and that the information contained in the documents that accompany this application are true, and I/We make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Sworn (or declared) before me at the City of Peterborough in the County of Peterborough on this 3rd day of June, 2025.

Kendra Sedgwick
Commissioner of Oaths
KENDRA SEDGWICK
COMMISSIONER OF OATHS
DEPUTY CITY CLERK
CITY OF PETERBOROUGH

[Signature]
Applicant

Applicant

I/We, Kevin M. Dugan, being the registered owner(s) of the land that is the subject of this application for zoning by-law amendment, hereby agree and acknowledge that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, and for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I/We hereby authorize and consent to the Municipality disclosing, copying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any person, agency, public body or third party.

I/we hereby authorize the members of the Municipality of Trent Lakes Council, staff or the agent(s)/representative(s) to enter onto the property subject to this application during normal working daytime hours in order to evaluate the application. This permission does not include entering any buildings or doing any alterations to the property.

Signature of applicant

[Signature]
Signature of applicant

Notice of Collection Personal information contained in this form and schedules collected will be used in the administration of the application and information contained herein may be available to the public in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Questions regarding this collection and its release under the Act should be directed to the Municipality of Trent Lakes, Attention: Clerk, 760 County Rd 36, Trent Lakes, ON K0M 1A0, telephone 705-738-3800 ext. 245 during business hours.

AUTHORIZATION BY OWNER

If the applicant is not the sole owner of the land that is the subject of this application, the written authorization of all owner(s), that the applicant is authorized to make the application, must be included or the authorization set out below must be completed by the owner(s).

I/We, Bryan P Davies (Agent) am/are the registered owner(s) of the land that is the subject of this application and I/We authorize Kevin M. Davy to prepare and submit this application on my/our behalf and to provide any of my/our personal information that will be included in this application or collected during the processing of the application and to act on my/our behalf with respect to this application.

May 15, 2025
Date

B P Davies
Signature of Owner

Date

Signature of Owner

Note: if the Owner is a corporation, the signature of signing officer and corporate seal is required or the wording "I have authority to bind the corporation" is required.



760 County Road 36 Trent Lakes ON K0M 1A0 Tel: 705-738-3800 Fax: 705-738-3801

Planning Application Costs Acknowledgement Form

I/We Kevin M. Duquesne, hereinafter called the "Applicant" do hereby acknowledge and agree that the payment of the fee that is submitted with the application for \$ 3000.00, as being an application fee only, and will be used to defray the costs of processing this application, and;

do also hereby acknowledge to pay the Corporation of the Municipality of Trent Lakes (hereinafter referred to as the "Corporation") a deposit amount of Three Thousand Dollars (\$3000.00) to be applied to all related costs for professional services incurred by the Corporation associated with the processing of this application including, but not limited to, professional planning fees, engineering fees, and legal fees. It is also to cover the fees of the Ontario Land Tribunal ("OLT") or the actual expense incurred by the Township in the processing of an appeal to the OLT or the preparation or giving evidence at an OLT hearing on the applicant's behalf. Without limiting the generality of the foregoing, the Applicant covenants and agrees to an immediate security deposit of One Thousand Dollars (\$1000.00). At any time that the balance of the deposit falls below Five Hundred Dollars (\$500.00), and upon request of the Treasurer, sufficient funds to increase the balance of the Deposit to \$1000.00 shall be deposited with the Corporation. In this regard, the Corporation shall produce to the Applicant invoices that have been paid with the request that the amount of these invoices be matched by the Applicant forthwith. Should the Deposit at any time fall below \$0.00 the file shall be held in abeyance by the Corporation and no further action will occur until sufficient funds are deposited by the Applicant to return the Deposit to \$1000.00. Any monies remaining in the Deposit will be released to the Applicant after a formal decision on the application has been made by the Corporation and the 20-day appeal period has expired.

do also hereby acknowledge and agree to assume all costs incurred by the Municipality of Trent Lakes associated with any appeal to the Ontario Land Tribunal with respect to this application.

Dated this June day of 2025.

Signature of Applicant

Signature of Applicant

Kevin M. Duquesne

AUTHORIZATION TO ACT AS AGENT

To: County of Peterborough Land Division
470 Water St.
Peterborough, ON K9H 3M3

And to: Municipality of Trent Lakes
760 Peterborough County Rd. 36
Trent Lakes, ON K0M 1A0

And to: Stephen P., Barrister & Solicitor
206 Aylmer St. N., P.O. Box 1900
Peterborough, ON K9J 7X7

Re: Application for Consent to Sever – 35 Fire Route 133, Trent Lakes
Owners: Jill Yvonne Campbell, Malcolm David Murray, and Malia Ray
Rimrott

I, **Jill Yvonne Campbell**, am one of the legal owners of the property legally described as:

PT LT 32 CON 4 HARVEY PT 1 45R9463 TW R565259; GAL-CAV AND HAR;

and having the municipal address of:

35 Fire Route 133, Trent Lakes, ON K0L 1J0.

I hereby authorize **Bryan Phillip Davies**, of the City of Toronto, Province of Ontario to act as my agent pertaining to the above property with respect to the above-noted Application for Consent to Sever to be filed with the County of Peterborough Land Division Office, and this shall be your good and sufficient authority for so doing.

Dated: October _____, 2023
December 6, 2023

Witness




Jill Yvonne Campbell

AUTHORIZATION TO ACT AS AGENT

To: County of Peterborough Land Division
470 Water St.
Peterborough, ON K9H 3M3

And to: Municipality of Trent Lakes
760 Peterborough County Rd. 36
Trent Lakes, ON K0M 1A0

And to: Stephen P., Barrister & Solicitor
206 Aymer St. N., P.O. Box 1900
Peterborough, ON K9J 7X7

Re: Application for Consent to Sever – 35 Fire Route 133, Trent Lakes
Owners: Jill Yvonne Campbell, Malcolm David Murray, and Malia Ray Rimrott

I, **Malcolm David Murray**, am one of the legal owners of the property legally described as:

PT LT 32 CON 4 HARVEY PT 1 45R9463 T/W R565259; GAL-CAV AND HAR;

and having the municipal address of:

35 Fire Route 133, Trent Lakes, ON K0L 1J0.

I hereby authorize **Bryan Phillip Davies**, of the City of Toronto, Province of Ontario to act as my agent pertaining to the above property with respect to the above-noted Application for Consent to Sever to be filed with the County of Peterborough Land Division Office, and this shall be your good and sufficient authority for so doing.

Dated: October 19, 2023

Mason Murray
Witness

Malcolm David Murray
Malcolm David Murray

AUTHORIZATION TO ACT AS AGENT

To: County of Peterborough Land Division
470 Water St.
Peterborough, ON K9H 3M3

And to: Municipality of Trent Lakes
760 Peterborough County Rd. 36
Trent Lakes, ON K0M 1A0

And to: Stephen P., Barrister & Solicitor
206 Aymer St. N., P.O. Box 1900
Peterborough, ON K9J 7X7

Re: Application for Consent to Sever – 35 Fire Route 133, Trent Lakes
Owners: Jill Yvonne Campbell, Malcolm David Murray, and Malia Ray Rimrott

I, **Malia Ray Rimrott**, am one of the legal owners of the property legally described as:

PT LT 32 CON 4 HARVEY PT 1 45R9463 TW R565259; GAL-CAV AND HAR;

and having the municipal address of:

35 Fire Route 133, Trent Lakes, ON K0L 1J0.

I hereby authorize **Bryan Phillip Davies**, of the City of Toronto, Province of Ontario to act as my agent pertaining to the above property with respect to the above-noted Application for Consent to Sever to be filed with the County of Peterborough Land Division Office, and this shall be your good and sufficient authority for so doing.

Dated: October 15, 2023



Witness



Malia Ray Rimrott



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Attachment 'B'

Provincial Planning Statement 2024 – Excerpts

PROVINCIAL PLANNING STATEMENT, 2024

Under the *Planning Act*

5. Planning authorities may plan for *major transit station areas* that are not on *higher order transit corridors* by delineating boundaries and establishing minimum density targets.
6. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
 - a) connections to local and regional transit services to support *transit service integration*;
 - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
 - c) commuter pick-up/drop-off areas.

2.4.3 Frequent Transit Corridors

1. Planning authorities shall plan for *intensification* on lands that are adjacent to existing and planned *frequent transit corridors*, where appropriate.

2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable *rural areas* should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the *redevelopment of brownfield sites*;
 - c) accommodating an appropriate range and mix of housing in *rural settlement areas*;
 - d) using rural *infrastructure* and *public service facilities* efficiently;
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - g) conserving biodiversity and considering the ecological benefits provided by nature; and
 - h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.
2. In *rural areas*, *rural settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.
3. When directing development in *rural settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Growth and development may be directed to *rural lands* in accordance with policy 2.6, including where a municipality does not have a *settlement area*.

2.6 Rural Lands in Municipalities

1. On *rural lands* located in municipalities, permitted uses are:
 - a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate *sewage and water services*;
 - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
 - e) home occupations and home industries;
 - f) cemeteries; and
 - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.
4. Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
5. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.7 Territory Without Municipal Organization

1. On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences).
2. 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*.
3. The establishment of new permanent townsites shall not be permitted.



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Attachment 'C'

Official Plan – Excerpts

COUNTY OF PETERBOROUGH



OFFICIAL PLAN

1994

with amendments consolidated to December 2022

- the impact of the proposal on the natural environment of the watershed within which it is located
- the adequacy of the County transportation network to accommodate the proposal
- the degree to which the proposal conforms to the various Provincial policies and guidelines including but not limited to the Provincial Policy Statement, Minimum Distance Separation I and II as prescribed by the Ministry of Agriculture and Food, and the Oak Ridges Moraine Conservation Plan.

2.3 LOCAL OFFICIAL PLANS

It is the intent, and a requirement of the Planning Act that local official plans shall conform to this Plan and be one of the primary means of implementing the policies herein.

In the event of a conflict between the provisions of a local official plan and the provisions of this Plan, the provisions of this Plan shall prevail to the extent of that conflict except where the local plan is more restrictive.

There are sections of this Plan where the local Official Plan is relied on for policy direction. This is a measure to recognize certain existing special circumstances and related policies at the local level. However, as these local Official Plans are revised and updated, such revisions, where appropriate, will reflect the local situation and explain in detail the particular nature of the local situation. In all other circumstances, local Official Plans will be brought into conformity with the intent and policies of this Plan.

Nothing in this Plan shall prevent the local municipalities from adopting more restrictive policies or standards than those outlined in this Plan.

2.4 LOCAL ZONING BY-LAWS

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.

Each case will be considered on its own merits by the Council of the respective local municipality and may be subject to site plan control.

2.5 DEVELOPMENT CHARGES

The County or any of its member municipalities may, from time to time, pass Development Charges By-laws in accordance with the Development Charges Act, 1997.

- ii) the Council of the respective local municipality shall require that the applicant(s) enter into appropriate agreements which shall be registered against the title of the subject lands, and may include such matters as, but not limited to, financial requirements, local roads, drainage, grading and landscaping, sidewalks and dedication of land for public uses and those County interests listed above and other requirements to implement the provision of this Plan and the applicable local official plan.

2.6.2 - Site Plan Control

County Council shall encourage the use of site plan control provisions of the Planning Act, to implement the policies and provisions of this Plan where applicable and the local official plans, and to coordinate and enhance the physical development of the local municipality.

Provisions for site plan control shall be detailed in the local official plans.

2.6.3 - Division of Land

2.6.3.1 - General Policies

The acceptability of severances in Peterborough County shall be determined by applying the relevant policies contained in this Plan, policies contained in local Official Plans, the Trent Source Protection Plan, the 2014 Provincial Policy Statement, and the provisions of the Planning Act. Under no circumstances shall severances be recommended for approval where proposed severances are contrary to this Plan and/or the respective local Official Plan.

A plan of subdivision under the Planning Act is necessary when any of the following occur:

- 1) more than 3 lots (two severed and one retained) from a land holding are being created unless the local Official Plan contains policies regarding the number of lots required for a plan of subdivision or adequate land use planning justification and rationale are provided to permit otherwise;

- 2) a new public road for the provision of lot access is necessary
- 3) the provision or extension of municipal servicing (water and/or sewers, including communal servicing) is required

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

- A) notwithstanding Section 1) above, infilling of up to 4 lots (4 new lots plus the retained lot) having frontage on a public road in areas serviced municipally by water and sanitary sewer systems
- B) each of the severed and retained parcels from a land holding which generally represent natural Township lots in most cases being about 40 hectares in area, although they may be smaller due to municipal boundaries, shorelines and other natural features and having public road frontage.

"Land holding" is defined as a parcel of land existing on a specified day. Dates specified in local Official Plans shall be upheld and used for reference purposes when applying policies contained in this plan.

The division of land by severance shall be in compliance with the provisions of any site plan, subdivision or any other development agreement registered against the title of the land holding. Severances shall not be permitted from a plan of subdivision that is under review or has received draft approval only.

In order to protect and maintain the viability of agriculture within Peterborough County, protect the natural environment and protect the investment made by the County and local municipalities in existing infrastructure and services, a consistent, impartial and understandable system of assessing development applications within the County has been created.

In planning for sanitary sewage and water systems to accommodate the division of land, the County shall support a hierarchical approach to the provision of such services in accordance with Section 4.7.3.2 of this Plan.

Four sets of policies governing the division of land have been established. Each set recognizes the inherent differences in land use, quality and characteristics of the land base in Peterborough County. For the purpose of Section 2.6.3, land in Peterborough County has been broadly categorized as Agriculture, Rural, Shoreland and Settlement Area.

An application for consent is classified into one of these categories and the associated severance policies are applied accordingly. One application for consent will create only one severed lot and one retained lot. When reviewing applications for consent, County Council, local Councils and the Land Division Committee will apply the appropriate set of policies.

Policies for each of the four categories are intended to address the common elements of land division in the County. Local Official Plans contain more detailed severance policies and encompass a greater number of land division considerations tailored to local circumstances. Therefore, severance applications will be reviewed on the basis of the policies contained herein, as well as the more detailed policies of local Official Plans.

In certain circumstances severances for building purposes will not be permitted because of the potential for serious risk to life, health or property, or because the safety and efficiency of transportation systems could be seriously jeopardized.

Severances for building purposes will not be permitted where:

- 1) the division of land is located in significant wetland or significant portions of the habitat of endangered or threatened species, and an appropriate building site cannot be provided based on comments from the Ministry of Natural Resources and/or Conservation Authority;
- 2) in accordance with the policies of Section 4.1.3.1, an Environmental Impact Assessment will be also required for lands that are adjacent to natural heritage features 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 their ecological functions;

- 3) the division of land is located in an area 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 development and the natural hazard; and a floodway, regardless of whether the area of inundation contains high points of land not subject to flooding;
- 4) a severance for a sensitive land use (ie: residential, institutional, educational, health care, day care centres, etc.) is located closer than:
 - i) 150 metres of any sand or gravel pit, or
 - ii) 500 metres of any quarry operation or area where the processing of sand, gravel or stone occurs.

Notwithstanding the above, a severance for a sensitive land use may be permitted provided it can be demonstrated that:

- i) the resource use would not be feasible; or
 - ii) the proposed land uses or development serves a greater public interest; and
 - iii) issues of public health, public safety and environmental impact are addressed;
 - iv) rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.
- 5) Provincial transportation objectives, standards and policies for safety and access cannot be maintained;
 - 6) County Roads entrance and building setback policies cannot be maintained on a County Road;
 - 7) The division of land is located within a vulnerable area unless the application is supported or accompanied by a Section 59 Notice.

The following four sections state policies which, as a minimum, must be considered when severance applications are evaluated. Applications for technical severances including easements, severances for lot additions/adjustments, severances for land assembly which facilitate development by plan of subdivision, correction of title, validation of title and rights-of-way are not necessarily subject to the following policies and shall be evaluated based on site specific considerations established in local official plans. Existing lots that inadvertently merged due to common ownership may be separated to reflect the original lot configuration provided the subject property is still in the same ownership as when such merging occurred and it is permissible in local official plans. The above technical severances do not necessarily represent the creation of a new lot when considering the number of new lots that can be created by consent from a land holding.

Within the Oak Ridges Moraine, consents or subdivision will be permitted only where they conform to the Oak Ridges Moraine Conservation Plan and the Township of Cavan Monaghan Official Plan. In the event of a conflict, the more restrictive of the policies shall apply.

2.6.3.2 - Settlement Areas

The following policies apply to severance applications for land holdings located in Settlement Areas as depicted on Map 'A'.

First consideration for the division of land shall be given to development of land by registered plan of subdivision. Where a plan of subdivision is not necessary for proper and orderly development and/or clearly does not affect the public interest, a consent to a land severance will not be granted if any of the following conditions exist:

- A) If the proposed lot(s) has been identified by the Health Unit and/or the Ministry of Environment as a proposal where;
 - i) municipal or communal services for water and/or sewer cannot be provided because of capacity problems or physical constraints; or

- All development of livestock barns and manure storage must comply with Minimum Distance Separation Formula as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time;

4.4 SHORELAND AREAS AND THE WATERFRONT

Shoreland Areas generally include all lands extending inland 150 metres from the ordinary high water mark of, any lake, river or waterway. Lands and land uses that are more than 150 metres from shore but which physically or functionally relate to the Shoreland Areas are considered to be part of the Shoreland Areas. All lands that are less than 150 metres from shore but which do not physically or functionally relate to the Shoreland Areas are not considered to be part of the Shoreland Areas. The entire areas of islands are normally considered to be part of the Shoreland Areas. The Shoreland Area shall not extend into any Settlement Area identified in this Plan or into prime agricultural and other agricultural areas designated in local plans in accordance with Section 4.3.3.2 of this Plan.

4.4.1 Goal

- to improve and protect the waterfront areas in Peterborough County as a significant cultural, recreational, economic and natural environment resource and enhance land areas adjacent to the shore.

4.4.2 Objectives

- To encourage appropriate public accessibility to waterfront areas in the County where accessibility is permitted;
- to permit sustainable shoreland development that allows for limited growth of existing and new tourist developments and innovatively designed residential developments;
- to protect the heritage character of the Trent-Severn Waterway and its associated historic, natural and scenic setting;
- to protect, improve or restore the quality and quantity of water on a watershed basis;

- to recognize and preserve to the greatest extent possible the character of waterbodies and lands adjacent to the shoreline with limited, low density backlot development where such development is permitted;
- to ensure that the built form along the shoreline is not overly concentrated or dominating to the detriment of the natural form;
- to maintain, enhance or restore the majority of the developed and undeveloped shorelines in their natural state by promoting property stewardship;
- to preserve and enhance fish and wildlife habitat areas within and along waterbodies;
- to protect 'at capacity' lakes from further development either in terms of supportive capacity (number of boats) or assimilative capacity (absorption of phosphorus) as determined by the Ministry of the Environment, the Ministry of Natural Resources, the local municipality, or, where appropriate, the Trent Severn Waterway.

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.
- Shoreline alterations must be approved by the appropriate agency (Conservation Authority, Ministry of Natural Resources, Trent-Severn Waterway). Local Official Plans may include shoreline alteration policies more restrictive than those of the approval agencies;
- The waterfront is a major recreation resource area that should be made accessible to both public and private users, where appropriate;

- Lands which form the bed of a waterbody should generally be open, free and clear from buildings or structures, except for approved shoreline improvements or like works and the location of approved accessory buildings and structures as identified in local Official Plans;
- The County shall participate with local municipalities in encouraging public responsibility for water quality and visual objectives of shoreline management on a watershed basis;
- The County shall encourage local municipalities to establish an open space buffer between new development and the shoreline in order to promote and secure access to the waterfront. Local Official Plans will establish the development standards to be applied to such buffers. In areas where local municipalities do not want to assume public ownership of the open space buffer, the County will encourage third party ownership of these shoreland areas;
- The development of lots where possible shall be undertaken using a “best management” approach. Biophysical information for the siting of the building, septic system and any buffer area should take into account the soil type, depth and slope of the land when determining the best location for any such buildings.
- The County shall promote the development and management of existing and future open space buffers in a natural state so that they may serve as vegetated protection zones to ensure water quality by controlling erosion and preventing nutrient overloading in waterbodies; and preserve and enhance wildlife habitat areas;
- 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.
- Notwithstanding any other policy of Section 4.4.3, local plans and zoning by-laws will require that all new development and leaching beds be set back at least 30 metres from the ordinary high water marks of all waterbodies. Excepted from this requirement are marina facilities,

docks and other water access facilities, pumphouses, and minor accessory buildings and structures as defined in zoning by-laws;

- Where required, amendments to bring each local plan and zoning by-law into conformity with the 30 metre setback requirement will be adopted within three years of the date this Official Plan Amendment is approved. If after three years a local plan has not yet been so amended, any other amendments to that local plan will be considered by the County as if an amendment to bring the local plan into conformity with Section 4.4.3 had been adopted and approved;
- 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;
 - the addition to an existing building.
- For any proposed shoreland development that would create 25 or more lots or units or would provide 50 or more tourism accommodation beds, or for any other proposed shoreland development considered necessary by the County to be studied, an environmental impact assessment as described in Section 4.1.3.1 will be required. The County may also deem it appropriate for the assessment to include a boating capacity study;
- 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 plans shall include policies addressing backlot and/or cluster development. Any such policies must address the following considerations:
 - planning and design standards;
 - shoreland protection (for cluster development only);
 - servicing, including the use of innovative approved technologies as described in Section 4.7.3.2;
 - division of land;

- Backlot development is only permitted by plan of subdivision or, unless a local plan permits otherwise;
- Where cluster development occurs, use of common elements condominiums and vacant land condominiums, in addition to freehold and conventional condominiums, is permitted, subject to any policies in local plans and unless a local plan directs otherwise;
- Where new development is being considered by the local municipality, the County and commenting agencies, significant frontage requirements, building and facility setbacks, as determined by the local municipalities in cooperation with the appropriate authority shall be maintained by the local municipalities to assure long term safety of the structures and minimize further shoreline development;
- New land uses, including the creation of lots, shall comply with the Source Water Protection policies of Section 5.7 where applicable;
- New plans of subdivision or plans of condominium proposed adjacent to any water body shall have an impact assessment completed which addresses issues such as the nature of development, servicing, location of septic systems, setbacks from the high water mark and clearing of trees and vegetation.
- 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;
- In approving site plans, municipalities shall ensure that lighting fixtures that are not owned, operated or managed by a public agency or entity and designed for exterior illumination shall be designed so as to direct light downward and deflected away from adjacent properties. Private exterior lighting should be located so that it does not interfere with the night vision of those using the waterways, the habitat of nocturnal animals and the privacy of area properties.
- When undertaking a review of development applications, the County or the Township

where appropriate will determine the potential of the need for the conservation of archaeological resources. As a result of the review, the County or Township may require the applicant to submit an archaeological assessment carried out by a licensed archaeologist. Generally, studies may be required based on archaeological potential when any of the following occur: 3 or more new lots are being created (3 lots plus the retained lot), development by plan of subdivision or condominium, official plan amendment to County or Township official plan involving non-residential or non-agricultural/open space uses, re-zoning of a property involving non-residential or non-agricultural/open space uses.

- Wherever possible, development shall be located and designed so as to protect the character and prominence of public views and features including such areas as rock cliffs, waterfalls, rapids and landmarks. Where development is proposed in these areas, Townships are encouraged to request the dedication or acquisition of such lands for purposes of conservation, public access, trails, portages or similar passive uses.
- Creation of new lots shall be prohibited on capacity reached lakes as determined by;
 - tests and studies reviewed by the Ministry of the Environment and the Ministry of Natural Resources; or
 - a lake capacity assessment prepared by professionals and approved by the local municipality;

and this policy applies to all lands within 300 metres of the ordinary high water marks of capacity reached lakes, whether or not the subject lands are part of the Shoreland Areas;
- The following is a list of highly sensitive and moderately sensitive Lake Trout Lakes within the County:

Highly Sensitive or 'At Capacity' Lake Trout Lakes

Local Municipality	Lake
Trent Lakes	Beaver Lake and Pencil Lake, Fortescue Lake, Crystal Lake, Cavendish Lake, Bottle Lake, Concession Lake, Salmon Lake

North Kawartha

Gilmour Bay (Chandos Lake), Cherry Lake, Cox Lake, Eels Lake (West), Long Lake, Loucks Lake, McGee Lake, Stoplog Lake, Triangle Lake (Silver), Little Anstruther Lake, Sucker Lake, Buzzard Lake, Tallon Lake

- Existing lots of record may be issued a building permit since vacant lots have been included as part of the lot inventory used to determine capacity.
- Local plans will implement the policies of Section 4.4.3 regarding ‘at capacity’ lakes by:
 - identifying lakes that have reached development capacity with respect to one or more of boating, absorption of phosphorus, or lake trout habitat;
 - defining "development" for the purpose of ‘at capacity’ lakes, to include those components of "development" as defined in Section 8.2 that are pertinent to lake capacity;
 - restricting new development on ‘at capacity’ lakes. Generally, the creation of new lots within 300 metres of the shoreline of an “at capacity” lake by consent or plan of subdivision will not be considered. Council may consider the creation of new lots in unique or special circumstances where it can be demonstrated, in consultation with the Ministries of Environment and Natural Resources that one or more of the following conditions exist:
 - a) drainage of the proposed lot flows to a separate, non-sensitive watershed as a result of the physical features of the property;
 - b) detailed site specific hydrogeological studies show that the drainage of the sewage effluent will effectively result in a circuitous flow path that extends for at least 300 metres before reaching the lake.
 - c) that new technologies in sewage disposal systems intended to serve any proposed development have been accepted by the Ministry of

the Environment and will result in no adverse affects on lake water quality.

- d) that any conventional sewage disposal system designed to serve a new development will be setback a minimum of 300m (984 ft) from the high water mark.
- e) that a detailed site specific hydrogeological and soil study which assesses phosphorus distribution, migration velocity and long-term soil retention capabilities.

The greatest setback achievable is recommended for existing lots of record on highly sensitive lake trout lakes in order to minimize negative impacts on water quality. At a minimum, a 30 metre setback with maintenance of the vegetative cover should be required.

Moderately Sensitive Lake Trout Lakes

Local Municipality	Lake
Trent Lakes	Catchacoma Lake, Gold Lake, Mississauga Lake
Classification Pending	Lake
Trent Lakes	
North Kawartha	Anstruther Lake, Rathbun Lake

- A site specific lake impact assessment should be prepared to demonstrate that the lake is capable of supporting the proposed development, based on water quality parameters established by the Ministry of the Environment. In cases where a lake-wide lake capacity assessment has been undertaken, the municipality will use the information to determine whether the lake can support additional development.

Objectives

- i) To require extensive review of all applications for conversion to ensure that such development is within the overall best interests of the Township.

4.5 SHORELINE

Goal

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.

Objectives

- i) To permit shoreline development where appropriate with the approval of the respective regulating bodies.
- ii) To permit shoreline development in the Township in accordance with good resource management practices.
- iii) To discourage any form of alterations to the natural shoreline associated with water-oriented development.

4.6 ENVIRONMENTAL LANDS

Goal

To properly monitor, manage, and maintain the Township's floodplain, wetland, and environmentally sensitive/unique areas and their environs to protect and enhance the natural environment.

Objectives

- i) To identify the floodplain areas within the Township and to control development so as to minimize the risk to life and property in the event of a flood.
- ii) To permit development in the floodplains of the Municipality only in accordance with accepted floodplain management techniques.

land uses and the general character of the hamlet. Provisions shall be made for adequate off-street parking together with appropriate buffer planting or screening where commercial uses abut residential uses.

5.3.8 Industrial Uses

Industrial uses generally of a limited extent may be permitted in hamlets. Provision shall be made for adequate off-street parking together with adequate buffer planting or screening, where industrial uses abut residential uses.

5.3.9 Location and Requirements of Commercial and Industrial Uses

Care shall be taken that commercial and industrial uses permitted in the hamlet areas are not noxious under the *Public Health Act* or incompatible with the residential nature of the hamlets. The degree to which these uses will be separated and the adequacy of the buffer planting or screening or other mitigating measures will depend on the nature of the uses involved.

Commercial uses, wherever possible, shall be grouped with existing commercial establishments to form a commercial node.

New industrial uses will not be permitted in areas which have developed as predominantly residential or in the path of logical residential expansion, but they will be encouraged to locate with other industrial uses or in areas where they will be isolated or shielded from residential uses.

New commercial and industrial development or major expansions to existing uses shall require the prior submission and approval of a detailed hydrogeological study, by the Township and Ministry of Environment.

5.3.10 Zoning

Hamlet uses may be zoned in separate classifications in the Township's Zoning By-law.

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.

New development in the Recreational Dwelling Area designation may be considered to be a “resource-based recreational activity” in accordance with the provisions of the Provincial Policy Statement on an individual site specific basis when it can be demonstrated to the satisfaction of the applicable approval authority that the residential development is functionally linked to the shoreline resource. Residential development on its own will be limited to the creation of not more than three lots, in accordance with the Growth Plan for the Greater Golden Horseshoe except where site-specific locations already had approved zoning or designation as of June 16, 2006.

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.

5.4.2 Pattern of Development

New recreational dwelling development shall generally take place by registered plan of subdivision, in accordance with the provisions of Sections 5.1.10, 6.1.1 and 6.1.2 of this Plan. Recreational dwelling areas shall have adequate access to the waterfront preferably via waterfront parks or focal points, held in common ownership.

All new development proposals occurring by registered plan of subdivision within the Recreational Dwelling Area designation shall be reviewed in the context of a permanent residential development. In this regard the subdivider shall be responsible for the

construction of all roads to an appropriate Municipal standard, and private water supply and effluent treatment systems shall be designed and approved on the basis of year-round occupancy.

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 tier development to existing developed areas shall not be permitted.

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.

The development of lands within the Recreational Dwelling Area designation may be limited by the ability or capacity of a lake to sustain the proposed new development. In order to ensure that water quality is maintained, proposed shoreline development shall be assessed in accordance with the policies of Sections 5.1.10.7, 5.1.10.8, 5.1.10.9, 5.1.10.10, 5.1.10.11, and any other applicable policy of this Plan.

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.

5.4.4 Existing Lots

Recreational dwelling development of existing vacant lots within the Recreational Dwelling Area designation may be undertaken on both private and public roads or on a navigable waterway. Such development shall meet the requirements of the Township's Zoning By-law, and 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.

5.4.5 Limited Service Residential Development and Zoning

Residential lots in the Recreational Dwelling Area designation may be zoned to permit both permanent and non-permanent residential uses.

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 basis of the limited service residential zone is the existing means of vehicular access, which will affect other municipal services such as road maintenance, snow removal, emergency vehicle access, garbage removal, and school bus access.

Owners of properties within a limited service residential zone category should be aware that the Municipality will not assume any liability for the lack of an appropriate form of public road access, nor assume such private roads or expend monies in relation to any form of improvements to or maintenance of the same.

New development within existing areas that are located in an existing "limited service residential zone" and the creation of new development on the basis of limited service residential development may be considered on a site-specific basis in accordance with all applicable policies of this Plan.

The creation of new lots by consent or by plan of subdivision within an area of limited service residential development shall be in accordance with the policies of Section 6 of this Plan.

Nothing in this Plan shall prevent the material alteration/renovation, reconstruction or repair of an existing dwelling in a limited service residential zone, provided that all applicable regulations of the Comprehensive Zoning By-law are complied with and such work would create no further non-compliance.

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.

5.4.6 Access

New recreational dwelling development on lots created by consent to sever shall conform to Section 6.2.1.4 of this Plan.

5.4.7 Existing Commercial Development

Existing local commercial development shall be permitted within the Recreational Dwelling Area designation however, such development will be minor in nature providing a service to the surrounding property owners including such uses as convenience stores and sub-post offices and does not include marinas or gas pumping facilities. The expansion of existing, local commercial uses shall be in keeping with the general character of the recreational dwelling area community. Local commercial uses shall be zoned in a separate category in the Municipality's Zoning By-law. The expansion and development of such uses shall take place on private sanitary waste disposal systems and private water systems.

5.4.8 Islands

The Official Plan recognizes that single detached recreational dwellings are situated on many of the islands within the Municipality and shall be zoned in a separate category in the Municipality's Zoning By-law.

5.4.9 Zoning

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.

5.5 ESTATE RESIDENTIAL

Lands designated "Estate Residential" predominantly recognize single-unit residences on large lots. This category also recognizes the blending of outdoor recreational uses related to and serving the surrounding residential component.

Official Plan amendment and must conform with the policies of the Recreational Dwelling Area designation;

- e) The adequacy of utilities, municipal services, and school services.

6.1.3

It shall be the policy of this Plan that Council will enter into an agreement with each developer as a condition of the approval of a Plan Subdivision or Condominium. Such an agreement shall set out among other matters the services and dedication of land for park and highway purposes, to be provided by the developer and the specifications for these services. This agreement shall also specify the financial requirements of the Municipality and the means by which the developer will satisfy these requirements.

6.1.4 Plans of Condominium

Applications for plans of condominium shall be evaluated having regard to the policies of Section 5.1.17, 6.1.1, 6.1.2, 6.1.3 and any other applicable policy of this Plan.

6.2 SEVERANCES

Regard shall be had for Section 6.1 Subdivisions when determining the necessity for a plan of subdivision.

It shall be the policy of this Plan that the Municipality and Land Division Committee shall follow the policies of this Official Plan when assessing consent to sever applications.

Only those applications for severances which conform to the following consent policies, the General Development Policies, the specific policies of the affected designation and the provisions of the *Planning Act*, R.S.O. 1990, shall be considered for approval.

6.2.1 General Severance Policies Applicable To All Designations

6.2.1.1 Number of New Lots

In the Rural, Recreational Dwelling Area, Estate Residential, Commercial and Industrial designations, the maximum number of lots that may be created by consent per land holding shall be two (2) severed lots and one (1) retained lot.

6.2.1.9 Access from Provincial and County Roads

Direct access from Provincial Highways should be discouraged. Access to new lots will be reviewed by the Land Division Committee as appropriate. Where proposed severances are considered which would create new lots abutting or adjacent to a County Road the Peterborough County Public Works will be consulted to ensure that the requirements of their entrance by-law is met.

6.2.1.10 Parkland or Cash-In-Lieu of Parkland and Other Dedications

In determining whether a severance is to be granted, regard shall be had for such matters as the dedication of land or cash levies for park purposes, the dedication of land for future road widenings and agreements pursuant to the *Planning Act*, R.S.O. 1990.

6.2.1.11 Easements

Consents for easements shall generally be preferred to consents for new lots where linear rights-of-way are being created, for example, for infrastructure such as electric power transmission facilities, communications/telecommunications facilities or pipelines. The granting of such consents will not result in a reduction of the eligible number of consents for the property, as specified in Section 6.2.1.1.

6.2.1.12 Environmentally Sensitive Areas

Severances will be discouraged in low lying areas, in areas susceptible to erosion and within significant wildlife or biological areas.

Severances shall not be granted for a parcel of land which is subject to flooding or other physical hazard, when the proposed use of the parcel requires that a building be erected other than for flood control or similar purposes by a provincial authority or appropriate Conservation Authority.

6.2.1.13 Lot Lines

Severances which have the effect of changing lot lines and/or do not create additional or buildable lots may be evaluated on their own merits. The granting of such consent

will not result in any reduction of the eligible number of severances for the property.

6.2.1.14 Agricultural Separation

Severances shall not be granted where the proposed use would contravene the Minimum Distance Separation requirements as determined by the MDS formula of the Ministry of Agriculture, Food and Rural Affairs and Ministry of Environment.

6.2.1.15 Agricultural Lands

Severances proposed for lands supporting viable agricultural uses shall generally be considered in accordance with the following:

- a) An application whereby a retiring farmer is intending to build a residence on part of his farm for his retirement;
- b) The proposed lots should be located adjacent to an existing property line, existing developed lot, or defined physical limitations; thereby minimizing any potential impact on on-going farm field activities.
- c) Severance proposals involving lands used for agriculture shall ensure that the viability of the unit is maintained.

6.2.1.16 Additional Lot Applications

An application for severance of an existing lot shall have the effect of creating only one (1) new lot in addition to the retained lot. If two (2) new lots are to be created in addition to the retained lot, an additional application shall be required.

When an application or applications for consent are submitted so as to create new lots, only one parcel of land shall be retained. The checkerboarding of an application or applications is not permitted.

6.2.1.17 Merged Properties

An application for severance involving merged properties which formerly existed as



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Attachment 'D'

Zoning By-law - Excerpts



Zoning By-Law B2014-070

JULY 15, 2014

CONSOLIDATION OF AMENDMENTS (MPS) – DECEMEBER 2017

Consolidation Of Amendments (AA) – December 2019

Section 9 – Shoreline Residential - Private Access (SR-PA) Zone

No person shall within a Shoreline Residential - Private Access (SR-PA) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions.

Reference should be made to Section 4, General Zone Provisions, of this By-law. Section 4 contains additional, general or specific provisions that apply to or may apply to properties in all zones throughout the Municipality and should be consulted together with the provisions of this zone category.

The intent of the Shoreline Residential - Private Access (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.

9.1 Permitted Uses

- 9.1.1** a single detached dwelling in accordance with Section 4.12
- 9.1.2** a seasonal dwelling in accordance with Section 4.12
- 9.1.3** a home occupation
- 9.1.4** a private or public park

9.2 Regulations For Uses Permitted In Section 9.1

9.2.1	Minimum Lot Area	0.4 ha (1.0 ac.)
9.2.2	Minimum Lot Frontage	45.0 m (147.6 ft.)
9.2.3	Minimum Shoreline Frontage	45.0 m (147.6 ft.)
9.2.4	Minimum Front Yard Depth	12.0 m (39.4 ft.)
9.2.5	Minimum Exterior Side Yard Width	6.0 m (19.7 ft.)
9.2.6	Minimum Interior Side Yard Width	4.5 m (14.8 ft.)
9.2.7	Minimum Rear Yard Depth	4.5 m (14.8 ft.)
9.2.8	Maximum Lot Coverage	20%
9.2.9	Minimum Water Yard	30.0 m (98.4 ft.)
9.2.10	Maximum Building Height	11.0 m (36 ft.)
9.2.11	Maximum Number of Single Detached or Seasonal Dwellings Per Lot	1

**9.2.12 Maximum Number of Dwelling Units
Per Lot**

1

9.3 Guest Cabins

Where a single detached or recreation dwelling is a permitted use, one accessory guest cabin is permitted on the same lot provided such guest cabin does not have a floor area exceeding 44.6 square metres (480.0 sq. ft.) nor contain cooking or sanitary facilities; and the guest cabin shall occupy the entirety of the building or structure.

All yard setback provisions for principal buildings and structures shall apply; save and except that the maximum height shall not exceed 4.9 metres (16.0 ft.) and shall be restricted to one or a first storey.

9.4 Setbacks For Waterfront Lots On Private Roads

Where a lot is accessed by a private road and where the front lot line of the lot is deemed to be the shoreline, no building or structure may be located closer than 12.0 m. (39.4 ft.) to such private road.

This setback distance shall be measured from the boundary of the legal right-of-way; or the edge of the travelled portion of the private road where a legal right-of-way does not exist.

9.5 General Provisions

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted in the Shoreline Residential - Private Access (SR-PA) Zone shall apply.

9.6 Special Shoreline Residential - Private Access (SR-PA) Zones

9.6.1 Shoreline Residential - Private Access-1 (SR-PA-1) Zone

No person shall within any Shoreline Residential - Private Access-1 (SR-PA-1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

a) Permitted Uses

- i. a fine art gallery
- ii. an artist's studio
- iii. a single detached dwelling accessory to a fine art gallery or artist's studio

9.6.54

Shoreline Residential-Private Access-54 (SR-PA-54) Zone

No person shall within any Shoreline Residential-Private Access-54 (SR-PA-54) Zone, being Concession 4, Part Lot 32, 45R-9463, Part 1, in the former Geographic Township of Cavendish, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.6.54.1 **Permitted Uses**

All uses permitted in the Shoreline Residential-Private Access (SR-PA) Zone shall apply to lands Shoreline Residential-Private Access 54 (SR-PA-54). The SR-PA-54 Zone, permits two seasonal residential dwellings.

9.6.54.2 **Regulations for Permitted Uses in Section 9.6.54.1**

All of the provisions and regulations of the Shoreline-Residential-Private Access (SR-PA) Zone, shall apply with the following exceptions:

- (i) Minimum water yard setback for
Dwelling A 2.5 m (8 ft)
- (ii) Minimum water yard setback for
Decks (Dwelling A) 1.5 m (5 ft)
- (iii) Maximum ground floor area of
Dwelling A 85.8 m² (923.5 ft²)
- (iv) Minimum water yard setback for
Dwelling B 7.5 m (24.59 ft)
- (v) Minimum water yard setback for
Decks (Dwelling B) 6.0 m (20 ft)
- (vi) Maximum ground floor area of
Dwelling B 105 m² (2000 ft²)

9.6.55

Shoreline Residential-Private Access-55 (SR-PA-55) Zone

No person shall within any Shoreline Residential-Private Access-55 (SR-PA-55) Zone, being Concession 9, Part Lot 14, in the former Geographic



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Community
Planning and
Consulting Inc.



Attachment 'E'

Surveys

METRIC: DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

GEOGRAPHIC TOWNSHIP OF HARVEY
MUNICIPALITY OF TRENT LAKES
COUNTY OF PETERBOROUGH



THIS PLAN HAS BEEN PREPARED FOR THE USE OF:
ANDRA TAKACS

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY:
SUBJECT TO AND TOGETHER WITH EASEMENTS DESCRIBED IN R003981.
SUBJECT TO AN EASEMENT OVER PART 5, PLAN 45R-15094 A8 IN PE 136

METAL SHED AND PRIVY LOCATED NORTHEAST OF SOUTHWESTERLY PROPERTY LINE. GARDEN EXTENDING NORTHEAST OF NORTHEASTERLY BOUNDARY.

NOT CERTIFIED BY THIS REPORT

I CERTIFY THAT:

- 1) THIS SURVEY AND PLAN ARE CORRECT AND ARE IN ACCORDANCE WITH THE SURVEY'S ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- 2) THE SURVEY WAS COMPLETED ON 10 FEBRUARY

SIGNED AT LAKEFIELD, ONTARIO
THIS 29TH DAY OF APRIL, 2022

CHRISTOPHER E. MUSCLOW
ONTARIO LAND SURVEYOR

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT PLANTED
WT.	DENOTES WITNESS
PAL	DENOTES PIERCE & LYONS, O.L.S.
P&P	DENOTES PIERCE & PIERCE, O.L.S.
P1	DENOTES PLAN OF SURVEY DATED 23 AUG. 1881
P2	DENOTES PLAN OF SURVEY DATED 8 JULY 1881
	J.B. FLEQUEL SURVEYORS, O.L.S.

COVQ(23) DENOTES CANADIAN GEODETIC VERTICAL DATUM OF 1928
BEARINGS SHOWN HEREON ARE UTM GRID, DERIVED FROM REAL TIME NETWORK
(RTN) OBSERVATIONS ON POINTS A AND B LISTED HEREON AND ARE REFERRED
TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD 83
(CSRS EPOCH 2010.0)

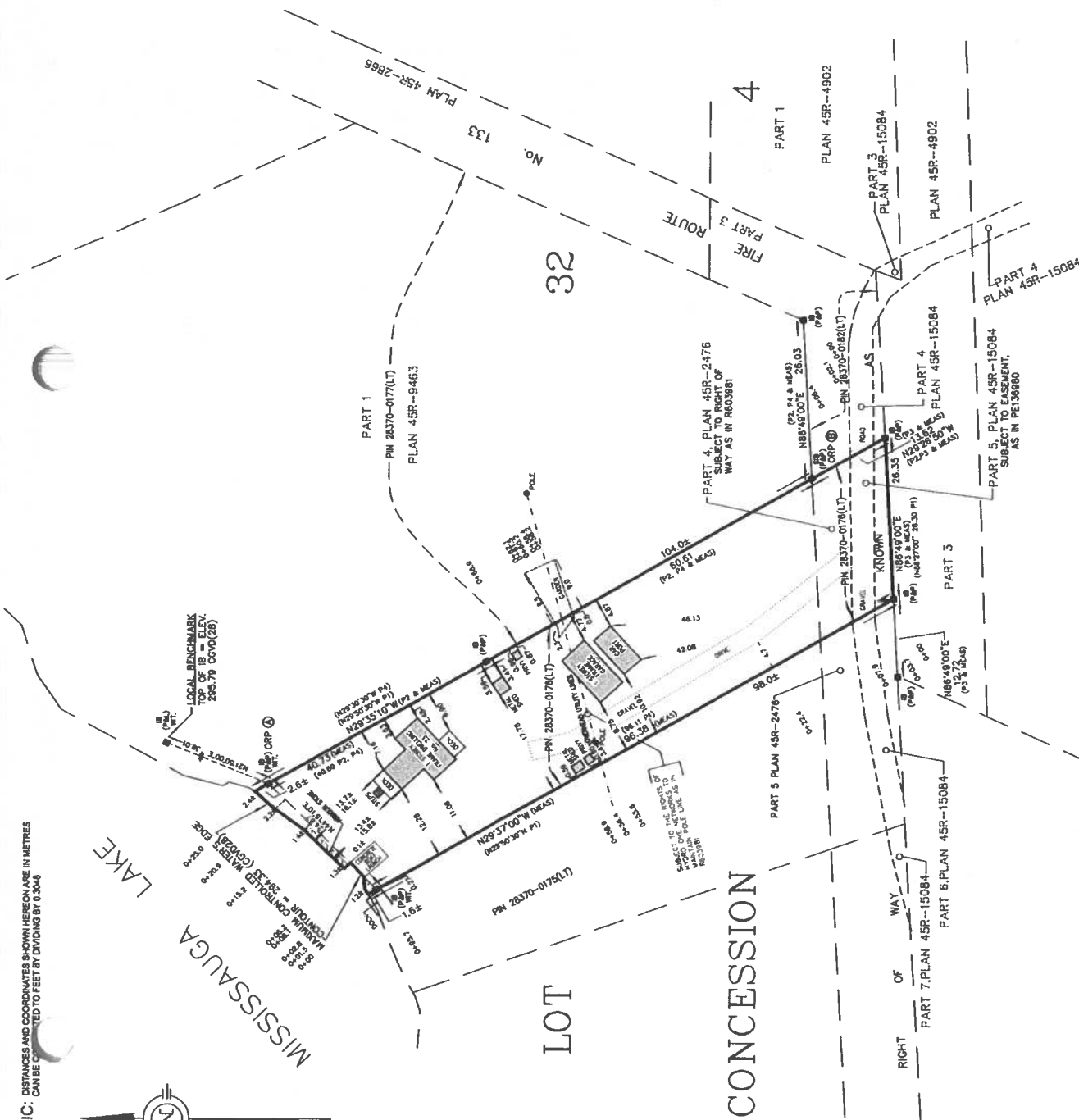
FOR BEARING COMPARISONS, A ROTATION OF 191100° COUNTER CLOCKWISE WAS APPLIED TO BEARINGS SHOWN ON PLAN P1 TO P4



IBF SURVEYORS

1177 LAKEFIELD ROAD, BOX 70
LAKEFIELD, ON K0L 2H0
PHONE: 705-652-6188
INFO@JBFSURVEYORS.COM
WWW.JBFSURVEYORS.COM

PROJ. # 8304SRPR



COORDINATES ARE DERIVED FROM GPS RTK OBSERVATIONS USING THE SMARTNET CORRECTION DATA AND ARE REFERRED TO UTM ZONE 17 (81°W LONGITUDE) NAD83 (CSRS, EPOCH 2010.0)

POINT	UTM NORTHING	UTM EASTING
CRP (A)	4932291.18	711876.27
CRP (B)	4932203.06	711823.30

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEY
in accordance with

WATER NOTE:

320 11/21/1968 1861

THE ELEVATION OF MISSISSAUGA LAKE IS ARTIFICIALLY REGULATED BY THE TRENT SEVERN WATERWAY - PARKS CANADA REGULATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO A TRENT SEVERN BENCHMARK, BEING A BRASS TABLET IN TOP OF THE EAST WING WALL OF THE CONTROL DAM IN LOT 31, CON 4, TOWNSHIP OF HARVEY, WHICH HAS AN ELEVATION OF 283.08 (CV0628).

MAXIMUM CONTROLLED ELEVATION - CONTOUR @ ELEV. 294.33 (COTVD28)

NOTE: NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JBF SURVEYORS.

METRIC: DISTANCES SHOWN HEREON ARE IN METRES
D TO FEET BY DIVIDING BY 0.3048

SCHEDULE

PART	LOT	CONCESSION	PIN	AREA
1	PART OF LOT 32	4	PIN 28370-0177(LT)	387.7 Sq. m

PLAN 45R-17532

Received and deposited

August 25th, 2023

Allison Turner

Representative for the
Land Registrar for the
Land Titles Division of
Peterborough (No.45)

PLAN OF SURVEY OF PART OF LOT 32 CONCESSION 4 GEOGRAPHIC TOWNSHIP OF HARVEY MUNICIPALITY OF TRENT LAKES COUNTY OF PETERBOROUGH



THE INTENDED PLOT SIZE OF THIS PLAN IS 500mm IN WIDTH BY 430mm IN HEIGHT
WHEN PLOTTED AT A SCALE OF 1:500

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

1) THIS SURVEY AND PLAN ARE CORRECT AND ARE
IN ACCORDANCE WITH THE SURVEYORS ACT AND
THE REGULATIONS MADE UNDER THEM.

2) THE SURVEY WAS COMPLETED ON 10 FEBRUARY 2022

SIGNED AT LAKEFIELD, ONTARIO
THIS 25TH DAY OF APRIL, 2022

CHRISTOPHER E. MUSCLOW
ONTARIO LAND SURVEYOR
THIS PLAN OF SURVEY IS RELATED TO AOLS PLAN SUBMISSION FORM NUMBER V-19812

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- WIT DENOTES WITNESS
- PAL DENOTES PIERCE & LYONS, O.L.S.
- PAP DENOTES PIERCE & PIERCE, O.L.S.
- P1 DENOTES PLAN OF SURVEY DATED 23 AUGUST, 1961 BY J.B. FLEGUEL SURVEYORS, O.L.S.
- P2 DENOTES PLAN OF SURVEY DATED 5 JULY, 2016 BY J.B. FLEGUEL SURVEYORS, O.L.S.
- P3 DENOTES PLAN 45R-15084
- P4 DENOTES PLAN 45R-9463
- CGVD(28) DENOTES CANADIAN GEODETIC VERTICAL DATUM OF 1928

BEARINGS SHOWN HEREON ARE UTM GRID, DERIVED FROM REAL TIME NETWORK
(RTN) OBSERVATIONS ON POINTS A AND B LISTED HEREON AND ARE REFERRED
TO THE CANADIAN DATUM OF UTM ZONE 17 (81° WEST LONGITUDE) NAD 83
(CSRS EPOCH 2010.0).

FOR BEARING COMPARISONS, A ROTATION OF 1°51'00" COUNTER CLOCKWISE
WAS APPLIED TO BEARINGS SHOWN ON PLAN P1 TO P4

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE USED TO
COMPUTE GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR
OF 1.00010424

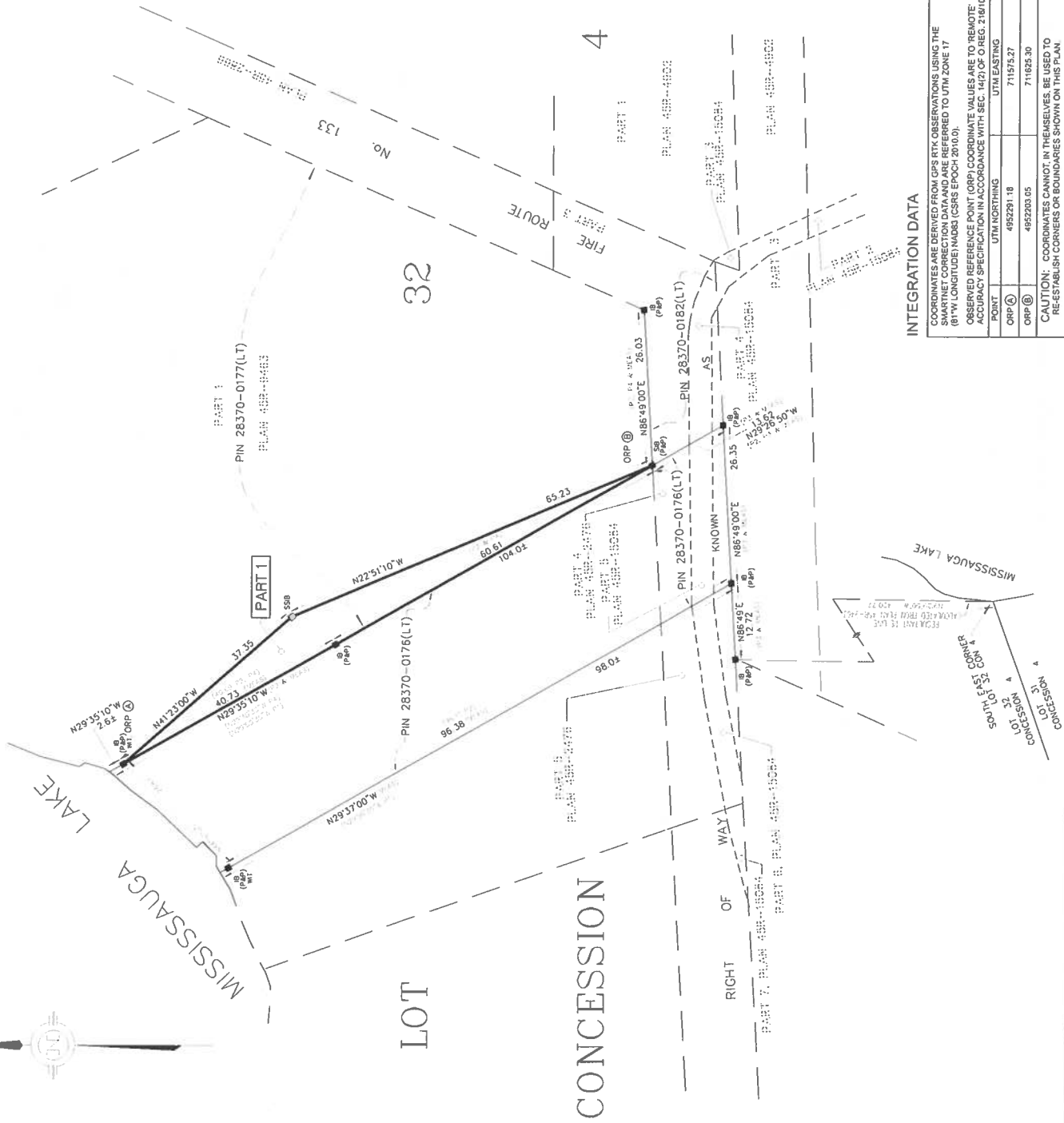
INTEGRATION DATA

COORDINATES ARE DERIVED FROM GPS RTK OBSERVATIONS USING THE
SMARTNET CORRECTION DATA AND ARE REFERRED TO UTM ZONE 17
(81°W LONGITUDE) NAD83 (CSRS EPOCH 2010.0).

OBSERVED REFERENCE POINT (ORP) COORDINATE VALUES ARE TO REMOTE:
ACCURACY SPECIFICATION IN ACCORDANCE WITH SEC. 14(2) OF O. REG. 216/10

POINT	UTM NORTHING	UTM EASTING
ORP (A)	4952291.18	711975.27
ORP (B)	4952293.05	711925.30

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.



JBF SURVEYORS
3177 LAKEFIELD ROAD, BOX 70
LAKEFIELD, ON K0L 2H0
PHONE: 705-652-6198
INFO@JBF-SURVEYORS.COM
WWW.JBF-SURVEYORS.COM

PROJ. # 8304RP



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Attachment 'F'

Site-Area Photographs



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Site-Area Photographs 23 and 35 Fire Route 133, Trent Lakes

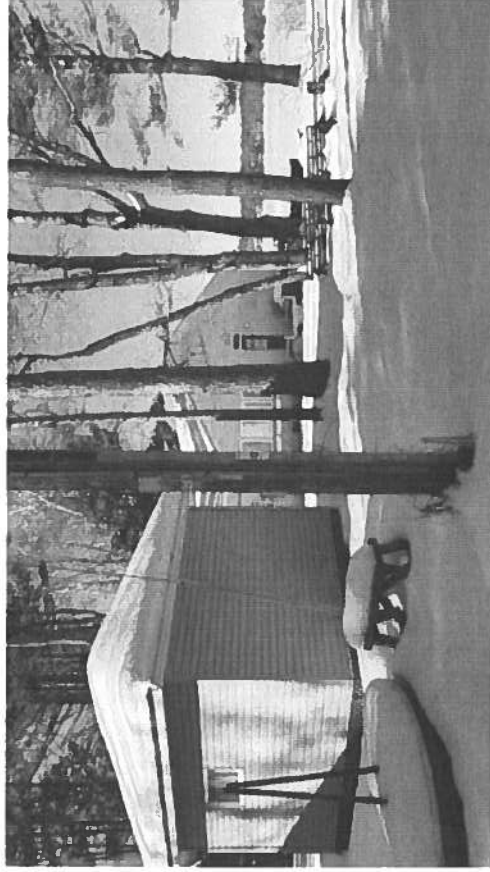


23 Fire Route 133 existing cottage



23 Fire Route 133 accessory structure and driveway

Site-Area Photographs
23 and 35 Fire Route 133, Trent Lakes



**Neighboring cottage – 19 Fire Route 133,
west of 23 Fire Route 133**



23 Fire Route 133, driveway – North view

Site-Area Photographs
23 and 35 Fire Route 133, Trent Lakes

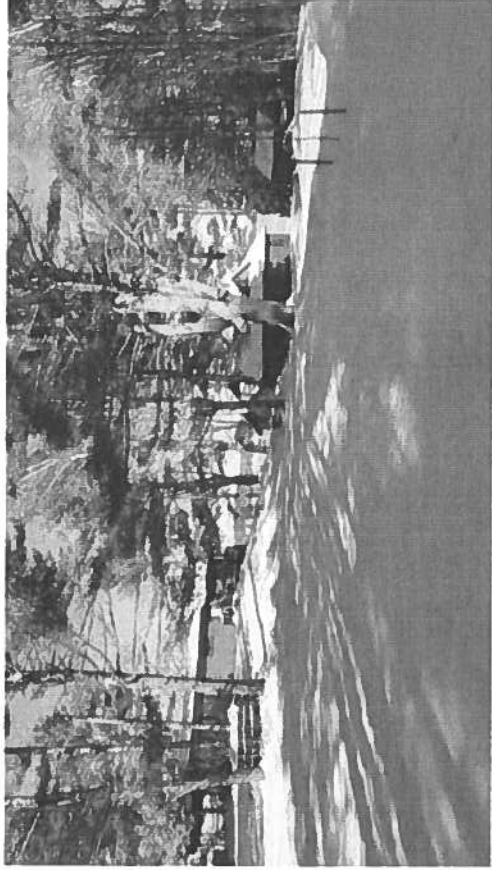


East property line, orange marker



**South property line, traverses other side of
Fire Route 133**

Site-Area Photographs
23 and 35 Fire Route 133, Trent Lakes



**35 Fire Route 133, North east of 23 Fire
Route 133 - Retained**



**View of 23 Fire Route 133 from 35 Fire
Route 133**

Site-Area Photographs
23 and 35 Fire Route 133, Trent Lakes

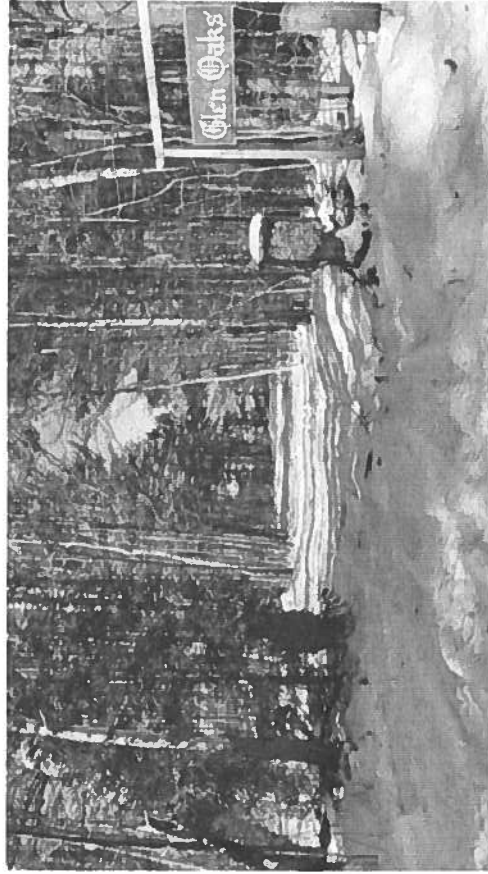


35 Fire Route 133 frontage – West view

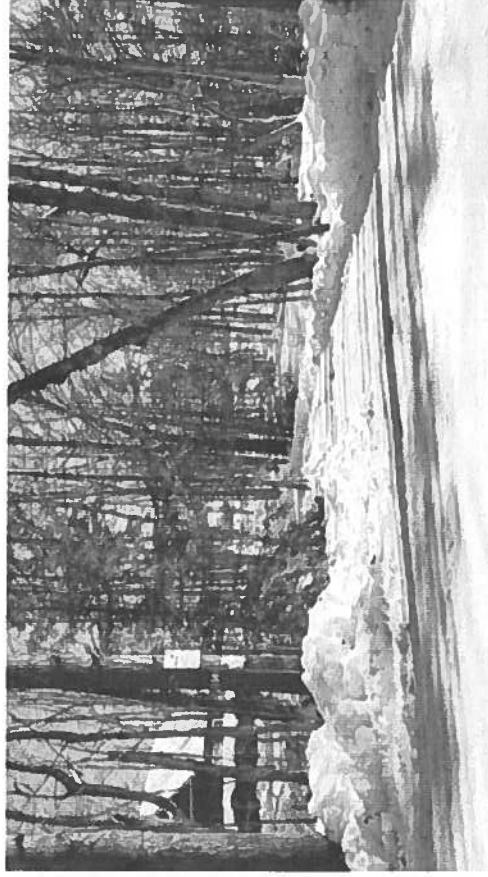


35 Fire Route 133 frontage – North-east view

Site-Area Photographs
23 and 35 Fire Route 133, Trent Lakes



35 Fire Route 133 driveway – North view



Adjacent neighboring property – South-east view



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Attachment 'G'

PCLDC File: 39-24

Planning Act
Provisional Consent

Date: April 17, 2025

3-39-24 – Jill Campbell/Malcolm Murray/Malia Rimrott – Harvey – Lot 32 – Concession 4

The County of Peterborough has granted **Approval** to this application subject to the fulfillment of the following conditions:

Conditions to Decision:

1. The Secretary-Treasurer will receive the following when all other conditions are met: two (2) copies each of the following documents: (i) Signed Acknowledgement and Direction, (ii) the "Transfer in Preparation", (iii) the Planning Act Certificate Schedule.
2. Further required: One (1) printed copies of the deposited Plan of Survey or a legal description acceptable to the Registrar of Deeds illustrating the severed lands.
3. Further to the printed Plan of Survey: A closed polygon vector file of the Part boundaries shown on the Reference Plan is to be provided in Autodesk DWG Windows-readable format to the satisfaction of the County. It is recommended that the applicant's Ontario Land Surveyor consult with the County of Peterborough GIS Section to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer or the County Website for instructions on how to submit this document.
4. Rezoning of the severed parcel to the satisfaction of the Municipality.
5. A Merger Agreement is to be entered into between the Transferor, Transferee and the Municipality, pursuant to Section 51 (26) and Section 53 (12) of the Planning Act, R.S.O. 1990, and registered on title to merge the severed parcel with the abutting (or separated) land identified by property roll # 15-42-010-300-39100, such that these two parcels shall be considered as one lot and shall not be dealt with separately.
6. Subsection 3 or 5 of Section 50 of the Planning Act R.S.O. 1990, shall apply to any subsequent conveyance or transaction involving the severed land.

Reason: This application conforms to the County and Municipal Official Plans..

All written and oral submissions relating to this application were given due consideration, allowing the approval authority to make an informed decision.

The applicant and any prospective owners are advised that endangered threatened species exist in the area and may exist on the site. It is the responsibility of the landowner to identify endangered and threatened species and their habitat within the property prior to undertaking work, and to ensure that the work/activity will not result in negative impacts. Landowners are encouraged to consult with their local Ministry of Natural Resources district office if they have questions about the Endangered Species Act. Any sightings of a threatened or endangered species during development and construction on the property must be reported to the local MNR Species at Risk Biologist.

It is the responsibility of the applicant to complete the above-mentioned conditions. **A letter is required by the Secretary-Treasurer, from the agency or department that requested a condition**, confirming condition is met in order to clear that condition. If applicable, please refer to the attached report(s). There is also a **\$450.00** fee for stamping a deed or issuing a Certificate by the Secretary-Treasurer when the transfer documents and R-plans or legal descriptions are presented.

The two (2) year expiry date for this file to have all conditions met is: April 17, 2027

Note: Pursuant to Section 53(41) - "If conditions have been imposed and the applicant has not, within a period of two year after notice was given under subsection (17) or (24), whichever is later, fulfilled the conditions, the application for consent shall be deemed to be refused". If this decision is appealed, the expiry date will be 2 years from the date that the Ontario Land Tribunal issues its Order.

Approved by 
Iain Mudd, Director of Planning

Date: 

Certified a true copy of the Decision of the County of Peterborough in respect to Application **B-39-24**.


Ann Hamilton, Secretary-Treasurer

Last date for filing an appeal under Section 53 of the Planning Act is **May 7, 2025 at 4:30 pm**.

If you require this information in an accessible format, please contact Ann Hamilton at
ahamilton@ptbocounty.ca 705-743-0380 extension 2406

April 17, 2025

via email only

Bryan Davies: bryandavies@sympatico.ca
Kevin Duguay: kevin@kmdplanning.com

B-39-24 – Jill Campbell/Malcolm Murray/Malia Rimrott – Harvey – Lot 32 – Concession 4

Decision Date: April 17, 2025

Last Day for Filing a Notice of Appeal: May 7, 2025 at 4:30 p.m.

Take Notice that the enclosed is a certified copy of the Peterborough County Land Division Committee in the matter of an application pursuant to the Planning Act, Section 53, R.S.O. 1990.

You will be entitled to receive notice of any change to the conditions of the provisional consent if you have made a written request to be notified of such changes.

The applicant, the Minister, a specified person or any public body may, not later than 20 days after the giving of this notice, appeal the decision or any condition imposed by the Consent Granting Authority or appeal both the decision and any condition to the Ontario Land Tribunal. A notice of appeal must set out the reasons for the appeal and be accompanied by the fee prescribed under the Ontario Land Tribunal Act.

The notice of appeal must be sent to the Secretary-Treasurer of the Land Division Committee, either:

- by mail, at the address shown below, together with a completed Appellant Form (A1) available from the Ontario Land Tribunal website (<https://olt.gov.on.ca/appeals-process/forms/>) and the applicable fee (see [fee chart](#) on the OLT website).
- via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting "Peterborough, (County of)" as the Approval Authority. If the e-file service is down, you can submit your appeal to planning@ptbocounty.ca.

The appeal fee can be paid online through e-file or by certified cheque/money order payable to the Minister of Finance, Province of Ontario.

Only applicants, the Minister, specified persons and public bodies may appeal decisions in respect to applications for Consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group, on its behalf.

On appeal to the Ontario Land Tribunal under Section 53(19), the Tribunal shall hold a hearing for which notice shall be given to such agencies or persons and in such manner as the Board may determine.

The Ontario Land Tribunal may dismiss an appeal without holding a hearing, on its own motion or on the motion of any party, pursuant to Section 53(31) of the Planning Act. Before dismissing an appeal, the Local Planning Appeal Tribunal shall notify the appellant and give the appellant an opportunity to make representation on the proposed dismissal and the Tribunal may dismiss an appeal after holding a hearing or without holding a hearing on the motion, as it considers appropriate.

Where the decision of the Land Division Committee on an application is to give a Consent and there has been no appeal under Section 53(19), the Consent shall be given, except that where conditions have been imposed. The Consent shall not be given until the Secretary-Treasurer is satisfied that the conditions have been fulfilled.

The land which is the subject of the application *may (or may not)* be the subject of an application under the Planning Act for:

Official Plan Amendment: _____	File Number _____
Zoning By-Law Amendment: _____	File Number _____
Minor Variance: _____	File Number _____

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m., Monday to Friday at the Land Division Committee office, County Court House, 470 Water Street, Peterborough, Ontario, K9H 3M3.

Ann Hamilton (Original Signed)

Secretary-Treasurer, Land Division Committee

If you require this information in an accessible format, please contact Ann Hamilton at ahamilton@ptbocounty.ca
705-743-0380 extension 2406