

**To:** Emily Fitzgerald  
Planner, Planning Department  
Township of Douro-Dummer  
894 South Street, PO Box 92  
Warsaw, ON, KOL 3A0  
via Email: [efitzgerald@dourodummer.ca](mailto:efitzgerald@dourodummer.ca)

**File:** Zoning By-law Amendment (ZBA) as Condition of Provisional Consent to Sever;  
B-81-24 – Paul and Jennifer Kidd – Dummer – New lot – Lot 26 Con 4 –  
2095 County Road 6, Township of Douro-Dummer (Dummer Ward),  
County of Peterborough

EcoVue Reference: 22-2493

**Date:** February 19, 2026

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Dear Emily,

EcoVue Consulting has been retained on behalf of Paul and Jennifer Kidd related to satisfying the Conditions of Provisional Consent, including a Zoning By-law Amendment (ZBA) at the above noted property.

A previous Planning Justification Report was submitted along with concurrent applications for Consent and a ZBA in June of 2024. Since the rezoning was found to be required as a condition of Consent, Douro Dummer Township Staff requested that the rezoning application be re-submitted once a decision has been made by Peterborough County Land Division to ensure that any and all requirements of the related severance application could be captured within the rezoning. The County of Peterborough granted provisional approval to the application of Consent to Sever, subject to the fulfillment of conditions including, but not limited to, the following:

*4. Rezoning of the severed parcel to the satisfaction of the Municipality.*

*5. Rezoning of the retained parcel to the satisfaction of the Municipality.*

*8. The existing buildings and setbacks from the new lot lines and the 30 m VPZ be shown on the draft R-Plan and if any deficiencies are found then they be addressed through the*

*rezoning. The draft R-Plan must also demonstrate that the severed lot does not exceed 1 hectare in area and the depth does not encroach into the MDS I arc for the livestock facility on the retained parcel (To be confirmed but at least 108 m based on the PSR).*

EcoVue has reviewed the previously submitted Planning Justification Report and are of the opinion that the planning rationale previously provided has not changed. As such, please accept this letter as an addendum to the Planning Justification Report dated June 5, 2024.

In recognition that Christina Coulter was the Planner previously working on this file, EcoVue has compiled a timeline of events to assist with the review of the history of this file.

## **Timeline:**

- **August 16, 2019: Preliminary Severance Review**
  - First Nations were not included within agencies contacted by Planning Department and were not included as agencies to be contacted by Owner or Agent
- **October, 2022: EcoVue retained by Landowners**
- **NHE Conducted by Cambium during 2023 and 2024, report April 16, 2024**
  - Among other Natural Heritage features, the Identifies intermittent watercourse and wetlands, seepage areas
  - Provided within the definition of archaeological potential in the PPS, identifying archaeological potential is completed via a review of the Criteria for Evaluating Archaeological Potential prepared by the Ministry of Tourism, Culture and Sport (MTCS). These criteria were evaluated in the context of the subject property and resulted in the identification archaeological potential for the subject lands as it relates to proximity of the property to a secondary water source (i.e., identification of watercourse, wetland and seepage areas which located through the centre of the property).
- **June, 2024: Applications for ZBA and Consent submitted**
  - As provided within the PJR of the ZBA and Consent, notation of a holding provision would be placed on the property until the completion of an Archaeological Assessment to ensure archaeological resources are protected in the event of future development. It is our opinion that incorporation of the Holding provision will ensures compliance with Section 4.6 of the PPS (Section 2.6 in the applicable 2020 PPS at that time)
  - Application returned since rezoning would be a condition of Consent

- **January 13, 2025: Provisional Consent granted**
  - Among other conditions, the rezoning of the severed and retained parcels is required to the satisfaction of the Municipality (Douro-Dummer)
  - Expiry date of January 13, 2027
- **March, 2025:** Archaeological Consultants Canada retained to conduct a Stage 1 and 2 Archaeological Assessment
- **April 9, 2025:** Curve Lake First Nation (CLFN) and Alderville First Nation (AFN) notified by ACC. Subsequent notification to CLFN provided April 30, 2025.
- **May 12, 2025:** Stage 2 fieldwork conducted. Alderville First Nation provided representation and guidance during Stage 2 works.
- **July 17, 2025:** Stage 1 and 2 Archaeological Assessment Report was completed and shared with First Nations for review prior to submission by Archaeologist to Ministry of Tourism, Culture and Gaming (MTCG).
  - Isolated indigenous findspots identified during the Stage 2 property survey along the western and centre portions of the subject lands. Seven (7) isolated Indigenous (pre-contact) findspots were located over an area of approximately four (4) hectares of land used for agricultural purposes (i.e. previously disturbed). Findspots included chipping debris, one (1) utilized flake, as well as one (1) projectile point fragment. All artifacts located were determined to be not temporarily or culturally diagnostic artifacts and did not meet criteria to require further fieldwork.
- **July 23, 2025:** EcoVue receives letter via email Curve Lake First Nation, via Frances Chua Consulting
  - Curve Lake First Nation requests a meeting to discuss findings and potential revisions, or further investigation should that be determined necessary, prior to submission of this report to the Ministry.
- **August 15, 2025:** EcoVue provides response letter, including reference materials, via email requesting meeting with CLFN and Frances Chua Consulting
- **October 17, 2025:** Meeting between Curve Lake First Nation, Frances Chua Consulting, EcoVue Consulting, Archaeological Consultants Canada, Paul Kidd (Landowner)
  - CLFN accepts submission; makes request to include comments for submission to MTCG
- **November 25, 2025:** CLFN and Frances Chua Consulting are contacted via email by EcoVue requesting comments for submission.
- **December 3, 2025:** CLFN and Frances Chua are contacted via email by EcoVue requesting comments from CLFN for submission deadline by December 17, 2025 for inclusion with Stage 1 and 2 Archaeological Assessment Report prior to submission. No response provided.

- ACC has notified EcoVue that Stage 1 and 2 Archaeological Assessment Report was submitted to the MTCG at the time of this letter, pending receipt by the Ministry.

Understanding that the two (2) year expiry date for this file to have all conditions met is January 13, 2027, the landowners have a duty and responsibility to move forward with the rezoning application, in addition to fulfilling the other Conditions to Consent. It is our opinion that Section 4.6.2 of the PPS has been satisfied. Archaeological resources were not deemed to be significant. The location of their findings has been conserved through Stage 1 and 2 works, and the rezoning and proposed development is not located within the area of finding. A holding provision would not be required for this reason.

## Reasons for the Amendments:

The applicant is proposing to:

1. rezone the severed lands containing the existing residential dwelling and accompanying 1.0 hectare lot to the Residential (R) Zone;
2. retain the existing Rural (RU) Zone for the retained 18-hectare lot;
3. remove the Development (D2) Zone associated with the adjacent landfill and allow for a new single detached dwelling to be constructed on the eastern portion of the retained lands;
4. apply an Environmental Constraint (EC) Zone over natural features identified in the submitted Natural Heritage Evaluation;
5. and address zoning regulation deficiencies with related to setbacks.

**Severed Parcel:** Rezoning the severed parcel containing the existing residential dwelling to the Residential (R) Exception Zone, in addition to rezoning the wetlands and associated 30 metre Vegetation Protection Zone (VPZ) contained within the severed lands to be rezoned to the 'Environmental Constraint (EC) Exception' Zone. The EC Exception Zone is understood to permit the existing well. A site-specific 'Residential Exception' Zone is understood to provide site-specific relief for the existing Minimum Interior Side Yard setback.

**Retained Parcel:** The existing zoning of the retained parcel is (D2) and (RU). The Municipal Appraisal Form, dated October 29, 2024 (**See Appendix I**), recommends the proposed zoning of the retained

parcel to be 'Rural Special District Holding 'and 'EC Exception'. The EC Exception Zone is understood to permit the existing well contained within the VPZ.

As provided within the MAF, the 'Special District Holding' Symbol is to include:

*a building permit shall not be issued until such time as any new supply well installed on-site be sampled at least once for those parameters outlined in Column 2, Schedule 5 of the document titled Landfill Standards: A Guideline On The Regulatory And Approval Requirements For New Or Expanding Landfilling Sites (MECP, 2021). In addition, hardness, arsenic, phosphorus, and potassium should also be included as these parameters are referenced in the compliance assessment of the Hall's Glen site. The water quality testing will confirm water treatment needs (if required) as outlined in the D4 Assessment prepared by Cambium Inc., dated March 7, 2023, Section 4.0.*

It is noted that while a portion of the proposed lot line transects areas identified as potential significant woodland and the recommended VPZ of the identified wetland. The existing dwelling and accompanying well are already located within the VPZ and directly adjacent to the woodland, an alternative configuration would not be possible without fragmenting agricultural lands. As such, the rezoning of the features to the EC Exception is an appropriate measure for protection, as opposed to reconfiguring the lot lines themselves. The Consent has been provisionally granted.

The following tables outline the existing buildings and setbacks with respect to the severed and retained lands.

**Table 1 – Applicable Regulations for Residential (R) Zone for Severed Lands**

Regulations	Required: Residential (R) Zone	Proposed (Severed Lot)
a) Minimum Lot Area	4,000 m <sup>2</sup>	10,000 m <sup>2</sup> (1 ha)
b) Minimum Lot Frontage	45 m	136.60 m
c) Minimum Front Yard	15 m	33.61 m
d) Minimum Interior Side Yard	6 m	<b>4.62 m*</b>
e) Minimum Exterior Side Yard	15 m	N/A
f) Minimum Rear Yard	15 m	17.46 m
g) Minimum Water Yard	30 m	N/A
h) Minimum Floor Area	100 m <sup>2</sup>	317.71 sq.m
i) Minimum First Storey Floor Area	60 m <sup>2</sup>	238.59 sq m
j) Maximum Lot Coverage	15 %	2.32 %
k) Maximum Height	9 m	≤ 9m
l) Maximum Number of Primary Dwelling Units per Lot	1	1

**Table 2 – Applicable Regulations for Rural (RU) Zone for Retained Lands**

Regulations (9.1.7: A hobby farm)	Required	Current	Proposed (Retained Lot)
Minimum Lot Area	10 ha (100,000 m <sup>2</sup> )	±18.88 ha (188,800 m <sup>2</sup> )	±17.88 ha (178,800 m <sup>2</sup> )
Minimum Lot Frontage	135 m	> 135 m	> 135 m
Minimum Front Yard	30 m	± 33.61 m (existing house)	> 45m
Minimum Interior Side Yard	15 m	15 m	<b>± 13.2 m*</b>
Minimum Exterior Side Yard	30 m	> 45 m	> 45 m
Minimum Rear Yard	15 m	±183.31 m	±70.95 m
Maximum Building Height	9 m	≤ 9m	≤ 9m
Maximum Lot Coverage	25 %	0.6 %	0.65 %

***\*Please note bold italicized text means not found to be compliant with zoning regulation. Accompanying Zoning By-law Text has been included to address site-specific zoning deficiencies.***

In support of the application for the Zoning By-law Amendment, and in support of satisfying conditions related to the consent, the following materials are included with this submission:

- A) Original Copy of Zoning By-law Amendment Application Form
- B) Fee was to be Included for Zoning By-law Amendment of \$1,722.07, however was paid for by the landowner through Township online payment portal. Please note that Otonabee Conservation does not charge a fee associated with review of ZBA if required as a condition of Consent.
- C) Draft Zoning By-law Amendment Text, EcoVue Consulting Services
- D) Draft Zoning By-law Schedule, EcoVue Consulting Services
- E) Planning Justification Report, EcoVue Consulting Services, June 5, 2024
- F) Draft R-Plan, JBF Surveyors, \*Undated, survey completed July 24, 2024
- G) Plan 45R-17906, JBF Surveyors, Christopher E. Musclow, OLS, September 11, 2025
- H) Concept Plan, EcoVue Consulting Services, February 19, 2026
- I) Municipal Appraisal Form, November 18, 2024
- J) Natural Heritage Evaluation (Cambium Inc., April 2024)
- K) D-4 Assessment (Cambium Inc., March 2023)
- L) Stage 1 and 2 Archaeological Assessment (Archaeological Consultants Canada, July 7, 2025)
- M) Draft text for Mitigation Measures Agreement

The above studies were considered when determining the suitability of the subject property to support the proposed development in consideration of provincial and local planning policies. It is the opinion of the authors that the proposed Zoning By-law Amendment:

- Is consistent with the applicable policies of the 2024 Provincial Planning Statement;
- Ensures that Peterborough County meets the goals and objectives of Provincial policy;
- Conforms to the Peterborough County Official Plan; and
- Meets the provisions and policies in the and the Township of Douro-Dummer Comprehensive Zoning By-Law No. 2000-21;
- The proposed development represents good planning and is in the public interest;
- The application for Zoning By-law Amendment should be approved.

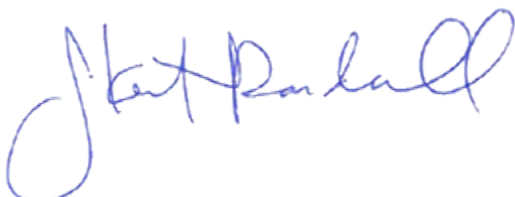
The proposed land use will comply with the proposed rezoning of the subject lands. Wetland and woodland boundaries and VPZ have been defined within the EC Zone and will not exacerbate any existing non-complying deficiencies. It is in our opinion that, provided the mitigation measures recommended in the NHE are implemented, that the Consent to sever and Zoning By-law Amendment will meet the intent of the applicable land use policies.

Given the above, it is my opinion that the proposed ZBA represents good planning and should be approved accordingly.

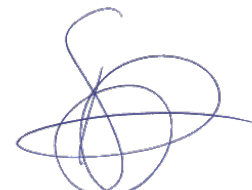
Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

**ECOVUE CONSULTING SERVICES INC.**



J. Kent Randall B.E.S., MCIP, RPP  
Principal Planner



Derek Pokora, B.U.R.P.I.  
Land Use Planner